LEGISLATIVE COUNCIL

Thursday, 3 November 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) (11:02): 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

PRIVATE PARKING AREAS (SHOPPING CENTRE PARKING AREAS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 September 2022.)

The Hon. J.M.A. LENSINK (11:02): I rise to make some remarks in relation to this piece of legislation, which we have had on the *Notice Paper* for a little bit. The Liberal Party called yesterday for the government to resolve this one way or another. From one point of view, we are pleased that we have the opportunity to debate this, but clearly there are a number of deficiencies in the final position that the government has come to. I will explore those in some detail. This is a really shabby piece of legislation. In my 20 years in this place, there have been examples of poorly put-together legislation, and this certainly is up there in the hall of shame.

I appreciate that the government says it took the commitment to stop paid parking at Tea Tree Plaza as an election commitment to the election; however, the way it has drafted this is extremely poor. I think we have already seen the unintended consequences at Tea Tree Plaza, which is my local major shopping centre. It has a range of different shops. It is extremely difficult to find a park there at certain times. There is a range of inconsistencies and hypocrisies with Labor's position, which need to be placed on the record.

It was the Marshall Liberal government which provided free parking for hospital workers. Labor decided to do away with that and was going to implement a range of compensations by various enterprise bargaining agreements. I think it is worth noting that the pandemic has not ceased with the election of the Malinauskas Labor government on 19 March. For over 2½ years now, our hospital workers have been in the frontline battle against this constantly mutating virus, which has caused a one-in-100-year global pandemic.

While the rest of us have had to deal with a range of restrictions—some have been infected, some have not—and may still be recovering from the effects of those, our hospital workers have lived and breathed this constantly, without respite, and for that reason we called on the government to continue to provide free parking for those workers, acknowledging their increased workloads and the increased risk of infection to themselves. They are understandably exhausted, and so we will continue to pursue our amendment, which provides hospital workers with ongoing access to free parking and free public transport, which were made available to them.

I note that there has been an eleventh hour deal struck with the Greens on this, so that hospital workers will pay $2.50 a day, but that is still more than $600 a year for many of our workers, some of whom are not on large wages. I note the United Workers Union has stated that free parking and transport provisions could mean savings of up to $1,300 a month, and they, like everybody else, are experiencing cost-of-living pressures.

What we will have at Modbury is the ludicrous situation where on one side of the road the Labor government will continue to charge hospital workers $2.50 a day and yet on the other side of the road they expect that anybody can park in that car park for free, which I think goes to many of the inconsistencies about this government. They support certain unions over others. Certainly, the Premier is very fond of looking after his mates in the shoppies union and that is why he has continued to pursue this ludicrous proposal.

I very much doubt whether boom gates will not be installed at Modbury, at Tea Tree Plaza. Indeed, from memory there are boom gates at the Modbury Hospital anyway. The shopping centre there did achieve approval through the development approvals process to install managed parking, and I am sure that they will continue to pursue that. No doubt we will see the situation where nobody will be able to park in certain parts of the Tea Tree Plaza car park from 8:45. That is going to result in more local traffic spilling over into the adjoining streets. This legislation is not going to fix anything at all. It is just going to create more chaos and difficulty for that particular suburb.

It is also worth reiterating that the government uses managed parking itself at the nearby Modbury Hospital; the first two hours are free. I note that the now health minister complained in January 2020 when those fees were increased. He has the chance to revert to the former fee regime now, but I doubt that he will.

At other hospital sites around the state, the government does not even use a managed parking system; it charges per hour. At Flinders Medical Centre, the Royal Adelaide Hospital and the Women's and Children's Hospital, people will all start paying for the first hour. The government also charges for the nearby park-and-ride at Tea Tree Plaza, and the same cost structure will apply for the new deck when that has been completed to expand the number of parking places at Tea Tree Plaza.

Let's look at some of Labor's claims and what stakeholders have said. The Scentre Group, which owns and operates Westfield, says that the Labor Party and Peter Malinauskas's union mates have been making false and misleading claims. This is a very serious accusation; it is certainly one that demands that when trying to introduce a piece of law into this parliament, the government should justify it.

They have put these concerns in writing. The first claim is that all customers will pay for parking at Tea Tree Plaza. They say that the vast majority who visit there will not pay for parking, because a free period is provided, comparable to Westfield West Lakes, which has a managed car park system and where 98 per cent of customers do not pay when they visit.

The second remark they say is a false or misleading claim is that retail staff will incur a fee of $35 per day. They have previously confirmed that the staff parking rate will be comparable to Westfield West Lakes, where the current staff parking rate is $3 a day. If the government wishes to make those claims it should provide the evidence.

As I have said, I find parking at Tea Tree Plaza challenging at times; certainly trying to park close to the shops you particularly want to visit on weekends is especially challenging. A survey of Tea Tree Plaza customers found that 57 per cent find it hard to find a park, and the Scentre Group has made another claim of the government falsely misrepresenting this as 57 per cent of customers opposing paid parking. That is a potential disincentive to shoppers, who will go to other sites to get what they need. In my own case, if I want to visit a particular major retailer I will visit the one at Dernancourt over Tea Tree Plaza any day.

The National Retail Association, which represents over 10,000 shopfronts in South Australia alone, has also written to express grave concerns about this legislation. Its members are predominantly independent family businesses or franchises. These are the ones who populate shopping centres where people buy meals, clothing, homewares, gifts and get their nails done. The

association has this to say about the small businesses they represent: 'Their livelihoods very much depend on availability of nearby car parking spaces, and turnover of vehicular traffic in these car parks.'

That directly contradicts a line in the Premier's media release that says that this bill is pro business. It certainly is not. Dominique Lamb, the chief executive of the National Retail Association, said, by way of a letter to the Leader of the Opposition:

> …removing paid parking is not the positive outcome that the Government may believe it to be. The regulation and payment of parking ensures spaces are not taken up by commuters and workers from nearby areas. Without it, we know that shopping centre car parks face significant demand from non-users of the centre. If this occurs, it makes it more difficult for customers to shop with our members, and results in a proportion of those potential customers choosing to shop elsewhere—either at a different location or online.

In relation to the legislation, the conditions that owners of private parking areas can impose, including time limits, and the penalties for breaching those conditions, are in part 3, sections 7 and 8, of the Private Parking Areas Act.

As I said, managed parking is common in South Australian shopping centres. Many centres or individual parking spaces have signage warning people not to park for certain periods or they may face a fine. In some instances they use number plate recognition technology and private firms to monitor excess parking time in their car parks.

The act explicitly provides for agreements that can be made with the local council for the area to enforce the limits. Of particular note is section 9(2)(c), which provides that any fine, penalty or expiation fee recovered in respect of offences relating to the private parking area shall be paid to the council.

That brings us to the concerns expressed by the Local Government Association of SA. Their board of directors met in July to endorse a formal position. In the first instance, they are:

> …of the opinion that should the State Government seek to dissuade paid parking in large shopping centres, it should not involve decision making on the part of local government. For consistency of approach, a State government Department such as Consumer and Business Services should be responsible for making the decision.

What they are saying in effect is that this government is trying to buck pass their poorly thought through proposal onto local government, which does not want it. The mere existence of clause 9 of the act, which enables local government to be the collection agency for fines, fees and penalties, sets up councils to have a conflict of interest in determining whether managed parking should be allowed or not.

The LGA has a range of concerns about the way the bill has been drafted. No reason has been provided as to why the CEO should be the decision-maker. There is potential under this bill for the CEO to make a decision without reference to the elected council members. The Liberal Party supports the Local Government Association's position, and therefore we have filed a set of amendments to this effect, which would shift the decision-making authority from the chief executive of the local council to the Commissioner for Consumer Affairs. We also have some fallback amendments in case that is not successful to provide some comfort to local government on their many other concerns:

1. There is no detail about how the CEO should reach a decision about whether to allow managed parking or not. There is a shabby reference to 'consult with the community', and I note in relation to the bill that we dealt with on Tuesday the government is not making itself consult on the new Women's and Children's Hospital. Be that as it may, in the absence of a framework or guidelines, the LGA is concerned about how this exposes councils to challenges from private parking area owners.

2. In relation to consultation, the bill does not currently provide for clear understanding of what is meant by 'community of the council', noting that the retail catchment area of a large regional shopping centre extends well beyond the local government area that it is located within.

3. The bill should require the approving authority with the ability to undertake due diligence to support an assessment of the proposal, such as examine the impacts on local roads, amenity and economic impacts.

4. The bill should provide for conditions of approving, such as periods for free parking, provision for disabled car park spaces and fees.

5. The bill does not provide clarity as to whether a council should charge a fee for undertaking a process which clearly involves costs to it.

This Premier said he would be a pro-business Premier. He has been anything but. In fact, all of his major decisions so far have been anti-business, and this is one of them. I am aware, for instance, that the Marion Shopping Centre potentially has investment of some $180 million through a joint venture. The joint venture partners based in Singapore are watching this legislation very carefully. I have been informed that, should this pass, they will not be investing in South Australia. This bill really is a kneejerk reaction from the Premier, kicking investors in the teeth.

We have also had the Bowden debacle. I think all investors would be looking at South Australia very, very carefully. For the owners of The Grove Shopping Centre at Golden Grove, which is just under the threshold definition of 34,000 square metres, their fear is that, if the bill passes, it would create an immediate substantial risk on any future investment and expansion of The Grove.

But as I have said, we know why the Premier has done this. He is looking after his own union, but he has effectively hung the other unions out to dry and he has also kicked business in the teeth. We will be opposing this bill.

The Hon. R.A. SIMMS (11:18): I rise to speak today on behalf of the Greens in support of the Private Parking Areas (Shopping Centre Parking Areas) Amendment Bill. I do want to start my remarks by reflecting on my own journey in terms of my working life and the importance of this bill. I actually got my first-ever job when I was 17, having finished year 12, and it was working in the retail sector. Indeed, I was working for Big W at Westfield in Marion.

I remember—working night shift packing boxes and packing shelves—how difficult it was for me to get home at the end of my shift. That was over 20 years ago now, and in fact there was such an absence of transport that my dad used to come to pick me up late at night to make sure I could get back to the southern suburbs because you could not get a ride home.

It is pretty disappointing that decades on so many of our state's retail workers find themselves in the position where they are often trapped, finding it difficult to get home from work, and then being slugged increasing car parking fees. It is particularly disappointing when one considers what our retail workers have been through over the last three years of this pandemic because we know that their work really is essential.

These are the people who have been at the frontline ensuring that our society could function during the pandemic. These are the people offering critical goods and services to our community, and they were often people copping abuse, copping unfair treatment, and what they have also been copping of late is an increase in their car parking fees, and that is outrageous.

For us in the Greens, we have always recognised the need for these crucial workers to be given free car parking, and that is one of the reasons why we are supportive of this bill. We of course recognise that we should always prioritise alternative forms of transport where possible, but we do acknowledge that travelling by car is necessary for some people, and that is particularly the case for retail workers. As I mentioned, there is often insufficient public transport available for these workers, and I hope that the government will take action to address that over this term of parliament.

The Greens believe that all workers should have safe ways to get to and from work. My office has received over 530 emails in support of free car parking for retail workers at shopping centres, but we have also had a large volume of correspondence from retail groups also calling on better ways to manage car parking.

One of the issues that we have been alive to in the Greens when the government first put this bill forward was the need to find a resolution for hospital workers. Whilst we were supportive of free parking being made available to retail workers in these key shopping centres, for the reasons that I have outlined, we also felt that it was important that that principle should apply to our hospital workers—people who have also been at the frontline of this pandemic and in particular during this

really tough flu season—so we have been advocating for the government over some time to deliver a better deal for those workers.

I must say, what the government have come back with is a really excellent solution. What the government are delivering is car parking for just $2.50 for hospital workers, just $2.50. That is cheaper than a cup of coffee—that is $12.50 a week—that is cheaper than a sandwich. This is going to be cheap car parking made available to these workers in the middle of a cost-of-living crisis. As a result, car parking for hospital workers will be at the lowest level it has been at for more than 10 years. That is a really good outcome for these critical workers. The other thing that the government have put on the table is they are going to provide free public transport on an ongoing level to workers who do not have access to a car parking permit. That is another terrific win.

It was the Greens who first filed amendments to provide free public transport and free car parking to these critical workers. The Greens came out very strongly on this issue months ago, and we of course welcome the Liberal Party joining the call, and we have now achieved that outcome because the government have delivered this heavily discounted car parking and free public transport, and there is therefore not a need to pursue our amendments. So, I indicate that we will not be supporting the amendments from the opposition in that regard either. The other issue—

The Hon. S.G. Wade interjecting:

The Hon. R.A. SIMMS: I hear the Hon. Stephen Wade is interjecting, screaming out 'backroom deal'. I do not make any apology for working to get good outcomes for all workers, particularly those in our hospital sector and those in our retail sector. That is why the Greens are here. The same could not be said of the Liberal Party that, as we know, served the interests of big corporations like Westfield—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.A. SIMMS: But the other—

The Hon. S.G. Wade interjecting:

The PRESIDENT: Order, the Hon. Mr Wade!

Members interjecting:

The PRESIDENT: Order!

The Hon. R.A. SIMMS: Thank you, Mr President.

The PRESIDENT: The Hon. Mr Simms, continue.

The Hon. T.A. Franks interjecting:

The PRESIDENT: Order, the Hon. Ms Franks! The Hon. Mr Simms, continue.

The Hon. R.A. SIMMS: Sorry, Mr President, I heard the Hon. Michelle Lensink interjecting with 'small family business'. She obviously has a very different definition of small family business. I would not describe Westfield as being one of the small family businesses.

Just to go on to some of the other issues in this bill, one of the other issues that we were concerned about was the fact that the bill was going to give local councils a role to play enforcing these car parking provisions. We heard from the local government sector that they did not actually want to be placed in that position and, indeed, many would have a conflict of interest because they manage car parking. That was an issue that we raised with the government, and I understand the government has taken that issue up and will be moving amendments to address that.

Given that all of those concerns have been addressed, we are delighted to be supporting the bill today. I think this is a breakthrough that will be welcomed by not only our retail workers but also our hospital workers as it brings to a close what has been a bit of a saga. It means that heading into the Christmas period those workers will have more money in their pockets, and that is going to be really critical as they continue to deal—as all South Australians do—with this ongoing cost of living crisis. I am proud of the role that the Greens have played to bring these issues to a head.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (11:27): I would like to thank the Hon. Ms Lensink and the Hon. Mr Simms for their contributions on this very important bill. I will make some very brief remarks in response to those made by the Hon. Ms Lensink. She described this legislation as 'shabby legislation' and she referred to 'a hall of shame'. Retail workers do not think that it is shabby to protect them from the extra expense of paid parking. Small businesses do not think it is shabby to avert the risk of losing customers, which could have happened if gates had been installed with paid parking.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: And shoppers don't think it is shabby that they are spared a further financial hit—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —at a time when the cost of living is increasing dramatically.

Members interjecting:

The PRESIDENT: Order! I would like to hear the minister in silence. Minister, continue please.

The Hon. C.M. SCRIVEN: Thank you, Mr President. Retail workers do not think it is shabby, small businesses do not think it is shabby and shoppers do not think it is shabby.

Members interjecting:

The PRESIDENT: Order! Minister, please continue.

The Hon. C.M. SCRIVEN: There are a number of improvements to the bill which have been agreed to that I will be moving, and I will address those further if we go into the committee stage. But I commend the bill to you; this is something that is good for shoppers, good for workers and good for small business.

Bill read a second time.

The Hon. J.M.A. LENSINK (11:29): I move, contingently, on the Private Parking Areas (Shopping Centres) Amendment Bill being read a second time:

That it be an instruction to the Committee of the Whole Council on the bill that it have power to consider a new schedule to amend the Health Care Act 2008.

This is a test, if you like, for the first of our amendments that deals with extending free parking for hospital workers. Our amendments broaden the scope of the bill beyond 'shopping centre' in the definitions of the Private Parking Area Act to enable new clause 90A to be inserted into the schedule of the Health Care Act 2008.

In the first part of the proposed new clause 90A(1), it states that a hospital worker may park their vehicle without being charged a fee. This is to ensure that hospital workers can continue to park for free at our state's hospital, as was provided to them by the Marshall Liberal government during the first two years of the COVID-19 global pandemic and, quite frankly, this is a better deal than the $2.50 a day that has been proposed by the government and the Greens.

The second part of the new clause 90A(2) provides for the continuation of free public transport for hospital workers. One of the new Malinauskas Labor government initiatives has been to remove free parking for hospital workers and everyone has acknowledged the hard work of these frontline heroes, their long hours, their challenges, the increased risk to them of contracting the virus and putting the needs of patients and their entire community ahead of their own.

The United Workers Union has also advocated for the continuation of free parking and transport provisions, which is significant for some of our lowest paid workers who, like all of us, are experiencing increasing cost-of-living pressures. Life has not gotten easier for hospital workers since

the election. We know that the impact is continuing and that is why the Liberal Party has acknowledged that they deserve to be supported, and that is why we are seeking to amend this bill to include hospital workers to continue to have free parking. Any other position is hypocritical. We know why the Premier is doing this: he is looking after one union ahead of the other and he is being disingenuous and dishonest in this debate.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (11:31): The government will not be supporting this.

The Hon. R.A. SIMMS (11:32): As I indicated, the Greens are not supportive of the amendments either, given the issues have been addressed.

The PRESIDENT: The Hon. Ms Bonaros, did you want to comment on this?

The Hon. C. BONAROS (11:32): If you insist, Mr President.

The PRESIDENT: It just helps me when I call, that's all.

The Hon. C. BONAROS: I think, for the record, in principle, we agree with both positions when it comes to parking, but I do not see how the amendment is going to serve any purpose. I am a realist; I know where numbers are. There is already a parking deal that has been done in terms of what the Attorney has outlined and that is wrapped up in the agreement and parking that is going to be offered. There is a choice between two things that effectively do the same thing, and that is provide parking for our hospital staff. I am, again, very mindful of the numbers in this place today.

The Hon. S.L. GAME (11:33): I only wish to rise to say that I support the Liberal Party's position on this matter.

The council divided on the motion:

Ayes 8
Noes.....9
Majority 1

AYES

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

NOES

Bourke, E.S.	Franks, T.A.	Hanson, J.E.
Maher, K.J.	Martin, R.B.	Ngo, T.T.
Pnevmatikos, I.	Scriven, C.M. (teller)	Simms, R.A.

PAIRS

Pangallo, F.	Hunter, I.K.	Hood, D.G.E.
Wortley, R.P.		

Motion thus negatived.

Committee Stage

In committee.

Clause 1.

The Hon. C.M. SCRIVEN: I rise just to make a few general remarks. Whilst they do relate to the amendments, they are more general in nature, looking at all three of the amendments that are proposed.

I would like to place on the record an apology. Due to an administrative error, the amendments were not filed at the time that they were sent through. However, I wish to bring the attention of the chamber to the fact that two of the amendments are identical to those that had previously been filed by the Hon. Robert Simms. The third amendment is in relation to those, with some slight changes. Given that they have been on the public record, albeit at that time going to be filed by the Hon. Mr Simms in terms of those first two, I trust that members are happy to proceed with them.

The Private Parking Areas (Shopping Centre Parking Areas) Amendment Bill seeks to deliver on our election commitment to prevent paid parking. The bill, as it passed through the lower house on 27 September, sought to prohibit owners of regulated shopping centre parking areas from charging persons frequenting a retail shopping centre with a gross lettable area of 34,000 square metres or more without the approval of the chief executive officer of the local council who has, by resolution of the council, agreed to approve charging persons for parking where the shopping centre is located.

The amendments that I will be moving will instead change that to be a decision of the minister. That will be reflected in each of the amendments that I move. This is due to feedback that we received. I look forward to addressing them in more detail when those amendments are moved.

The CHAIR: The first amendment is in the name of the Hon. Ms Lensink, amendment No. 1, [Lensink-3].

The Hon. J.M.A. LENSINK: For the benefit of honourable members, what is going on is that, because the instruction was lost, and this amendment relates to that, it therefore is consequential and so I will not be moving that set of amendments.

The CHAIR: It is only set No. 3 that you will not be moving?

The Hon. J.M.A. LENSINK: Set No. 1 we will not be proceeding with. Maybe we can deal with the other ones as they come up because there are several competing amendments.

The CHAIR: So, set No. 2.

Clause passed.

Clause 2 passed.

Clause 3.

The CHAIR: At clause 3, we have exactly the same amendments filed by the Hon. Ms Lensink and by the minister. The Hon. Ms Lensink, your amendment was filed first, so you have the opportunity to move the amendment standing in your name.

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

Amendment No 1 [Lensink–2]—

Page 2, lines 18 to 20 [clause 3(2)]—Delete subclause (2)

The Hon. C.M. SCRIVEN: Clearly, as this amendment and a second one to be moved are identical, the government will be supporting those two amendments. Just for background, the feedback that the government received was that the Local Government Association feared that the proposed legislation in its original form would damage its relationship with ratepayers if final decision-making powers about paid parking in suburban shopping centres was the responsibility of councils. The LGA voiced those concerns and the government was happy to listen.

The government also had discussions with the Hon. Robert Simms from the Greens, who supported a change that results in the Minister for Planning being responsible for any decision-making, which of course is the subject of the second amendment that I will be moving, if it is not moved elsewhere, and therefore we will be supporting this amendment.

The Hon. J.M.A. LENSINK: Perhaps I should have been a little bit more elaborate in my explanation. What this amendment does, effectively, is delete the reference to the CEO of the local council, as we explained. I think the government has accepted the opinion of the LGA on this front, that they do not wish to be the scapegoats in this shabby legislation.

The minister's amendment that we just received was after I had made my second reading speech, so I was not aware they had amendments along these lines. We will probably have a bit more discussion when we get to the subsequent amendments about the merits of various models.

I am pleased that the government has seen fit to take responsibility for its own shabby proposal. I think most people will be very pleased that the chief executive officer of a council will no longer have to make this decision.

The Hon. R.A. SIMMS: The Greens are supportive of the government's amendments. As the minister alluded to, this is an issue we did raise with the government in our discussions with them. It was an issue that was raised with us by the LGA, who did have some concerns around the role of local councils in being asked to manage these issues. There are also potential conflict of interest elements for councils that often draw on revenue from car parking.

It was our view that the minister is much better placed to make these decisions, and we are pleased that the government is taking up this issue. We will be supporting the amendments, and I also indicate that I will not be proceeding with the amendments I had filed.

Amendment carried; clause as amended passed.

Clause 4.

The Hon. J.M.A. LENSINK: I can read where the numbers lie, Mr Chair. Mr Simms has already said he will be supporting the amendment, which was actually his in the first place.

The Hon. R.A. Simms: Yes; we are supporting the government's amendment and I am not pursuing mine.

The Hon. J.M.A. LENSINK: Some of these amendments are competing, so we are clearly all singing *Kumbaya* in that everyone recognises that the local council does not wish to be the decision-making body. What I do note from the minister's amendment is that there is a range of factors that the LGA thinks should have assisted in the decision-making process for whichever body is taking responsibility for this. They wanted, as a fallback, a requirement for an assessment to consider the likely economic impacts, impacts on the adjoining road networks, and any other local amenity impacts as determined by the approving authority.

Certainly we would wish that level of due diligence is undertaken before any decision-making takes place. I note these are absent from the minister's amendment, but I can see where the numbers lie, so in that instance we will support the decision-making body being the minister. However, I request that due diligence be part of that process.

The CHAIR: So you are not moving your amendments. Minister, you need to move your amendment.

The Hon. C.M. SCRIVEN: I move:

Amendment No 2 [PrimIndRegDev–1]—

Page 3, lines 23 to 25 [clause 4, inserted section 13(1)]—Delete 'chief executive officer of the council for the area in which the regulated shopping centre parking area is situated' and substitute 'Minister'

Just for clarification, this is the amendment that makes the minister the decision-maker in this matter. I refer to my previous remarks as to why that is beneficial, and I look forward to the support of the chamber.

Amendment carried.

The Hon. C.M. SCRIVEN: I move:

Amendment No 3 [PrimIndRegDev–1]—

Page 3, lines 28 to 33 [clause 4, inserted section 13(2) and (3)]—Delete inserted subsections (2) and (3) and substitute:

(2) An approval under subsection (1) may be granted subject to such conditions as the Minister thinks fit.

(3) The Minister may add a condition to, or vary or revoke a condition of, an approval under subsection (1) by notice in writing to the owner of the regulated shopping centre parking area to which the approval relates.

These three amendments are clearly interrelated. This is simply in regard to the ability for the minister, who will now be the decision-maker, to make approvals, subject to such conditions as the minister sees fit, and make variations to those as appropriate.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (11:57): I move:

That this bill be now read a third time.

Bill read a third time and passed.

COURTS ADMINISTRATION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 September 2022.)

The Hon. I. PNEVMATIKOS (11:58): I rise today to speak on the Courts Administration (Miscellaneous) Amendment Bill. This bill has been a long time in the making. In early 2019, the Statutory Authorities Review Committee began an investigation into the State Courts Administration Council—Sheriff's Office. The committee specifically looked at the effectiveness and employment practices of the Sheriff's Office, including the management systems, processes, procedures and protocols in place to deal with allegations of workplace bullying, harassment and misconduct.

The inquiry also looked at staffing issues from interactions with other agencies under the administrative umbrella of the State Courts Administration Council. Having sat through all the evidence as a member of the committee, and proceedings for this inquiry, I can attest that the accounts we heard were nothing short of extreme. It was evident throughout our investigation that incidents of bullying and harassment had become normalised within the Sheriff's Office. A culture of systemic mistreatment cultivated over decades ensured the cycle of abuse continued.

The committee heard overwhelming evidence from former and current CAA employees that showed inconsistent practices implemented by CAA management. Reviewing these accounts, the committee found that there were potential breaches of the Public Sector Determinations and the CAA's own guidelines and policies. These inconsistencies relating to industrial relations matters had serious adverse impacts on employees' health and wellbeing.

Eighty per cent of written submissions were from current and former employees of the Sheriff's Office with almost half of this 80 per cent current employees. Of the 50 written submissions received by the committee, only four were positive toward the CAA. Although the committee received historic accounts dating back to 1995, 73 per cent of submissions contained allegations of bullying and harassment within the last 10 years.

The mere quantity of anonymous submissions received by the committee was alarming. Anonymous submissions detailed fears of retribution from CAA management for speaking out about conditions. A submission even detailed:

> …once word of this inquiry first surfaced…met with the Sheriff's Officers at the Adelaide Magistrates Court and mentioned that, as a result of the findings, privatisation may be on the cards and the vibe that they would know who would be giving evidence. So, they basically scared off current staff from giving evidence, that they would lose their jobs or be in the crosshairs if giving evidence.

Threats such as these were not uncommon even without the threat of an inquiry findings. This style of threatening retribution meant CAA management was able to maintain control and perpetuated a

cycle of abuse. From these accounts, the committee was able to suggest a suite of changes to both practices and legislative instruments that would provide better governance structures for workers within the Sheriff's Office.

As the Hon. Kyam Maher outlined in his second reading speech, this bill enacts several recommendations from the Statutory Authorities Review Committee's report. The bill addresses recommendation 4 repealing of section 21B(4b) of the Courts Administration Act, which prohibits the Commissioner for Public Sector Employment from exercising functions under section 14(1)(c) or (f) of the Public Sector Act 2009 in respect of the Courts Administration Authority. This will enable the Commissioner for Public Sector Employment to monitor and report on the workplace regarding Public Sector employment and industrial relations matters.

Recommendation 6 of the report is also addressed with an amendment to the Courts Administration Act with the addition of two nonjudicial members to be appointed to the State Courts Administration Council. The two appointed members will have extensive experience in human resource management, finance or public administration. Having nonjudicial members involved in the hierarchy of the workplace it will bring greater diversity and experiences from outside of the law to oversight.

Finally, the bill enforces the Courts Administration Authority to provide additional information in their annual report. The Statutory Authorities Review Committee's report found that there was inadequate information about important aspects of its operations, and was lacking in detail about workers compensation, occupational health, welfare and safety, training and human resources information. The bill prescribes this type of information to be included in the annual report of the Courts Administration Authority.

I note that most of these changes were proposed by the former Attorney-General. I thank her for her work, heeding the report evidence and findings, and intending to implement some of the recommendations. The bill goes further in restructuring the governance structure. It is the first step in creating better protections for workers in the Sheriff's Office, which should always be in the forefront of this government's deliberations and actions.

The Hon. J.E. HANSON (12:05): I rise today to speak in support of the Courts Administration (Miscellaneous) Amendment Bill 2022. There is a fairly long tale surrounding the bill that we now have before us. Anybody who has been around this chamber, or the other, would know that trailing back to last year and pre-election, and even a different A-G, there has been quite a bit of discussion in this chamber and the other, and, indeed, in the newspaper, about the conduct of sheriffs and the Sheriff's Office. It certainly came under the microscope in the Statutory Authorities Review Committee.

As Chair of that committee now, I remind the council of the committee's 73rd report, which we tabled in this place, entitled 'An inquiry into the State Courts Administration Council—Sheriff's Office'. For those playing from home, I know everyone loves reading *Hansard* and going back and finding what we referred to, and, if you do you will find some pretty interesting reading. The report focused on the operations, the effectiveness and the employment practices of the Sheriff's Office which included the management systems, processes, procedures and protocols in place to deal effectively and efficiently with allegations of workplace bullying, harassment and misconduct in the Sheriff's Office, and staffing issues in the Sheriff's Office, including interactions with other agencies under the administrative umbrella of the State Courts Administration Council, as well as any other matters relevant to the operations of the Sheriff's Office.

What initiated the Statutory Authorities Review Committee to produce that report? In starting this conversation I probably need to pay respect to the member for what was then Frome and is now Stuart, the Hon. Geoff Brock. Geoff Brock started having a few conversations with some people who came to him and outlined a number of concerns. Those concerns were about the kind of conduct already outlined by the Hon. Ms Pnevmatikos in relation to what was happening down at the courts.

There were lots of allegations made, and such was the concern at those allegations that obviously we initiated what was quite a wide-reaching terms of reference into the Sheriff's Office. What we found was quite concerning. We found many inconsistent practices implemented by CAA

management which led to potential breaches of the public sector determinations in the CAA's own guidelines and policies.

It is easy just to say that is a pretty small thing, that is an administrative thing. Those guidelines, those policies, those public sector determinations really outline the kind of conduct that we want to be seen by people—pretty basic things. We want to make sure that when people are appointed to roles that is done in a way which is transparent and easy to understand. We want to make sure that everyone feels safe in their workplace. We want to make sure that everybody has rules and guidelines about who you talk to if you do not feel safe, and if you talk to them you would have confidence that some action would be taken, that your matter would be looked into fairly and not just dismissed out of hand, put in a drawer or, in fact, you are then attacked for making your concerns known.

What we found, going back to the committee report, were inconsistencies. We found a lack of accountability in the administrator's role regarding industrial relations matters that had led, in that committee's view in producing that report, to significant adverse impacts on many employees' health and wellbeing throughout the Sheriff's Office. It has already been outlined by the Hon. Ms Pnevmatikos in regards to a few more specifics, but it was interesting in the committee that we had and the report that was produced, the number of people who wished to remain anonymous when giving evidence to our committee. It is telling, as the Hon. Ms Pnevmatikos went to, that many of them felt that if they gave evidence in some way there would be retribution by people employed in the Sheriff's Office. I do not think we can really be too flippant about how dangerous that is.

Certainly, there was some discussion between myself and the Chief Justice in the newspaper about whether or not it was fair for that evidence to be considered and received. I think that really goes to a level of understanding about how maybe we ended up in this place, how that report ended up being produced. What was put forward by the Chief Justice was a view that because that evidence was anonymous it gave too much credibility to that evidence and that the committee should not be considering that because, in some way, people are allowed to say whatever they want when it is anonymous.

I disagree with that view. Giving confidential evidence to committees is a fundamental process of what we do here. That is something that I have already put into the newspaper, and the Chief Justice and I had a little discussion about that in the media—that was fun—but it goes back to a basic principle. It is not about him, it is not about me, it is about whether or not we can produce reports like this. It is about whether or not we then take subsequent action on those reports. I will come back to that.

The committee also found that human resources practices dealing with the Sheriff's Officers within the CAA were grossly inadequate, with employees complaining of a consistent belligerence by management that was left to fester over many years. Again, we really should not ride too roughshod over this and the seriousness of this. I think I can recall at least four—I think it might go up to as many as twice that—human resources reviews that we had during the conduct of SARC's review of the CAA.

They changed the structure of the human resources department so many times that each time we brought them in we were dealing with something of a new structure. That was over about 12 months, but what kind of organisation that is run well would restructure itself four times in 12 or 18 months? I cannot think of one. The only types of organisations that would be run well in that regard would be ones dealing with a pandemic where they need to change what they do on a rolling basis; certainly not one that deals with basic things like how many employees you have, whether or not there are policies that cover those employees, who wrote those policies, how they are dealt with, reporting structures—basic things like that—certainly not anything that would require massive restructures.

When the committee finds something like human resources practices being grossly inadequate, that is what we are talking about. We are talking about the fact that policies of the organisation were so deficient that employees felt abandoned. I will come back to that one too.

Through that committee, we also found examples of bullying and harassment leading to serious adverse health impacts on CAA employees, which were detailed in that report. Anyone who

wants to go to that report can find those. I will not detail them here today, suffice to say: those findings were quite serious.

Those findings really led to most people just seeking out of what we were doing some sort of justice for how they were treated. They had gone beyond the idea of some sort of compensatory device. They had gone beyond the idea of ever going back to the Courts Administration Authority. They literally just wanted some sort of idea that someone had listened to them, that someone had done something or that someone was going to do something.

In regard to each of these things that I mentioned, this bill seeks to address some of them. It seeks to address some of the concerning findings of the report and implement at least three of the recommendations that that report made. Just as a quick note in that regard, for anybody who is doing reports out of committees, the implementation of recommendations out of the report is not something that necessarily happens commonplace, certainly not out of every single inquiry report that is going to be produced. The implementation of three of those is a significant step forward.

Firstly, repealing section 21B(4b) of the Courts Administration Act 1993 allows for the Commissioner for Public Sector Employment to monitor and to report on the observance of public sector principles and code of conduct by the Courts Administration Authority. This addresses recommendation 4 from the committee report, which proposed exactly that.

Section 14(1)(c) and (f) of the Public Sector Act enable the commissioner to monitor and to report on the observance of public sector principles and code of conduct and employment determinations and provide advice on and conduct reviews of public sector employment or industrial relations matters, respectively. That goes a little bit to what I said before. What we are going to see now is more reporting and more reviewing to make sure that those matters do not reach the kind of concerning levels that we had seen and which prompted SARC to have to intervene so spectacularly as what we are seeing now.

There is also the repeal of section 21B(4b) of the Courts Administration Act, which will mean the commissioner can undertake these reviews and these functions. Staff of the Courts Administration Authority will be reassured—at least I feel that they are—that the commissioner has oversight of employment practices within the authority. So, once again, we will see some of those policies. We will see some of those structures put in place that will make sure that employees are entitled to and will receive a safe workplace.

Secondly, this amendment addresses recommendation 6 of the Statutory Authorities Review Committee, which proposes providing for the appointment of two non-judicial members to the State Courts Administration Council, who can bring expertise in human resources management, finance or administration of the State Courts Administration Council.

The SARC did not have much truck with the Courts Administration Council, so I cannot really comment on those who are already on it, but I think certainly the appointment of two non-judicial members is beneficial in the objective sense. What you have is the ability to have new skills brought onto the board. At the end of the day, you cannot expect judges to have every skill in the world—they are not going to have finance or administration skills—so the appointment of these kinds of people really is, I think, going to add quite a bit of additional spine to what is probably at the moment quite a legalistic, heavy committee, I would have thought.

In any event, it is an important improvement to the earlier version of the bill introduced by the former Attorney-General in the other place last year, which only provided for up to two non-judicial members to be appointed. This bill will require two non-judicial members with experience outside of the law, which really is a fitting way to bring to the council the kind of diversity we want to see.

Finally, this bill addresses concerns reflected in recommendation 5 of the report. As noted in the Statutory Authorities Review Committee inquiry, recent annual reports of the Courts Administration Authority were pretty weak. They did not provide adequate information about important aspects of its operations. They were lacking in detail about pretty fundamental things. The Hon. Ms Pnevmatikos already went through some of them, but things like workers compensation, occupational health and safety, training and human resources information you would not have found

in there. What you did find was a glossy brochure that many workers certainly looked at and said, 'That's not reflective of operations.'

The committee inquiry also noted that there was no report on the work of the Sheriff's Office and an absence of a dedicated section for each division within that, as had previously been included in the annual reports of the former Courts Services Department prior to it being transferred across to the Courts Administration Authority. What I mean by all that is that when the courts were in charge of running their own documents, there was really an absence of any meaningful information in their annual reports. What they had become, as I mentioned, is a glossy broadsheet that was put out saying, 'How good are we?' and the answer was, 'Well, you wouldn't know.'

What we are saying, and what this bill is going to achieve, is that their annual reports now actually have some spine, actually have some information and actually have something that, if you want to know how they are running it down there, you will find out. That used to be the case, prior to us giving the courts free run in producing their own reports. It is good to see that they are going to be forced into doing that.

This bill will address these concerns. It will prescribe additional information to be included in the Courts Administration Authority annual report, including a report from the Sheriff that was not necessarily previously in there on the operations of the Sheriff and security officers. It is pretty strange that was not in there.

I welcome, if it is not clear by now, many of the steps taken by the Attorney-General on this bill to address the recommendations of the Statutory Authorities Review Committee report. These measures are going to go a long way to improving the accountability, transparency and increased visibility of matters that affect the Courts Administration Authority employees and industrial relations matters that may come up from time to time. It really starts to reflect the kind of thing that I think we want to see certainly not just in all public sector workplaces but in all workplaces full stop.

I am conscious, even having said all this, that more work needs to be done. All seven recommendations of the committee were worth implementing and certainly worth considering. I look forward to, if we do not see the kind of outcomes that we want from what has been proposed in this bill, revisiting those recommendations. I do not mean that as some sort of axe hanging over the Courts Administration Authority's head: I just mean that it is a set of expectations.

If they can meet the finish line, then, great; maybe they will start remedying the kind of conduct that forced the outcomes we are at now, which we should not need to have, but here we are. I think that if they can meet that finish line, then maybe we will not have to implement those recommendations. Until then, they sit there, and they sit there as a meaningful thing that the Courts Administration Authority should be aware of. People here have not forgotten the kind of things we saw that led to us even having to introduce this bill. I have to concur, in finishing up, with the Attorney-General when he said:

> The efficient, effective, and accountable administration of South Australian Courts is an important part of the governance of this State. The reforms in this Bill will further refine the operation of the Courts Administration Council and Authority to ensure that justice can continue to be done, and be seen to be done.

I could not concur more. It is good that justice be seen to be done not only by those who go through the courts but also by those workers who are in the courts, and this bill is going to start to look at that.

The Hon. J.M.A. LENSINK (12:22): I rise to make some remarks in relation to this bill, which is substantially the same as was introduced by the former Attorney-General, the Hon. Vickie Chapman, on 27 October last year, in response to the report of the Statutory Authorities Review Committee. Those members who participated in that would know all the personal stories behind what was taking place there. It has led to recommendations that are necessary and important, and we are pleased that they are taking place.

I commend the Statutory Authorities Review Committee for undertaking that inquiry. I think it demonstrates the value of our committee system in being able to examine things in some detail. It must certainly provide some comfort to those people who provide evidence to these committees that

change is taking place as a result of them being brave enough to turn up and tell their stories to initiate change.

This particular bill amends the composition of the State Courts Administration Council. It requires that two non-judicial members with experience in alternative fields—specified as human resource management, finance or public administration—be appointed by the Governor to form part of the council. As a result of this amendment, the bill includes consequential amendments that provide for the appointment of deputies for the new non-judicial members and clarification of the quorum and decision-making requirements of the council.

The amendments are substantially the same as the 2021 amendments, mandating the appointment of two non-judicial members. The bill also prescribes reporting requirements of the courts. In particular, clause 9 of the bill is the same as that in the 2021 bill with the exception that the state Coroner would not report pursuant to this act. The state Coroner is required to report pursuant to its own act. Notably, the principal judicial officer of the Youth Court is not a member of the council. So, we support this particular bill. My notes say with an amendment, but I do not think I have filed an amendment. I might just need to check what we did there, but we support the bill.

The Hon. C. BONAROS (12:24): I rise to speak on the Courts Administration (Miscellaneous) Amendment Bill 2022 on behalf of SA-Best. I think the reasons for this bill have been well articulated by the Hon. Irene Pnevmatikos and the Hon. Justin Hanson. I note that my colleague, the Hon. Frank Pangallo, also served on that committee and would, I think, agree with all those sentiments that were expressed today in terms of the need.

As we know, it has been, as has been highlighted, introduced off the back of the recommendations made in the Statutory Authorities Review Committee into the State Courts Administration Council and the Sheriff's Office. My understanding is that we are seeking to implement recommendations 4, 5 and 6 of that report, specifically those that deal with the issues that have been highlighted around the functions and operations of the Sheriff's Office.

I think it would be an understatement to suggest that the committee was alarmed at the evidence it heard about the mental health issues and bullying issues that all exist within the Sheriff's Office ranks and the wellbeing of officers being significantly impacted under the current Courts Administration Authority governance structure.

I think it is correct to say that the bill does not take on a key recommendation found in terms of the Sheriff's Officers with public servant status under the jurisdiction of the Public Service Act to have that position fall under the purview of the Department for Correctional Services. Instead, it seeks to address the issue via a different means, and that is to remove the existing prohibition under the Courts Administration Act of the Commissioner for Public Sector Employment to exercise its powers under the Public Sector Act with respect to those employees.

That would allow the commissioner to monitor and report on observance of the public sector principles, the code of conduct and employment discriminations, and provide advice on any conduct reviews of public sector employment or industrial relations matters respectively. I think it is generally agreed that we have got to the same outcome via a different means, which is a good outcome.

I note also that I think there is a worthy amendment regarding the Coroners Court, which I will just make mention of, and the reason for that in terms of the annual reporting requirements. The reason for that change is in relation to preventing duplication processes. I make that point simply because, as members would know, we talk about the Coroners Court in this place often. The last thing we want to be doing is adding any additional burdens on what is an already burdensome jurisdiction, which has existing reporting obligations under its respective legislation. I think that is an acceptable outcome.

Of course, there is also the change in relation to the issue of a quorum. I think that the Attorney has outlined the very valid reasons that have been expressed to him for the appropriateness and need of those changes, to ensure that there is never any question of the Chief Justice in terms of the exercise of their vote and transparency and accountability measures. I agree that that is a good proposal that was put to the Attorney, and I am glad to see that the Attorney has taken that on board in terms of this bill.

I think overall it is generally agreed that the bill strikes the correct balance between transparency and diversity of views with respect to various issues and the government acting decisively on the recommendations from the report that I and other members have referred to today. With those words, I indicate our support for the bill once again.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:29): I thank honourable members for their contributions on this important bill, and note the work that has been done by many members of this place in committee work that has informed this bill. I also thank the former Attorney-General for her work, which led to the development of many elements of this bill today, and note there is still work to do in this area.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:31): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LIVESTOCK (EMERGENCY ANIMAL DISEASE) AMENDMENT BILL

Introduction and First Reading

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (12:32): Obtained leave and introduced a bill for an act to amend the Livestock Act 1997. Read a first time.

Second Reading

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (12:35): I move:

That this bill be now read a second time.

I am very pleased to introduce the Livestock (Emergency Animal Disease) Amendment Bill 2022. Biosecurity affects the industries that keep our state's economy moving and is a responsibility shared by government, industry and the community. Emergency animal diseases and the threats of them have increased for Australia in recent months and recent years, and preparedness activities are currently underway to ensure South Australia is well placed to respond.

The Livestock (Emergency Animal Disease) Amendment Bill 2022 will build on the state's preparedness for an emergency animal disease incursion by strengthening powers within the Livestock Act 1997 to support a comprehensive, rapid and effective emergency response.

The Livestock Act 1997 contains provisions required to control or eradicate livestock diseases. These provisions are utilised regularly for the control or eradication of notifiable endemic animal diseases such as footrot in sheep. However, the current measures need strengthening to ensure speed of implementation and enable any response to be agile in the event of an emergency animal disease incursion. It is also important that powers can be exercised without unnecessary administrative burden, given the likely duration of such a response if an incursion does occur.

Ensuring that all required provisions are encompassed within the Livestock Act 1997 will assist South Australia in the effectiveness and efficiency of such a response. Given the increased risk and catastrophic consequences of some emergency animal diseases, the amendments in this bill are critical to ensure South Australia is ready to respond.

Even a small, isolated emergency animal disease outbreak could have a significant short to medium-term impact on trade. For example, a foot-and-mouth disease outbreak would immediately threaten South Australia's exports of livestock products, which were worth $954 million in 2020-21,

and also impact the $1.3 billion worth of interstate trade. A loss of export markets would also impact domestic prices for meat and meat-related products. It is estimated that a foot-and-mouth disease outbreak could cost Australia $80 billion to $100 billion over 10 years.

The effects of an emergency animal disease incursion would be felt beyond the affected livestock and trade impacts, with long-lasting wider impacts on human health and wellbeing, tourism, education and research, with regional communities being the most vulnerable.

The amendments include provisions to improve the timeliness and effectiveness of an emergency response and to improve clarity and enhance powers, noting that the nature of an emergency response can be difficult to predict. The amendments will allow notices to be published on a website and come into force prior to their publication in the *Gazette*, enabling a more timely and swift response.

The amendments provide the ability to limit the application of a notice to a specified class of persons, a specified class of livestock, livestock products or other property or specified circumstances and also exempt a person or a class of persons from a requirement imposed by a notice. They also allow for conditions to be imposed on any requirement specified by the notice.

Provisions to enable inspectors to take action have been proposed to be amended to ensure that required emergency response measures can be undertaken quickly to minimise impacts on the state's livestock industries and economy. This will provide inspectors with the ability to take a required action where a person fails to comply with a notice or order in a specified or reasonable time frame. Where there are impacts on any native animals as part of a required emergency response, the amendments provide flexibility on when consultation with the relevant minister is required.

Amendments to address the potential for conflicts between the Livestock Act 1997 and other acts have also been considered. Except for the Emergency Management Act 2004, the Livestock Act 1997 will prevail over other acts to enable effective action. Other government agencies will still be able to exercise powers under another act if they comply with the emergency response measures put in place under the Livestock Act—for example, restrictions on movements, property entry requirements or decontamination procedures.

The amendments provide the ability to prescribe the kind of property for which an inspector may issue an order, take action or cause action to be taken for the destruction, demolition or disposal of the property. Some amendments address identified gaps in current powers that will support emergency response efforts. Where appropriate, these powers have been limited in their application to emergency responses regarding exotic diseases only. These powers relate to the use of land, construction, reinforcement or repair of buildings, fences, gates or other structures, disinfection of places and property, possession and supervision of property to support response efforts, and the power to stop work or close any place.

By way of example, these powers mean that in the event of an emergency animal disease outbreak, inspectors will be able to construct or require the construction of a fence to contain livestock. They could disinfect machinery, take possession of available machinery to assist with livestock disposal activities or stop work or close a place to minimise a biosecurity risk or outbreak impact.

The amendments also increase the responsibilities of directors of a body corporate by expanding the definition of a prescribed offence. This recognises the significant role body corporate directors play in ensuring biosecurity risks and impacts are addressed effectively, especially during animal disease response.

Importantly, when an increased risk of exotic disease has been declared, powers to undertake surveillance and proof of freedom testing have been added for monitoring disease incursions or for market access purposes. These enhanced powers will ensure South Australia can undertake testing to quickly implement any required emergency response measures, to limit the rapid spread of disease, and to maintain or regain market access, which will be crucial in managing the economic impact to the state.

Finally, to ensure consistency of the Livestock Act 1997 with other modern legislation, maximum penalty provisions for hindering offences have been revised, and statutory immunity for

the Crown has been made more explicit and limited, consistent with the protections provided in the Emergency Management Act 2004.

I am confident these amendments will enhance South Australia's ability to respond to a future emergency animal disease incursion. I commend the Livestock (Emergency Animal Disease) Amendment Bill 2022 to the council and look forward to further debate. I seek leave to table the explanation of clauses and have it inserted into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

Part 2—Amendment of *Livestock Act 1997*

2—Insertion of section 7A

This clause provides that the Livestock Act is in addition to and does not limit, or derogate from, the provisions of any other Act and prevails over an inconsistent Act (except the *Emergency Management Act 2004*).

3—Amendment of section 33—Prohibition on entry or movement of livestock or other property absolutely or without required health certificate etc

This allows for urgent notices under the section to be published on a website (rather than in the Gazette) and for the granting of exemptions from the requirements of a notice.

4—Insertion of section 36A

This clause allows the Minister to declare that there is an increased risk of an exotic disease being brought into the State or a specified part of the State. If such a declaration is in force in relation to a disease, an inspector may, for the purposes of monitoring whether the disease has entered the State, or the specified part of the State, or for the purposes of any market access arrangements relating to livestock in the State, examine or test any livestock, livestock products or other property or subject any livestock, livestock products or other property to a continued program of examination or testing at intervals.

5—Amendment of section 37—Gazette notices

This clause clarifies the potential application of Gazette notices (eg to particular classes of person or livestock or subject to conditions etc). The proposed amendments also allow for urgent notices under the section to be published on a website (rather than in the Gazette) and for the granting of exemptions from the requirements of a notice.

6—Amendment of section 39—Action on default

This clause provides that if a person fails to take action required by a notice within the time specified in the notice or within a reasonable period determined by the Chief Inspector, an inspector may take the action required.

7—Amendment of section 42—Exercising powers in relation to native or feral animals

This clause provides that the Minister must enter into an arrangement with the Minister responsible for the administration of the *National Parks and Wildlife Act 1972* specifying circumstances in which that Minister is to be consulted before a notice or order is issued, or action taken or caused to be taken, under the Division in relation to native animals. If, however, the Chief Inspector is satisfied that urgent circumstances exist, no consultation will be required. Minor amendments are also made to clarify what native and feral animals it applies to.

8—Amendment of section 43—Limitation on destruction or disposal of livestock or other property

This clause replaces section 43(2) of the principal Act and makes additional provision to allow an inspector to take specified action in relation to property of a kind prescribed by the regulations.

9—Insertion of Part 4 Division 6

This clause inserts Part 4 Division 6 into the principal Act.

Division 6—Liability

46—Protection from liability

This clause sets out limitations in relation to the liability of the Crown and to any person engaged in the administration of the principal Act.

10—Amendment of section 68—General powers of inspectors

This clause inserts paragraph (da) into section 68(2) of the principal Act so that the powers of an inspector includes the power to construct, reinforce or repair any building, fencing, gates or other structures or barriers or carry out any other security or containment measures in relation to any place or thing.

11—Amendment of section 70—Offence to hinder etc inspectors

This clause increases the penalty applying under section 70 of the principal Act from $5,000 to $15,000.

12—Amendment of section 80—Offences by bodies corporate

This clause amends section 80(3) of the principal Act to delete sections 37(5), 38(6) and 38(7) from the list of provisions to which section 80 of the principal Act does not apply.

The clause expands the definition of *prescribed offence* in section 80(5) of the principal Act to include an offence against section 37 or 38.

13—Amendment of section 84—Evidence

This clause makes a consequential amendment to section 84 of the principal Act to provide for the contents of a certification for evidentiary purposes.

14—Amendment of section 87—Gazette notices

This clause makes amendments to section 87 of the principal Act and to its heading that are consequential to changes made by the insertion of section 33(2a) and section 37(2b) to provide for the publication of notices on a website.

15—Amendment of Schedule 1—Requirements for control or eradication of disease or contamination

This clause amends Schedule 1 of the principal Act to alter and expand the requirements that may be imposed by notice or order under Part 4 Division 4 of the principal Act to control or eradicate disease or contamination.

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

RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (12:43): I move:

That this bill now be read a second time.

I seek leave to insert into *Hansard* without my reading them the second reading speech and the explanation of clauses.

Leave granted.

I am pleased to introduce the Rail Safety National Law (South Australia) (Miscellaneous) Amendment Bill 2022. This Bill amends the Rail Safety National Law which is contained in the Schedule to the *Rail Safety National Law (South Australia) Act 2012*.

South Australia is the lead legislator for the Rail Safety National Law. This means that if the Bill passes both Houses of this Parliament, and has commenced in operation, the amendments to the National Law will apply in all Australian States and Territories, except for Western Australia. The amendments to the National Law will not apply in Western Australia until they are adopted there by way of mirror legislation.

Under the Rail Safety National Law, rail transport operators are responsible for ensuring that rail safety workers have the competence to undertake rail safety work in relation to their railway operations. An assessment of a rail safety worker's competence includes an assessment of the worker's competence in accordance with any applicable qualifications or units of competence recognised under the *Australian Qualifications Framework*.

The National Law provides that a certificate of competence that has purportedly been issued under the Framework to a rail safety worker, and that certifies the worker has certain qualifications or units of competence, is evidence that the worker has those qualifications or units of competence.

There have been incidents where rail safety workers have altered certificates of competence and provided the altered certificates to rail transport operators. The Bill amends the Rail Safety National Law to address this behaviour.

Under the amended National Law, it will be an offence for a rail safety worker to provide a document or information:

- that is false or misleading in a material particular; or
- that omits any matter or thing without which the document or information is misleading,
- for the purposes of an assessment of the worker's competency to carry out rail safety work. A person found guilty of this offence will face a maximum penalty of $10,000.

The Bill also inserts a section into the National Law which provides the National Rail Safety Regulator with a new power to grant exemptions. The new power enables the Regulator to exempt all rail transport operators, or rail transport operators of a class, from section 114 of the National Law, in the event of an emergency.

Section 114 requires rail transport operators to prepare and implement a health and fitness program for rail safety workers. At the beginning of the COVID-19 pandemic in 2020, access to non-urgent medical services was limited, and this affected the ability of rail transport operators to meet the requirements of section 114.

While the Regulator currently has the power to grant rail transport operators an exemption from section 114, this power only allows the Regulator to grant exemptions to individual operators, on application. The narrow scope of the Regulator's power meant that at the beginning of the COVID-19 pandemic, the Office of the National Rail Safety Regulator had to work with each State and Territory to arrange for the responsible Minster in each jurisdiction to grant operators an exemption from section 114.

The Regulator's new power means that, in the event of a future emergency, the Regulator will be able to grant an exemption from section 114 to all rail transport operators, across all jurisdictions, at the same time. Like the section of the National Law that gives responsible Ministers an exemption power, the new section will limit the period of time for which exemptions can be granted to three months, will allow exemptions to be granted subject to conditions, and will allow for the variation and cancellation of exemptions.

It will be an offence for a rail transport operator to breach a condition placed on an exemption from section 114, without reasonable excuse. If an operator is prosecuted, it will be up to the operator to show that they had a reasonable excuse for breaching the condition. An operator found guilty of this offence will be subject to a maximum penalty of $100,000 if they are a body corporate, or $20 000 if they are an individual.

The amendments to the Rail Safety National Law that I have just outlined were approved by the responsible Ministers at the Infrastructure and Transport Minsters' Meeting held on 11 February 2022. As South Australia is the lead legislator for the National Law, the Parliamentary Counsel drafted the Bill on behalf of the Australasian Parliamentary Counsel's Committee.

I commend the Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Rail Safety National Law

4—Amendment of section 42—National Rail Safety Register

This clause makes an amendment to the requirement that details of exemptions are to be included on the National Rail Safety Register. This is a consequential amendment to broaden the reference to exemptions to ensure it will cover Regulator exemptions granted under proposed new section 203A.

5—Amendment of section 117—Assessment of competence

This clause provides that it is an offence for a person to provide a document or information in relation to the assessment by a rail transport operator of that person's competence for carrying out rail safety work that is false or misleading in a material particular, or omits something, without which, the document or information is misleading. This is required as the general offence under section 226 of the Law for providing false and misleading information given in compliance with the Law does not apply where there is no obligation under the Law for a person to provide that information to a rail transport operator.

6—Amendment of section 203—Ministerial exemptions

This amendment is consequential on proposed new section 203A to ensure there is consistency with the provision regarding the grant of Ministerial exemptions.

7—Insertion of Part 6 Division 1A

This provision inserts proposed Division 1A (and section 203A).

Division 1A—Exemptions granted by Regulator in event of emergency

203A—Exemptions granted by Regulator in event of emergency

This clause provides for the ability of the Regulator to grant exemptions in the event of an emergency to the requirement under section 114 of the Law for a rail transport operator to prepare and implement a health and fitness program for rail safety workers who carry out rail safety work for the operator. For the purposes of the clause, *emergency* is defined to mean an event or circumstance that is declared to be an emergency or disaster by the Commonwealth or a State or Territory, or a Commonwealth, State or Territory authority that is responsible for managing responses to emergencies or disasters.

Similar to Ministerial exemptions under section 203 of the Law, an exemption under this provision may be granted subject to conditions and for a specified period, which cannot exceed 3 months. An exemption may be varied (but not so as to extend the operation of the exemption for a period that exceeds the maximum of 3 months) or cancelled, as may any conditions of the exemption. It is an offence for a rail transport operator to breach a condition of an exemption without reasonable excuse.

Exemptions of the Regulator under this clause are made by notice in the South Australian Government Gazette and must also be published on the Office of the National Rail Safety Regulator's website.

8—Amendment of heading to Part 6 Division 2

This amendment is consequential on proposed new section 203A to distinguish between exemptions of the Regulator granted under that section and those granted by the Regulator on application under Part 6 Division 2 of the Law.

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

MOTOR VEHICLES (ELECTRIC VEHICLE LEVY) AMENDMENT REPEAL BILL

Second Reading

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (12:44): I move:

That this bill be now read a second time.

I seek leave to insert the second reading speech and explanation of clauses into *Hansard* without my reading them.

Leave granted.

The Government introduces the Motor Vehicles (Electric Vehicle Levy) Amendment Repeal Bill 2022 in order to repeal the *Motor Vehicles (Electric Vehicle Levy) Amendment Act 2021* and deliver on a key election policy to abolish the electric vehicle levy introduced by the previous government.

This government has acted immediately to introduce this Bill to repeal the levy in order to provide certainty for those looking to purchase an electric vehicle, and to encourage the uptake of electric vehicles by reducing the cost of owning and operating an electric vehicle.

A survey undertaken by the Australia Institute in 2021 showed that 7 in 10 South Australians would be less likely to purchase an electric vehicle if an electric vehicle levy were to be introduced.

This Bill will repeal the levy before any electric vehicles can be taxed for the kilometres they drive. We want to encourage South Australians to buy an electric vehicle and the levy will have the opposite effect.

Over the coming decade the price of electric vehicles is expected to fall, and electric vehicles will become increasingly common on our roads. This Bill will operate to increase the number of electric vehicles on the road resulting in reduced state greenhouse gas emissions from transport and an improvement in air quality.

I commend this Bill to members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

Part 2—Repeal of *Motor Vehicles (Electric Vehicle Levy) Amendment Act 2021*

2—Repeal of Act

This clause repeals the *Motor Vehicles (Electric Vehicle Levy) Amendment Act 2021*.

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

CRIMINAL PROCEDURE (MONITORING ORDERS) AMENDMENT BILL

Introduction and First Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:45): Obtained leave and introduced a bill for an act to amend the Criminal Procedure Act 1921. Read a first time.

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:45): I move:

That this bill be now read a second time.

I rise to introduce the Criminal Procedure (Monitoring Orders) Amendment Bill. This bill will give effect to the government's election commitment to require convicted firebugs to be electronically monitored during the bushfire season.

It is a reality in Australia that bushfires can cause widespread and catastrophic damage to property, interruption to business as well as injury and death to people, animals and wildlife. The potential for bushfires in this state is significant giving rise to great anxiety in the community, particularly people living in rural and semi-rural areas of the state. We have seen in recent years the devastation that bushfires can unleash across the state, most recently on Kangaroo Island and in the Adelaide Hills. Significant police and emergency services resources are devoted each summer to monitoring suspected firebugs, and battling bushfires to prevent widespread damage to property and the risk to lives.

The Parole Board has, in practice, imposed electronic monitoring during fire season as a condition of release on the parole of some persons convicted of bushfire offences. The duration of electronic monitoring that may be ordered as a condition of a sentence or parole, however, is limited to the duration of that offender's sentence, although an extended supervision order under the Criminal Law (High Risk Offenders) Act 2015 may then be available on application for extended supervision orders and more intensive orders that include multiple conditions and require high-risk offenders to be under the supervision of a Community Corrections Officer.

In many cases the duration of a bushfire offender sentence and parole will be significantly less than the prescribed maximum penalty for the bushfire offence, which is life imprisonment. Court statistics indicate that of the six defendants convicted of this offence in the four-year period from 1 January 2017 to 31 December 2020, four were sentenced to imprisonment, ranging from a sentence of one year and nine months, to a sentence of three years and seven months. Two offenders received, in each case, a two-year suspended sentence bond. More recently, a woman was sentenced in September 2022 to imprisonment for 5½ years after pleading guilty to two of six charges of causing a bushfire.

Modelled on existing provisions for paedophile restraining orders under the Criminal Procedure Act 1921, the bill would amend the Criminal Procedure Act to provide for a new bushfire offender monitoring order. An application would be able to be made by a police officer to the Magistrates Court for an order requiring that a person who has been convicted of the offence of causing a bushfire contained in section 85B of the Criminal Law Consolidation Act 1935 to be indefinitely subject to electronic monitoring during the declared bushfire season each year.

A court would be empowered to make the order on the basis that the person has previously been convicted or found guilty of the bushfire offence, and the court is satisfied that the defendant is at risk of committing further bushfire offences. The court would be required to take the following factors into account in considering whether to make an electronic monitoring order in respect of a person previously convicted of an offence.

The court would be required to take into account whether the defendant has engaged in any conduct that indicates they might commit further bushfire offences, any psychological or psychiatric condition that indicates the defendant may be at risk of committing further bushfire offences, and any other matter in the circumstances of the case that the Magistrates Court considers relevant. On

application made by a police officer or by the defendant, the court will be able to revoke a monitoring order if the court is satisfied the person is no longer a risk of committing further bushfire offences or will be residing in a place outside of the state.

Provision is also made for the court to suspend monitoring for a specified period if the court is satisfied the defendant is not a risk of committing further bushfire offences during that period or if it is otherwise appropriate to do so—for example, periods where the person travels temporarily out of the state or is immobile due to ill health.

Our government is committed to doing what we can to prevent bushfires from being deliberately lit. Electronic monitoring of suspected firebugs during bushfire season will give police and emergency services another tool in their arsenal to protect our community. I commend the bill to the chamber and I seek leave to have the explanation of clauses inserted into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Criminal Procedure Act 1921*

3—Insertion of Part 4 Division 8

This clause inserts a new Division in the Act allowing a police officer to apply to the Magistrates Court for an order allowing the electronic monitoring of a bushfire offender during each fire danger season. The Court must assess whether there is an appreciable risk that the defendant may commit a further bushfire offence (ie an offence against an offence against section 85B of the *Criminal Law Consolidation Act 1935*), taking into account certain specified matters. The order may be suspended or revoked by further order of the Magistrates Court.

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

SUMMARY OFFENCES (DOG THEFT) AMENDMENT BILL

Introduction and First Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:50): Obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953. Read a first time.

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:51): I move:

That this bill be now read a second time.

I am pleased to introduce the Summary Offences (Dog Theft) Amendment Bill 2022, which implements an election commitment made by the government to increase penalties to deter the theft of dogs for financial gain. The bill amends the Summary Offences Act 1953 to insert a new summary offence of dog theft into section 47A. The offence has a maximum penalty of $50,000 or two years' imprisonment.

In recent times, reports in the media have suggested that the cost of dogs and, particularly, pure bred and designer breeds, have increased considerably due to increase in demand and a reduction in supply. This in turn has created the possibility that the offenders will seek to take advantage of these circumstances and make significant financial gains from the stealing or selling of dogs.

Dogs have a special place in many family homes and need to be protected from being taken away from their loved ones. While the theft of a dog can currently be dealt with under the general theft offences in section 134 of the Criminal Law Consolidation Act, this offence in particular does

not explicitly provide for a fine. The new summary offence for dog theft in the bill introduces a substantial financial penalty, which acts as a strong deterrent against would-be offenders who may be motivated by profit.

The new offence is similar in approach to that adopted in New South Wales and the Northern Territory, which both provide for a separate offence for stealing a dog. The new law does not displace the existing provisions of the Criminal Law Consolidation Act, which allow for theft to be prosecuted under the general theft offence.

Police may still choose to charge under the criminal law consolidation offence where it is appropriate, having regard to the particular nature, extent of the offending, strength of the available evidence and the appropriate sentence. For example, where an offender uses violence against the person in the commission of that theft, it may be appropriate to charge theft under the Criminal Law Consolidation Act to make out the offence of robbery under section 137 of the Criminal Law Consolidation Act.

The deterrence of unscrupulous persons for stealing dogs for profit is appropriately addressed by this hefty financial penalty attaching to the new offence and I am pleased that the government is delivering further on an election commitment. I commend the bill to the chamber and seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of Summary Offences Act 1953

3—Insertion of section 47A

This clause inserts section 47A into the principal Act.

47A—Dog theft

This provision establishes an offence of dog theft. It provides that a person who steals a dog, or has unlawfully in their possession a stolen dog knowing that the dog has been stolen, is guilty of an offence.

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

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) (NO 3) BILL

Introduction and First Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:54): Obtained leave and introduced a bill for an act to amend the Coroners Act 2003 and the Criminal Law Consolidation Act 1935. Read a first time.

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:55): I move:

That this bill be now read a second time.

I introduce this bill today, the Statutes Amendment (Attorney-General's Portfolio) (No. 3) Bill. From time to time, Attorney-General's portfolio bills are required to rectify minor errors, omissions and other deficiencies identified in the legislation committed to the Attorney-General. Given the often technical nature of amendments in these bills, it is often more efficient to deal with such matters in a single bill, rather than separate bills for each separate amendment.

This bill makes two amendments to two acts within the Attorney-General's portfolio, being the Coroners Act 2003 and the Criminal Law Consolidation Act 1935. Part 2 of the bill makes a number of amendments to the Coroners Act to clarify how deaths that occur in accordance with the

Voluntary Assisted Dying Act 2021 are to be treated under the Coroners Act. In particular, part 2 of the bill amends section 3 of the Coroners Act to remove an amendment inserted by the Voluntary Assisted Dying Act, which provides that the deaths that occur in accordance with that act are reportable deaths for the purposes of the Coroners Act, and inserts a provision which expressly provides that deaths that occur in accordance with the VAD scheme are not reportable deaths for the purposes of Coroners Act.

Currently, lawful deaths that would occur under the voluntary assisted dying scheme when it commences are reportable deaths for the purposes of the Coroners Act. Section 84(2) of the Voluntary Assisted Dying Act requires that medical practitioners who provide care immediately before a person's death or who examine the body of a person after death, where a practitioner reasonably believes that person was subject to a voluntary assisted dying permit, must notify the State Coroner of the death. When the death is reportable for the purposes of the Coroners Act, the Coroner is required to make findings as to the cause in each instance and must consider whether an inquest is required.

The South Australian voluntary assisted dying scheme is largely based on the Victorian model as set out in the Voluntary Assisted Dying Act 2017 in Victoria. However, unlike the South Australian Coroners Act, the definition of 'reportable death' in the Victorian Coroners Act 2008 expressly provides that a death that occurs in accordance with the Victorian voluntary assisted dying scheme is not a reportable death.

Furthermore, the Victorian Coroners Act allows for the Coroner to determine that a death it has investigated is not a reportable death without the Coroner having to make findings of the cause of death. Unlike the Victorian Coroners Act, the South Australian Coroners Act provides that if the State Coroner is notified of a reportable death a finding as to the cause of the death must be made by the State Coroner or the Coroners Court, following an inquest.

Consequentially, there is no discretion for a State Coroner as to whether to investigate a reportable death without taking further action. South Australia is the only jurisdiction where deaths that occur in accordance with the voluntary assisted dying scheme are treated as reportable deaths by virtue of this part of the Coroners Act.

It is clear that the full implications of making deaths under the South Australian voluntary assisted dying scheme a reportable death for the Coroners Act were not fully appreciated at the time the legislation was debated in parliament. Requiring the State Coroner to make a finding as to the cause of death for each death that occurs in accordance with the voluntary assisted dying scheme would have a significant impact on the workload of the State Coroner. More importantly, the government holds concerns that this requirement, as it currently stands, may lead to further delays in finalising the affairs of persons, which in turn may further exacerbate the trauma of the loved ones of the deceased.

The government has made a commitment to bring into operation the voluntary assisted dying legislation as soon as possible. Accordingly, the bill amends the Coroners Act to ensure that deaths that occur in accordance with the South Australian voluntary assisted dying scheme are treated under the Coroners Act the in same way as they are in all other jurisdictions. Importantly, deaths that do not occur in accordance with the voluntary assisted dying scheme will not be excluded from the definition of reportable death for the purposes of the Coroners Act. These deaths will be subject to existing processes as set out in the Coroners Act.

As an additional measure, clause 4 of the bill amends section 39 of the Coroners Act to require the State Coroner to include the number of notifications received each year under section 84(2) of Voluntary Assisted Dying Act in the State Coroner's annual report. This will ensure that notifications that are received under section 84(2) are reported on with appropriate transparency and oversight.

In addition, part 3 of the bill amends the Criminal Law Consolidation Act 1935 to delete section 63A(3) of the act, which has become obsolete following the commencement of the Statutes Amendment (Child Sex Offences) Act 2022. The Statutes Amendment (Child Sex Offences) Act was passed by the parliament earlier this year and received royal assent on 14 July 2022. The Statutes

Amendment (Child Sex Offences) Act 2022 made amendments to various acts and fulfilled a number of election commitments by the government in relation to child sex offences.

In particular, section 14 of that act made important changes to section 63A(1) of the Criminal Law Consolidation Act 1935 to apply one standard maximum penalty for offences relating to the possession of child exploitation material, thereby removing the current penalty differentiation for first and subsequent offences. Section 14 of that act commenced on 1 October 2022. Despite this, section 63A(3) continues to refer to the distinction between first and subsequent offences for possession of child exploitation material. As this provision no longer has any work to do, the bill deletes this section to avoid any potential confusion regarding the intended operation of section 63A(3).

While this bill contains a small number of measures, it implements important reforms in relation to the efficiency and functioning of our justice system. I commend the bill to the chamber and seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Coroners Act 2003*

3—Amendment of section 3—Interpretation

Subclause (1) makes a consequential amendment. Subclause (2) removes a provision that inserts into the definition of *reportable death* a death that occurs as a result of the administration of a voluntary assisted dying substance to a person in accordance with the *Voluntary Assisted Dying Act 2021*. Subclause (3) inserts a provision into the interpretation provisions in the Act to make clear that the death of a person in such circumstances is not reportable.

4—Amendment of section 39—Annual report

This clause amends the annual reporting provisions in the Act to require the annual report to contain the number of notifications received by the State Coroner under section 84(2) of the *Voluntary Assisted Dying Act 2021*.

Part 3—Amendment of *Criminal Law Consolidation Act 1935*

5—Amendment of section 63A—Possession of child exploitation material

This amendment removes subsection (3) which refers to various penalty provisions which were deleted from subsection (1) in a previous amendment Act.

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

Sitting suspended from 13:01 to 14:15.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Aboriginal Affairs and Reconciliation—(Hon. K.J. Maher)—

Reports, 2021-22—
- Department for Health and Wellbeing
- Health Performance Council
- Health and Community Services Complaints Commissioner
- Principal Community Visitor

By the Attorney-General—(Hon. K.J. Maher)—

Youth Treatment Orders Visitor—Report, 2021-22

Southern Select Super Corporation Charter, 2022-23

By the Minister for Industrial Relations and Public Sector—(Hon. K.J. Maher)—

Reports, 2021-22—
Construction Industry Long Service Leave Board
South Australian Employment Tribunal

By the Attorney-General—(Hon. K.J. Maher) on behalf of the Minister for Primary Industries and Regional Development (Hon. C.M. Scriven)—

Reports, 2021-22—
Department for Child Protection
Department for Infrastructure and Transport
Office for Recreation, Sport and Racing
Training Centre Visitor
Safe and Well: Supporting Families, Protecting Children: Report, 2022
South Australian Housing Authority Triennial Review 2017-18 to 2020-21—dated May 2022

Question Time

LOCAL GOVERNMENT ELECTIONS

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

Leave granted.

The Hon. N.J. CENTOFANTI: With recent reports about irregular enrolments at the West Torrens council election and an alleged voter scam in the Adelaide City Council election, my question is to the Attorney-General. Attorney, what action have you undertaken to ensure the local government election that is underway has integrity and that voters can trust the process and results?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:18): I thank the honourable member for her question. The Local Government Act, which includes the conduct of local government elections, is committed to the Minister for Local Government, so I will be happy to pass on her question to my colleague the Minister for Local Government in another place and bring back a reply.

LOCAL GOVERNMENT ELECTIONS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:19): I have a supplementary: has the minister sought a briefing on the issue of voter fraud and irregularity?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:19): I am happy to see if the minister responsible has sought a briefing.

LOCAL GOVERNMENT ELECTIONS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:19): Supplementary: have you as Attorney-General sought a briefing on the issues of voter fraud and irregularity?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:19): I have not sought a briefing from the Minister for Local Government on his areas of portfolio and legislative responsibility.

LOCAL GOVERNMENT ELECTIONS

The Hon. H.M. GIROLAMO (14:19): A supplementary.

The PRESIDENT: I will listen to the supplementary question; it should be arising out of the original answer.

The Hon. H.M. GIROLAMO: Is the Attorney-General concerned with these allegations and, from a legal perspective, what will he be undertaking?

The PRESIDENT: That is not really out of the original answer. Attorney?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:19): I think everyone in this state, and all of us in this place, are concerned if there are questions of impropriety during democratic processes. I have every confidence that my colleague, the Minister for Local Government, to whom the Local Government Act is committed, will be looking at this matter in the appropriate manner.

LOCAL GOVERNMENT ELECTIONS

The Hon. H.M. GIROLAMO (14:20): A supplementary.

The Hon. K.J. Maher: From the original answer?

The Hon. H.M. GIROLAMO: Of course.

The PRESIDENT: Order! I'll do that; next you'll be wanting half my pay. The Hon. Ms Girolamo has a supplementary question.

The Hon. H.M. GIROLAMO: Is the Attorney-General responsible for the Electoral Act?

The PRESIDENT: I'm not sure how that comes out of the original answer.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:20): I am happy to answer. The Electoral Act, like, I can't remember exactly but close to 200 other pieces of legislation, is committed to the Attorney-General. However, elections conducted for local government are under the portfolio of the Minister for Local Government.

LOCAL GOVERNMENT ELECTIONS

The Hon. H.M. GIROLAMO (14:20): A supplementary.

The PRESIDENT: I will listen.

The Hon. H.M. GIROLAMO: In regard to the Electoral Act—

The PRESIDENT: No; ask your question.

The Hon. H.M. GIROLAMO: —what specifically—

The PRESIDENT: Ask your question.

The Hon. H.M. GIROLAMO: In regard to the Electoral Act, what action will the Attorney-General be taking to ensure the integrity of not only the local council elections but all elections going forward?

The PRESIDENT: Okay; I have indulged.

Members interjecting:

The PRESIDENT: Order! The honourable Leader of the Opposition, your second question.

LOCAL GOVERNMENT ELECTIONS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:21): I seek leave to give a brief explanation before asking a question of the Attorney-General about local government elections.

Leave granted.

The Hon. N.J. CENTOFANTI: The Electoral Integrity Assurance Taskforce is a network of federal government agencies, including the Australian Electoral Commission, the Department of Finance, the Department of the Prime Minister and Cabinet, the Department of Infrastructure, Transport, Regional Development, Communications and the Arts, the Attorney-General's Department, the Department of Home Affairs, and the Australian Federal Police. This is also supported, when needed, by the national intelligence community.

My question to the Attorney is: can the Attorney advise if the Electoral Integrity Assurance Taskforce has been requested by the Electoral Commission of South Australia to assist and investigate allegations of voter fraud and irregularity in South Australia's local government elections?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:22): I thank the honourable member for her question. I can say that I have no information or advice in relation to that but, once again, I'm happy to pass that question on to my colleague the Hon. Clare Scriven, who is the minister who represents the local government minister in this chamber. So I will ask her as the other minister here who represents a minister in the other place, to see if there is any further advice on that.

NUCLEAR ENERGY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:22): I seek leave to make a brief explanation before asking questions to the Attorney-General regarding nuclear energy.

Leave granted.

The Hon. N.J. CENTOFANTI: A poll conducted by JWS and commissioned by the South Australian Chamber of Mines and Energy revealed that 63 per cent of South Australians agree that nuclear-power should be considered due to cost and reliability concerns in the National Electricity Market. The survey also found that 58 per cent of South Australians supported the amendment of federal environment and radiation protection laws in order to remove nuclear industry prohibitions. My questions to the Attorney-General are:

1. Given it is clear that the majority of South Australians support the serious consideration of nuclear power as an energy option, will the Attorney-General lobby the federal government to amend legislation to rescind nuclear industry prohibitions?

2. Has the state government consulted with interest groups regarding the merits of nuclear energy?

3. What is the state government's position on nuclear energy?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:23): I thank the honourable member for her question. I suspect I know what is going on here. My strong suspicion is that the Leader of the Opposition wasn't aware that the Minister for Primary Industries was paired today. Consequently, my guess is that the Leader of the Opposition has looked through other questions, probably lower house questions, to try to cover the absence, knowing full well that the questions are the responsibility of other ministers in the lower house.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: I can't remember, sir—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: I can't remember a single time in this chamber—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: Point of order, Mr President.

The PRESIDENT: I will listen to your point of order.

The Hon. J.M.A. LENSINK: Relevance.

The PRESIDENT: Minister, continue.

The Hon. K.J. MAHER: In relation to the question that was directed clearly at the Minister for Energy, I can't remember a single time in this chamber when the opposition's first three questions have been asked of ministers who aren't even in this chamber.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: This speaks of an opposition not organised, that has run out of puff. I will be happy, as the member has requested, to refer those questions to the relevant minister in another place and bring back a reply and look forward to further questions that maybe have been taken from datasets elsewhere. It's either they have run out or they were that disorganised they don't have questions for ministers in this chamber.

SHOP TRADING HOURS

The Hon. I. PNEVMATIKOS (14:25): My question is to the Minister for Industrial Relations and Public Sector, who sits in this chamber. Will the minister update the council on how the Malinauskas government has consulted with the business community on new shop trading hours?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:26): I thank the honourable member for her question. See, that's how you do it: you ask a question about an area that a minister in this chamber has the portfolio responsibility for. That's how you do it. The Hon. Irene Pnevmatikos is showing the opposition exactly how you do it in question time: asking a relevant question to a relevant minister here. I must say I really don't mind—

The PRESIDENT: Attorney, I am watching the clock. You only have a limited time with a Dorothy.

The Hon. K.J. MAHER: I was going to provide advice, as I occasionally graciously do, to the opposition to let them know that I don't mind if they want to ask every single question about portfolio responsibilities of ministers in the lower house. But on this occasion a member in this chamber has dared to be different and asked something relevant to a minister in this chamber. I am very pleased to inform the chamber about what the Malinauskas Labor government has been doing, working closely with both employer and employee representatives to roll out the significant reforms to shop trading laws in South Australia.

We knew, when this legislation was proceeding through parliament, we needed to give both businesses and workers as much notice as possible of these changes in the lead-up to the busy retail Christmas period to get rosters and what they need to organise to be done before the Christmas trading period.

That's why we wrote to peak business groups to advise that, once the legislation passed parliament, we intended it to come into effect on 1 November for the first Sunday with that extended 9am starting trading hours to commence on Sunday 6 November. That's precisely what we have done. I look forward to seeing shops opening their doors this Sunday 6 November at 9am.

It's a reform we could have had almost any time in the last term of parliament. In the last parliament, we could have seen the reform instituted when the then opposition leader, now Premier, the member for Croydon, the Hon. Peter Malinauskas, reached out in a bipartisan show of good grace to say we would support, in a bipartisan way, reforms for shops opening at 9am on Sunday. But do you know not happened?

The Hon. E.S. Bourke: What happened?

The Hon. K.J. MAHER: The Hon. Rob Lucas happened and stubbornly put ideology over sensible reforms and stood in the way of those extended shop trading hours on a Sunday morning. We have consulted with business groups, we have consulted with unions that represent workers and I'm very proud to say that this Sunday morning, 6 November, will be the first time shops are allowed to open this century at 9am in the morning.

AUSTRALIAN RADIOACTIVE WASTE AGENCY

The Hon. T.A. FRANKS (14:29): I seek leave to make a brief explanation before addressing a question to the Attorney-General on the topic of the powers of the Australian Radioactive Waste Agency to override South Australian laws.

Leave granted.

The Hon. T.A. FRANKS: As members of this council would be well aware, there are currently plans by the federal government to establish a nuclear waste storage facility here in South Australia. Members would also be aware that in South Australia we have the Nuclear Waste Storage Facility (Prohibition) Act 2000, which prohibits the construction or operation of a nuclear waste storage facility in our state.

On Monday, the Environment, Resources and Development Committee heard evidence from the Australian Radioactive Waste Agency (ARWA) regarding their ability or their claimed ability to override our state laws, plural, including our state law that prohibits nuclear waste facilities being built in South Australia. The CEO, Sam Usher, stated:

> Under our legislation it does say that—it is complex—if state or territory legislation regulates, hinders or prevents us from doing something we need to do, there are certain rules around how we can override that so that it doesn't apply to us.

Looking at the National Radioactive Waste Management Act 2012, I assume they are referring to clause 12 relating to the application of state and territory laws. I note that in the past, states have fought for their rights and against such legislation being overridden by the federal government, with famous cases such as Williams v Commonwealth and Henderson v Defence Housing Authority serving as some examples.

I further note that the Malinauskas government have committed to protecting the right of veto for the traditional owners of the land, the Barngarla people, who are of course currently seeking a judicial review of that decision to build a nuclear waste storage facility on their land, and clearly wish to exercise their right of veto.

My questions to the minister are: given that ARWA believes that they have the power to override state laws on any matter that 'regulates, hinders or prevents us from doing something we need to do', has the South Australian government sought legal advice on the matter, and how will they ensure the veto rights of the Barngarla people?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:31): I thank the honourable member for her question and her longstanding advocacy in this area, and particularly for and on behalf of the Barngarla people. I don't have detailed advice in front of me at the moment, but I am happy to go away and make further inquiries, but I do know from initial inquiries that were made some time ago the general principle I think that had been provided to us was that the commonwealth could override much of state law in terms of their ambitions for a nuclear waste facility, I think including the Aboriginal Heritage Act amongst other laws in their pursuit of the facility.

In terms of other bits of legislation, I am happy to go away and have a look at what the interaction might be between commonwealth legislation, commonwealth constitutional powers and different aspects of state legislation but, as I have said, we have asked this question some time ago and the commonwealth powers appear to be far-reaching and broad-ranging in terms of their application to state law.

The honourable member is correct. It was a position that I think the then Premier Jay Weatherill initially provided—that we have not deviated from in opposition and now in government—that in terms of a nuclear waste storage facility, something that will have such a long-lasting impact on country, country that Aboriginal people have been custodians of for tens of thousands of years, our position is, and has been, and will continue to be that we view that traditional owners should have that last right of refusal. It is something that in the past I have made my colleagues—both in Liberal and Labor—in federal parliament aware of, and I will continue to do so.

AUSTRALIAN RADIOACTIVE WASTE AGENCY

The Hon. T.A. FRANKS (14:33): Supplementary: has the minister, given the change of federal government, taken the opportunity to talk to minister Linda Burney about this matter?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:33): I will have to check. I have met minister Linda Burney a number of times. I can't remember if I have raised this specifically. I am reasonably confident that I would have in the past, but it is something I certainly will reiterate again.

ELECTORAL ACT

The Hon. H.M. GIROLAMO (14:34): I seek leave to give a brief explanation before asking a question of the Attorney-General regarding the Electoral Act.

Leave granted.

The Hon. H.M. GIROLAMO: Section 26 of the Electoral Act states that if a copy of the Electoral Act is provided to a person under this section, other than in the instance of being utilised by that person—a copy of the roll—if information contained within the electoral roll is distributed inappropriately other than in the carrying out of parliamentary business or distribution of campaign material during an election campaign, they potentially face a fine of $10,000. My question is to the minister who is responsible for this legislation: what has the Attorney-General done to ensure the integrity of the local election and the electoral roll itself?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:35): I thank the honourable member for her question. I think she stated in her question something about providing people with a copy of the Electoral Act and I'm not quite—

The Hon. H.M. Girolamo: Electoral roll.

The Hon. K.J. MAHER: I think the honourable member said 'Electoral Act' and I am not sure what the relevance is. But in terms of the local government elections, as many honourable members know, there are provisions that are broader in terms of franchise for people who can vote in local government elections, people who would not qualify for a state or federal electoral roll, in provisions under the Local Government Act. I am very happy, as I indicated to the Leader of the Opposition, and I can indicate to the honourable member, to pass those questions on to my colleague in another place, and seek a response. I am assuming the honourable member is referring possibly to some elements of the roll that are used for the purpose of local government elections that may or may not fall outside the state or federal electoral roll.

ELECTORAL ACT

The Hon. H.M. GIROLAMO (14:36): Supplementary: I am referring to misuse of the electoral roll for state, federal and local issues.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:36): I am not aware that there is a state or federal election using a state or federal electoral roll ongoing at the moment, but I am happy to check if I have missed something. Certainly, with the local government elections, I am happy to pass that question on to my colleague in another place.

PURRUMPA, FIRST NATIONS ARTS AND CULTURAL NATIONAL GATHERING

The Hon. R.B. MARTIN (14:36): My question is to the Minister for Aboriginal Affairs. Will the minister please inform the council on the First Nations Arts and Cultural National Gathering, Purrumpa, currently being held in Adelaide?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:37): I thank the honourable member for his question in relation to an area within my portfolio of Aboriginal Affairs. First, I want to say that we have been exceptionally fortunate here in Adelaide in recent times to host significant First Nation events and Purrumpa is just another such event. In the Kaurna language the word Purrumpa translates roughly

to blossom. I am informed that the use of the name and the suggestion was generously provided by Kaurna elder Lewis O'Brien. I know that Lewis O'Brien's son, Michael O'Brien, has been involved in the Purrumpa Festival during the course of this week.

The gathering is still underway. It is held over five days at the Adelaide Convention Centre, from 31 October to 1 November. This festival is the second national gathering of its type. The first one, a gathering of First Nations artists, was held in Canberra in 1973, and approximately 400 representatives attended from across the country. It was funded at the time by the then newly-formed Aboriginal Arts Board of the Australia Council, and met its guidelines for designing and supporting the activation of First Nations people around the country to participate in wideranging arts events.

To now have the Purrumpa festival and gathering of First Nations artists from around Australia held on the 50th anniversary in Adelaide is something I am particularly proud of. Purrumpa started on Monday morning with an address from Premier Peter Malinauskas and the federal minister, Linda Burney, after an official opening and a welcome to his country performed by Moogy Sumner. Over the five days of the festival there were many different activities that took place. I saw stations for things like weaving and different sorts of visual arts practices taking place with many, many talented Aboriginal and Torres Strait Islander artists from across Australia, who came to Adelaide to share their art forms and share how they go about their art forms.

The arts for Aboriginal people is exceptionally important. It does a number of things. It is an ability to express culture, to express tens of thousands of years of Aboriginal cultural in an artistic form. It allows both Aboriginal people and non-Aboriginal people to take a shared pride in our history and our culture. Also, in many Aboriginal communities, particularly remote Aboriginal communities, it's a source of income and economic benefit that artists and arts centres provide.

Personally, I know that in the six arts centres across the APY lands, the arts centre in Ceduna and the soon-to-be established arts centre established at Umoona in the Aboriginal communities outside Davenport it is activating not just a sense of pride but opportunities and economic advancement for Aboriginal people.

So I want to congratulate all those from the Australia Council, the federal government and the state government who have contributed to the planning, organisation and funding of the Purrumpa festival in Adelaide over the course of the last week, including tomorrow. I also acknowledge the wide range of events that were put on outside of the formal festival, including the dinner that I attended last night and the welcome at Tandanya on Monday night that I wasn't able to attend, and the generous sponsorship of many organisations.

RENTER BACKGROUND CHECKS

The Hon. R.A. SIMMS (14:41): I seek leave to make a brief explanation before addressing a question without notice to a minister in this place, the Attorney-General, on the topic of renter background checks.

Leave granted.

The Hon. R.A. SIMMS: This morning, the ABC reported that renters are being told that they must pay for background checks when applying for rental properties. In the case of the 2Apply third-party app renters are required to use to provide background information, the ABC reports that their form asks for extensive private information, including the model of their car. The ABC further claims that renters are being told their star rating as an applicant would be capped at four out of five stars if they do not pay for their own background check.

Landlords and estate agencies are increasingly turning to third-party organisations, such as 2Apply and Equifax, for these background checks. 2Apply's terms and conditions, available on their website, describe these payments and features of the platform, claiming: 'From time to time, the interface may offer additional features for a fee. These features will be labelled as "paid".' Renters are not required to pay for these features, but they cannot achieve a five-star rating without them.

My question to the Attorney-General therefore is: does the government consider it unreasonable for renters to have to pay to receive a five-star rating when applying for a home? What is the government doing to ensure people are fairly treated by these third-party organisations?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:42): I thank the honourable member for his question and his regular interest and advocacy in the area of the rights of consumers, particularly renters and rental affordability.

A lot of what the honourable member is asking will fall within the purview of my colleague, the Minister for Consumer and Business Affairs, but also I think there are elements that pertain to privacy for individuals and how information is used that comes into my portfolio area. I don't have any information on this and I haven't heard of this before but, to protect individuals, it is something I am happy to look into.

I am happy to work with my colleague, the Minister for Consumer and Business Affairs, to understand what the situation is in South Australia if potential renters are being unfairly treated because of a requirement to pay money to obtain a certain rating on a report to have a preferential go at obtaining a rental. I will be happy to bring back a reply to the honourable member. This may take a little bit of time, but it is an important issue and I am very happy to look into it.

CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:44): I seek leave to make a brief explanation before asking a question of the Attorney-General, regarding industrial relations.

Leave granted.

The Hon. J.S. LEE: Media reports last week indicate that the CFMEU is escalating its campaign against local subcontractors to boycott construction firms that will not agree to CFMEU demands. My questions to the Attorney-General are:

1. Has the Attorney-General or any of his Labor government colleagues been contacted by any South Australian construction businesses about this issue?

2. Has the Attorney-General or any of his Labor colleagues contacted or met with any construction companies regarding their concerns?

3. How will his government ensure that these businesses are protected from intimidation and pressure on their subcontractors from the CFMEU?

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 I thank her for asking a question that falls within my portfolio responsibilities. I do note it sounded substantially similar to the first question that was asked of the Premier in the lower house, but even if it is the same question that was asked in another chamber earlier today, at least it has a nexus to my portfolio area. I think the deputy leader has taken a step up on her colleagues.

I haven't had any contact myself from concerned people in the industry about the issues that the honourable member purports have recently occurred in terms of subcontracting. If anything was raised with me, I would be happy to discuss it with any construction business in South Australia. We have a very productive relationship with industry in South Australia.

Take, for example, the recent Master Builders awards that occurred in South Australia. If I remember correctly, there were a number of Labor ministers who attended those awards, but the Leader of the Opposition refused to attend those awards because, I think as the media reports said, he wasn't happy with the way he was invited. I can assure you, sir, this government works very constructively with members of industry, particularly those in the construction industry.

CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:46): Supplementary: can the Attorney-General indicate to the house whether he has received any briefing, any briefing at all, about the CFMEU from his department regarding any matters about the construction industry?

The PRESIDENT: You gave a bit of a broad-ranging answer, Attorney.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:47): I thank the honourable member for her question. I will check, and if it's different I am happy to bring back a reply, but I don't remember receiving any briefing from my department about matters to do with the CFMEU in relation to the issues the member raised in her original question.

CROWN SOLICITOR'S OFFICE

The Hon. T.T. NGO (14:47): My question is to the Attorney-General. Can the minister update the council on the fundraising activities of the Crown Solicitor's Office?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:47): I thank the honourable member for his question. It is a very good question in relation to the legal system in South Australia and particularly some of the efforts of the Crown Solicitor's Office, which of course fall under my areas of portfolio responsibility.

I am happy to be able to inform the chamber that the Crown Solicitor's Office has always been a great supporter of JusticeNet SA, which coordinates vital pro bono legal assistance for thousands of South Australians every year. JusticeNet SA organises fundraisers like the Walk for Justice, which I know many members of this chamber, across all the parties we have in this chamber, frequently attend.

There is a long-running tradition at the Crown Solicitor's Office of arranging an annual fundraising event for JusticeNet. COVID has unfortunately disrupted this event over the last couple of years, but I was very pleased to see its return and to attend in 2022. Once a year, the Crown Solicitor's Office organises an art show to raise funds for JusticeNet. It was a great pleasure to speak at the event this year on Friday 21 October and present the People's Choice Award.

The art show and competition in the Crown Solicitor's Office is an opportunity for solicitors and their staff, as well as other invited entrants, who might be more used to expressing themselves in written submissions and oral advocacy, to lay down their arms and express themselves with artistic endeavours. It was my great responsibility to award the People's Choice Award, which was tied between Sally Pfitzner for *Wait* and Matthew Boisseau for *Peace in a Time of War*. All of the works at the Crown Solicitor's art show raising vital funds for JusticeNet were of a very impressive standard and could take their place in many art shows or galleries, I think.

The Crown Solicitor's Office art show had outstanding work judged by Rhana Devenport, museum director, curator and editor; Stephanie Singh, an employee of the Director of Public Prosecutions and a well-known Aboriginal artist in her own right; and Roy Ananda, a South Australian artist, who judged for the best artwork of the show. The judges awarded runner-up prizes to Sharon Smith for the work *Clelands*, Jillian Dellit for *Embellished Linen Bags* and Sally Pfitzner for *A bunch of*.

The judges' award for the most outstanding artwork was awarded to Sarah Avey, a solicitor in the Crown Solicitor's Office for *Lockdown*, which was fitting for the first return of the art show post COVID. I congratulate all those who took part in the art show, and particularly for the spirit in which this art show raises funds each year for JusticeNet. I look forward to updating the chamber of future entrants, future winners and future endeavours of the Crown Solicitor's Office art show.

FOSTER AND KINSHIP CARE

The Hon. S.L. GAME (14:51): I seek leave to make a brief explanation before addressing a question to the Attorney-General, currently representing the Minister for Child Protection, on the matter of foster and kinship carers.

Leave granted.

The Hon. S.L. GAME: The Independent Inquiry into Foster and Kinship Care report closed for submissions in May this year. The Malinauskas government, via the minister, advised in writing on 10 July that they intended the report to be released in September. Carers have told me they have

heard nothing and no update from the department, the minister or the Premier. There are only a handful of sitting days left in parliament this year. To date, the minister has not alerted the parliament to a need for extension of time as required under section 169A(3)(d) of the Children and Young People (Safety) Act 2017. My questions to the Attorney-General representing the minister are:

1. What is the time line for the release of the Independent Inquiry into Foster and Kinship Care report?

2. What opportunity this sitting year will carers, advocates and indeed us here in parliament have to inquire the findings and recommendations of the report when it is released?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:52): I thank the honourable member for her question. I will be happy to refer that to my colleague in another place and bring back a reply.

INTERVENTION ORDERS

The Hon. L.A. CURRAN (14:52): I seek leave to make a brief explanation before asking a question of the Attorney-General regarding intervention orders.

Leave granted.

The Hon. L.A. CURRAN: On 31 October, *The Advertiser* reported that Emma Walters, the estranged wife of CFMEU leader John Setka, requested an emergency court hearing to seek a South Australian intervention order to protect her from the abuse of her convicted harasser. Ms Walters has an existing nationally recognised intervention order issued in Victoria already in place. It is understood Ms Walters has been living in crisis accommodation in Adelaide for five weeks, after she fled the family home in Melbourne.

The article reports that Ms Walters has already been forced to move address in Adelaide after Mr Setka claimed to know her first place of residence and she feared he would find her again. The article goes on to say that Ms Walters was told by SA Police it would not be able to prosecute if she made complaints. She said the need to address that issue by applying for a South Australian order in the Adelaide Magistrates Court was made more urgent when Mr Setka indicated that he would be travelling to Adelaide this week.

On 1 November, *The Advertiser* reported that Ms Walters appeared in the Adelaide Magistrates Court to seek an intervention order in South Australia after receiving what she claimed to be ongoing coercive control and abuse from Mr Setka. It is reported that the court told Ms Walters the nationally recognised intervention order that was already in place was sufficient for the court to act. *The Advertiser* reported that Ms Walters felt she was receiving mixed messages from SAPOL and the court, as SAPOL have told her that they can't investigate or do anything in relation to a nationally recognised intervention order and the court is telling her something else. Ms Walters said that she does not feel safe. My questions to the minister are:

1. What is the government doing to ensure the enforcement of intervention orders is streamlined so victims do not feel they have to live in fear while grappling with the conflicting practice of the application of intervention orders?

2. Has the minister sought to clarify why there are differing applications of intervention orders issued interstate?

3. Has the minister sought a briefing on this matter?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:54): I thank the honourable member for her question in relation to intervention orders. I will not be commenting on the specifics of matters currently before the courts; however, I have sought advice from my department on the topic of intervention orders generally that will, I think, answer the questions the honourable member has.

I have been advised that if an intervention order is a Victorian order that was issued after the commencement of the National Domestic Violence Order Scheme (NDVOS) in 2017, then it is a recognised domestic violence order in South Australia and is enforceable against the defendant in

this jurisdiction pursuant to section 291 of the Intervention Orders (Prevention of Abuse) Act as if it were a local order.

Jurisdictions have processes in place to enforce breaches where a perpetrator and the victim are in different jurisdictions to where the order was originally made. If an intervention order was issued prior to the National Domestic Violence Order Scheme provisions commencing, I am advised it is necessary to apply to the Magistrates Court to have it declared as a recognised order.

In summary, if there is an order in Victoria whatever is prohibited in that order in Victoria, if it was made after the 2017 National Domestic Violence Order Scheme, has the same effect and meaning in South Australia as it does in Victoria.

INTERVENTION ORDERS

The Hon. L.A. CURRAN (14:56): A supplementary question: has the minister sought to ensure that people who are enforcing the intervention orders are up-to-date with the practices and applying them in that manner?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:56): I thank the honourable member for her question. I do not have any evidence or any suggestion before me that police are refusing to apply or do not understand the force of the National Domestic Violence Order Scheme. However, if there is some suggestion or a particular case of an order like that, after 2017, and also maybe if there are individual cases, rather than airing them in here I am happy to talk to the honourable member to see if there are individual cases we might need to look at.

AUSTRALIAN OF THE YEAR AWARDS

The Hon. J.E. HANSON (14:56): My question is to the Minister for Aboriginal Affairs. Will the minister update the council on the Aboriginal community leaders being recognised as nominees for the 2023 Australian of the Year Awards?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:57): I thank the honourable member for his question and his ongoing interest in this area. Recently the South Australian nominees for the 2023 Australian of the Year Awards were recognised and announced.

There were many outstanding South Australians recognised for their contribution to our state and our nation across the various categories. Many of the names would be familiar to a lot of South Australians and to members in this chamber, including people like Professor Chris Daniels, Margie Fischer, Liz Habermann and Marie Shaw, to name a few amongst many others. However, I want to pay tribute today to one in particular who was nominated.

It was pleasing to see Sandra Miller's name amongst the nominees for Senior Australian of the Year, and I am glad to have a moment to recognise and reflect upon Sandra Miller's contribution to our community. Sandra Miller, or Sandy as she is better known, is a Wirangu woman from the Ceduna area. A social worker by training, Sandy has pursued a varied career across a range of important areas. I understand she has worked across health, the legal sector, governance, ageing and welfare to name just a few, and she has made a significant impact in whatever role she has undertaken.

In her nomination for the award Sandy is acknowledged as having worked at the Department of Community Welfare early in her career, and for pushing for changes to government policies at the time to support Aboriginal people to become foster carers. Her work in public service and in support of young people continues to this day, and I am informed that Sandy is a member of the governing board of the Women's and Children's Health Network, and has been so since its creation in 2019.

As Attorney-General, and having held the position of shadow attorney-general in opposition, as well as the Aboriginal affairs shadow portfolio since, I think, 2015, I am particularly familiar with Sandy's work from her time on the board of the Aboriginal Legal Rights Movement in South Australia. Additionally, Sandy has worked on the national stage through her work at the National Aboriginal and Torres Strait Islander Women's Alliance and internationally through advocacy with organisations associated with the United Nations. As recognised by this nomination, Sandy is a remarkable South

Australian, and I am glad to see her being recognised with this nomination for South Australian of the Year.

Reflecting on nominations of significant people in the Australia Day awards, although not South Australian, I would particularly like to acknowledge the recognition of Professor Megan Davis, who was one of the New South Wales nominees for Australian of the Year in 2023. Her work on the thinking and writing around the Uluru Statement from the Heart has been quite remarkable. As a professor of law and Pro Vice-Chancellor at the University of New South Wales, she is one of the leading academics in the country who has worked on the recognition of Aboriginal and Torres Strait Islander people in our constitution, including on the Uluru Statement from the Heart. I have been very fortunate to have been able to take guidance from the wisdom of Megan Davis in relation to what we are doing in our aspirations for the Statement from the Heart, particularly the Voice in South Australia.

I congratulate Sandy Miller in particular from South Australia but also acknowledge the national work that Professor Megan Davis has done for her people and Aboriginal people right across this country.

VULNERABLE INDIGENOUS CHILDREN

The Hon. C. BONAROS (15:01): I seek leave to make a brief explanation before asking the Attorney-General and Minister for Aboriginal Affairs a question about vulnerable Indigenous children.

Leave granted.

The Hon. C. BONAROS: Vulnerable children living in some of South Australia's most remote communities are set to be left without a permanent, in-community mental health service, despite objections from elders, experts and one of the South Australian government's own departments. According to our national broadcaster, a draft of the new model of care for the Child and Adolescent Mental Health Service (CAMHS) on the APY lands, which provides psychiatric and wellbeing support to children aged 18 and under, proposes staff fly from Adelaide into two communities on a fortnightly basis, with a psychiatrist to make up a minimum of two trips per year.

Previously, two qualified staff lived and worked on the lands for more than a decade but were removed without explanation more than a year ago. Our Chief Psychiatrist, Dr Brayley, has reviewed the FIFO model and found it would see children slipping through the cracks and recommended several changes, including doubling the workforce and insisting community-based staff are returned to the APY lands. My questions to the minister are:

1. Are you and your government concerned that children and young people living on the lands are not getting the mental health support that they need?

2. Does your government have plans to return full-time, qualified, community-based staff to the APY lands; and, if not, why not?

3. Why was this service cut in the first instance?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:03): I thank the honourable member for her question and her interest in the wellbeing of all South Australians. Certainly, providing services and the needs of people in remote communities is of interest to this government and is of particularly interest to me.

In very remote communities, including on the APY lands, there are many and complicated health and wellbeing issues that plague people living there. I think a statistic I read about two years ago was that the average life expectancy for a man born on the APY lands is 48 years, which in a country and particularly a state as prosperous as we are is, quite frankly, a disgrace.

The wellbeing of children is particularly important. In relation to why child and adolescent mental health services, which I think are provided through the Women's and Children's Health Network, were cut, that is not an issue I can give an answer to. I think that occurred under the former government. Certainly, I have had a number of conversations with my colleague the Minister for Health and member for Kaurna, the Hon. Chris Picton, about services to Aboriginal people generally and about services to Aboriginal people in the APY lands.

My understanding, but I will have to get more information, is what is being looked at is an integrated model of care for a range of services that the Women's and Children's Health Network provides to people, particularly young people on the APY lands. I am confident and I have talked to my colleague about making sure those services are effective as they can be.

VULNERABLE INDIGENOUS CHILDREN

The Hon. S.G. WADE (15:04): Supplementary: how is the minister's comments consistent with his statement on 1 July 2021 that 'important, confidential and delicate mental health support cannot be effectively provided to Aboriginal people with staff who fly out a couple of times a year or try to do it over the phone'?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:05): I don't resile from those statements. As people were relaying to me at the time a year ago, apparently there was a proposal that would involve either an only telehealth service, and as I understand it that is what the former government implemented, a telehealth service only for young, vulnerable Anangu children—tjitjis—on the APY lands. I don't resile from my comments that a service where someone flies in once or twice a year and provides only telehealth services is the most optimal service for people on the APY lands, and that is why I am discussing these matters with my colleague.

VULNERABLE INDIGENOUS CHILDREN

The Hon. S.G. WADE (15:06): Given that you speak for the government and you hold that view, will the government reject the draft work plan which sees only fly-in fly-out and telehealth services?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:06): I thank the honourable member. As I understand, these matters are being worked on by my colleague, the Minister for Health.

MEDICAL SPECIALISTS, ENTERPRISE BARGAINING

The Hon. J.M.A. LENSINK (15:06): I seek leave to make a belief explanation before directing a question to the Minister for Industrial Relations and Public Sector regarding relative pay offers.

Leave granted.

The Hon. J.M.A. LENSINK: We saw a significant piece of reporting in October regarding the fury which visiting medical specialists and clinical academics have with a 1.5 per cent pay offer compared to very generous deals handed to those unions which campaigned aggressively for Labor during the state election, namely nurses and ambulance officers. What is the minister doing to resolve the concerns of visiting medical specialists and clinical academics in this regard?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:07): I thank the honourable member for her question, which is almost identical to a question I think I was asked in the last sitting week, but I guess that comes as a function of her colleagues asking questions not to ministers in this chamber at all. We saw the Leader of the Opposition ask a range of questions knowing that they weren't to a minister in this chamber, but they were to a minister that I am representing today who represents someone else in another chamber—quite extraordinary.

The PRESIDENT: Point of order, the Hon. Ms Lensink.

The Hon. J.M.A. LENSINK: Relevance. It is not a critique of the questions. He is supposed to give answers.

The Hon. K.J. MAHER: I am giving an answer. I am getting there.

The PRESIDENT: Can you get there, please?

The Hon. K.J. MAHER: Certainly, sir. I was just reflecting on the questions from the Leader of the Opposition, who was asking questions of someone in this chamber who I was representing in another chamber. As the Hon. Michelle Lensink had asked a question that is relevant to my portfolio

just as the Hon. Jing Lee asked a question relevant to my portfolio, albeit a question which was from the chamber in another place—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: Sir, I don't remember behaviour this poor in all my—

Members interjecting:

The PRESIDENT: Order! Attorney!

The Hon. J.M.A. LENSINK: Point of order.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Lensink has a point of order.

The Hon. J.M.A. LENSINK: I have yet to hear any reference to visiting medical specialists in the minister's answer.

The PRESIDENT: I am sure the minister is immediately going to talk about visiting specialists.

The Hon. K.J. MAHER: The Hon. Michelle Lensink has asked about visiting medical specialists, and before that the Hon. Jing Lee asked a question about—

Members interjecting:

The PRESIDENT: Order! Come on, Attorney. I want to get to some crossbench questions.

The Hon. K.J. MAHER: Particularly in relation to visiting medical—

Members interjecting:

The Hon. K.J. MAHER: I can't hear myself think, sir.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: In relation to clinical academics and visiting medical specialists, I am happy to reiterate what I have said in this chamber only in the last couple of weeks. The vast majority of doctors in the South Australian public sector are covered by the salaried medical officers enterprise agreement, which I am advised applies to around 4,461 employees. The clinical academics and visiting medical specialists agreements cover a much smaller cohort of doctors. I am advised that the clinical academics agreement covers around 59 employees, and the visiting medical specialists agreement covers around 216 employees, which is around about 32 FTEs.

There has been a longstanding practice adopted by the former Liberal government, a longstanding industrial practice in South Australia adopted by the former Liberal government and also, I must say, the former Labor government, that salary outcomes in the salaried medical officers agreement are flowed on to the other two smaller agreements, the clinical academics and visiting medical specialists agreements. This was a practice that was adopted by the former Liberal government. It is a source, obviously, of some embarrassment to the Hon. Ms Lensink. She is asking a question about the practices of—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —a former Liberal government.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: I am happy to reiterate, as I did the last time I was asked this exact question, that it has been a longstanding industrial practice. It was a practice of the former Liberal government and the former Labor government that these—

Members interjecting:

The PRESIDENT: Attorney, you have repeated that a number of times. I would like to get on to the next question, so please bring it to a conclusion.

The Hon. K.J. MAHER: The current salaried medical officers agreement that was approved this year in February 2022, provided annual increases of 1.5 per cent. This agreement was supported by the relevant union, SASMOA. The government is offering the flow-on wage increases from the salaried medical officers agreement to the other two smaller agreements, consistent with longstanding industrial practices of both parties.

WOMEN'S LEGAL SERVICE

The Hon. I. PNEVMATIKOS (15:11): My question is to the Attorney-General. Will the minister inform the chamber about this year's Women's Legal Service fundraiser Warm Up and Serve?

The PRESIDENT: I call the Attorney.

The Hon. J.E. Hanson interjecting:

The PRESIDENT: The Hon. Mr Hanson, don't encourage him.

Members interjecting:

The PRESIDENT: Attorney.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:12): Sorry, sir, I can't hear a thing with all the noise around me.

The PRESIDENT: Yes, exactly. The interjections are out of order.

Members interjecting:

The PRESIDENT: Order! Attorney.

The Hon. K.J. MAHER: I thank the honourable member for the question. It's a very important question. On 13 September the Women's Legal Service of South Australia held its annual fundraiser Warm Up and Serve. The Women's Legal Service here in South Australia is one of our outstanding community legal services that provides critical legal assistance that is free and accessible to women in South Australia, both locally and in remote areas, when they need it most.

The annual Warm Up and Serve fundraiser raises additional funds to provide these much needed services, where a selection of delicious, hearty soups and breads are sold, and people from all around Adelaide can come together and donate to the service and have the option to buy and enjoy a winter warmer with important conversations about how critical this legal representation is for women in need.

I have noticed many of my colleagues attend these events in the past. While I have attended and have indulged in many soups in the past, I was unfortunately unable to attend this year as I was in Coober Pedy at the time, but I have been very pleased to attend this event in past years. I note that whilst I was in Coober Pedy I had the opportunity to catch up with and discuss the regional services provided by Abbey Kendall who runs critically important legal services for women in South Australia.

My colleague in another place, the Hon. Katrine Hildyard, the Minister for Women and the Prevention of Domestic and Family Violence, attended this year's fundraiser. Although I have attended with her in the past, she was able to pass on to me that it was another highly and well received event.

NURSING WORKFORCE STRATEGY

The Hon. T.A. FRANKS (15:14): I seek leave to make a brief explanation before addressing a question to the Minister for Industrial Relations on the topic of a nursing workforce strategy.

Leave granted.

The Hon. T.A. FRANKS: I have been contacted by a constituent who states that she is contacting me with regard to the current nursing crisis. She goes on to write:

> I am a fully qualified Registered Nurse with a post graduate diploma in Nephrology nursing with over 20 years' experience. After a 10-year break from nursing due to raising children, I was interested in returning to the workplace. I was incredibly surprised that the refresher programme to enable me to register again, involved an $8,000 fee, with 140 hrs of unpaid clinical time and 12 months on online training. Financially, this is not possible for our family.
>
> I recently saw that the government are giving scholarships to fast track current, inexperienced nursing students, to enable them to enter them into the workforce faster. Why aren't they approaching experienced, specialised nurses like myself that are not currently registered? I have 6 years of tertiary education, and experience in general ward nursing, dialysis, emergency and anaesthetics and would welcome assistance to return to the system.

My question to the minister is: what workplace strategies will the Malinauskas government put in place to assist former nurses like this constituent, to bring experienced nurses back to the workforce and remove these financial barriers?

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 her important question. I do have responsibility broadly, as the Minister for Industrial Relations, particularly for industrial instruments within the public sector workforce in South Australia. I don't have information on this, and I suspect I would need to seek the advice of my colleague, the Minister for Health and Wellbeing, in another place for better information on this important question. Certainly, using the capacities of people in South Australia to the fullest is important for this state, and it is something that I will refer to the minister in the other place to get some further answers. It is an important question to answer.

NURSING WORKFORCE STRATEGY

The Hon. T.A. FRANKS (15:16): Supplementary: will that also look into NurseKeeper and other pay increases that have occurred in other jurisdictions, to address any loss that South Australia may face as a result of other states' policies that will impact further on our nursing workforce diminishing?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:17): I thank the honourable member for her question. I will be more than happy to refer those aspects of the further supplementary question to my colleague and bring back maybe a reply that includes both the questions from the original question and her supplementary question.

FRONTLINE RETAIL WORKERS

The Hon. S.G. WADE (15:17): I seek leave to make a brief explanation before asking questions of the Attorney-General, regarding frontline retail workers, specifically in relation to aggravated offences.

Leave granted.

The Hon. S.G. WADE: Yesterday, the Attorney-General outlined the government's election commitment to legislate for aggravated offences with higher penalties for people who assault frontline retail workers. I ask the Attorney:

1. Who did the government consult with prior to making this regulatory change?

2. Is the government looking at adding further categories of workers to the aggravated offences?

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 question

and his interest in this area. As I outlined yesterday, it is something that this government has already done. We received a lot of representations from those who work in that area, the frontline retail workers, as well as those who represent frontline retail workers. As a result, we have already increased the penalty by making it an element of aggravation for that offence, if you are a retail worker.

I don't have the details with me, but there are a number of other areas of occupation that fall into that that make it an aggravated offence as well. From memory, it includes things like emergency workers, police and I think transport workers, but am happy to check on that. Certainly, we are happy to consult further, and if there is a case to be made we are always responsive to making sure our community is as safe as it can be.

Bills

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) (NO 2) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 September 2022.)

The Hon. J.M.A. LENSINK (15:20): I rise to make some remarks in relation to this particular piece of legislation, which was introduced on 28 September. This bill amends the Judicial Conduct Commissioner Act 2015 and the Youth Court Act 1993 to address efficiency issues that have been identified by the Judicial Conduct Commissioner and the Judge of the Youth Court.

In relation to the Judicial Conduct Commissioner Act, clause 3 of the bill inserts section 11(4), providing that delegation by the Judicial Conduct Commissioner of a function or power because of a pecuniary or other personal interest that conflicts or may conflict with the commissioner's duties does not constitute taking action in relation to the matter the subject of the delegation. The Attorney-General indicated in his second reading explanation that the commissioner has requested this amendment to ensure that complaints can be delegated in a timely and effective manner.

Clause 4 of the bill will amend section 12, broadening the class of persons who may not make a complaint under the act to include persons who have been declared as vexatious litigants and prohibited from instituting proceedings by the Supreme Court under its inherent jurisdiction.

In relation to the Youth Court Act, there is currently no power under the act for the Judge of the Youth Court to appoint an auxiliary judge or to delegate their judicial functions to another judge of the District Court. Since 1 January 2017, there has been one Judge of the Youth Court. Clause 5 of the bill would insert subsections to enable the delegation. We support the bill.

The Hon. C. BONAROS (15:22): I rise very briefly to speak on the Statutes Amendment (Attorney-General's Portfolio) (No 2) Bill and to indicate SA-Best's support for the bill. The amendments to that bill include changes to the Judicial Conduct Commissioner Act, as requested by the current commissioner, to provide power to delegate when a conflict of interest arises or may arise. I understand from the briefings I have attended that delegation may be to a former judge, but there will still be some requirement to write to the minister if there is a conflict under the Public Sector (Honesty and Accountability) Act.

Further, there are changes in relation to the vexatious litigant orders of the Supreme Court and also in relation to the Youth Court Act, as requested by Judge Eldridge, so that a judge may delegate powers to a District Court judge. Those powers currently do not exist, although I note that we can use common law to do so. I think it is one of those things that streamlines processes, makes things more efficient and also acts on the advice of our judiciary, who have indicated what would be needed to make all those processes more efficient and streamlined. For those reasons, I indicate our support for the bill.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:23): I thank the speakers who have spoken in support of this bill and look forward to its passage through the committee stage shortly.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:26): I move:

That this bill be now read a third time.

Bill read a third time and passed.

The Hon. R.A. SIMMS: Mr President, I draw your attention to the state of the council.

A quorum having been formed:

Parliamentary Committees

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: REPORT 2021-22

The Hon. T.T. NGO (15:28): I move:

That the 2021-22 annual report of the committee be noted.

The Aboriginal Lands Parliamentary Standing Committee's functions include reviewing the operation of the three acts, the Aboriginal Lands Trust Act 2013, the Maralinga Tjarutja Land Rights Act 1984 and the Anangu Pitjantjatjara Yankunytjatjara (APY) Land Rights Act 1981. The committee can also inquire into matters affecting the interests of the traditional owners of the lands. It also looks into the manner in which the lands are being managed, used and controlled. Other functions include inquiring into matters concerning the welfare of Aboriginal people.

The committee has traditionally visited many Aboriginal lands and communities. It has also held strong relationships with the Aboriginal landholding statutory authorities. Engaging with representatives from those communities and statutory authorities allows the committee to be updated on current issues. During the 2021-22 year, the committee attempted to travel to various Indigenous communities. Unfortunately, the COVID-19 pandemic limited the committee's ability to travel to remote Aboriginal areas during this time.

The committee continued with its three active inquiries during the reporting period. These were housing, governance and heritage. The Aboriginal housing inquiry concluded with the tabling of a final report on 26 October 2021. The committee concentrated on receiving evidence in its Aboriginal governance inquiry for the majority of the 2021 calendar year. This inquiry into governance standards in Aboriginal community-controlled organisations was referred to the committee by the then Premier the Hon. Steven Marshall MP in February 2021.

After receiving oral evidence from a further 13 witnesses in the reporting period, the committee tabled an interim governance inquiry report on 26 October 2021. The tabled report contained nine recommendations, which were responded to at the state level by the then Minister for Planning and Local Government, the Hon. Josh Teague MP. At the commonwealth level the committee also received a response from the former federal Minister for Indigenous Australians, the Hon. Kevin Wyatt MP.

On 15 February 2021 the committee resolved to inquire into Aboriginal heritage issues. This included inquiring into the operations of the Aboriginal Heritage Act 1988 and looking at how Aboriginal heritage is managed in this state. This is particularly relevant given the recent federal parliament's joint committee inquiry into the destruction of Indigenous heritage sites at the Juukan Gorge in Western Australia. That inquiry led to a renewed call for reforming Aboriginal cultural heritage protection across all Australian jurisdictions.

I would like to take this opportunity to thank the previous committee members: the Hon. Terry Stephens MLC, who was the Presiding Member; the Hon. Tammy Franks MLC; Mr Eddie Hughes MP; the Hon. Kyam Maher MLC; Mr Steve Murray MP, the former member for Davenport; and Mr Adrian Pederick MP, the member for Hammond.

After the March 2022 state election a new committee was established in May 2022. The committee decided to readvertise both the governance inquiry and the heritage inquiry, and allowed for new submissions to be received until 22 July 2022. The committee is hoping to conclude the Aboriginal governance inquiry by the end of this calendar year.

The committee focused on advancing the Aboriginal heritage inquiry after the 2022 state election. As of 30 June 2022 the committee had received 33 written submissions for this inquiry. We received oral evidence from a further six witnesses by 30 June 2022. The committee is continuing to receive evidence in this important inquiry into Aboriginal heritage.

I would like to take this opportunity to thank all stakeholders who spoke with the committee and made submissions to our three inquiries. We especially thank those who travelled to Adelaide to speak with us. I also thank the current members of the Aboriginal Lands Parliamentary Standing Committee: the Hon. Tammy Franks MLC; the Hon. Stephen Wade MLC; the member for Giles, Mr Eddie Hughes MP; the member for Heysen, Mr Josh Teague MP; and the member for Newland, Ms Olivia Savvas MP. I also convey a special thank you to Ms Lisa Baxter for fulfilling two roles as acting executive officer and research officer. Her hard work, flexibility and support during the year was greatly appreciated. I commend the report to the council.

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

Motions

IRANIAN PROTESTS

The Hon. T.T. NGO (15:35): I move:

That this council—

1. Condemns the deadly and disproportionate use of force against protesters in Iran, following the tragic death of 22-year-old Kurdish woman Jina (Mahsa) Amini;

2. Expresses concern at the disproportionate attacks on ethnic minorities in Kurdistan and the Baloch regions of Iran;

3. Supports the right of all people in Iran to protest peacefully and calls on Iranian authorities to exercise restraint and heed the call of protestors;

4. Supports the inherent right of the people of Iran to call for democracy in Iran;

5. Stands with women and girls in Iran in their struggle for equality and empowerment, and calls on Iranian authorities to cease its oppression of women and ethnic minorities; and

6. Expresses its commitment to promoting gender equality and women's human rights, empowerment and ending violence against women and girls worldwide.

I rise today to move this motion and to speak out against the violent response against protesters in Iran following the death of 22-year-old Ms Mahsa Amini, who was also known as Jina Amini, from Kurdistan province in Western Iran.

As a former Vietnamese refugee who lived in a Communist country, I have great empathy for people living under a ruthless regime. I have spoken out against other dictators in the past in this chamber and today I speak out in support of our Iranian-Australian community.

As was reported, Ms Amini went to Tehran with their family and was with her brother when she was arrested on 13 September 2022 by the morality police for wearing a hijab which was not in accordance with the government's standards. Ms Amini was taken to the Vozara detention centre and, shortly after collapsing, fell into a coma.

Iranian police rejected allegations that she was beaten up, saying the 22 year old had a heart attack as she waited with other detained women at the police station. However, media reports stated that witnesses said she was violently beaten in the van and later collapsed inside a correctional centre before being transported to a hospital, where she died three days later.

In responding to this news, here in Australia and throughout the world the Iranian community have gathered in the thousands as part of global protests at the Iranian government over her death. An Australian-Iranian protester, Ms Khazaeli Dobson, who is unable to use her real name for security

reasons, was interviewed by journalists while protesting in Canberra. She said she was involved in protests in Iran in 2009 and stated how important it is to maintain momentum against this regime. She said 'uprisings in Iranian are not a new thing, but this one is different because of the quite strong message about overthrowing the regime'.

We all know there has been much oppression about developing political ideas in Iran, and this is a nation that desperately needs a plan for a new political regime change so all Iranians can have a better future.

An article written by Iranian author and activist based in Tehran Mr Saeb Karimi, printed in *The Age* newspaper on 13 October 2022, stated that the presence of women and young girls in the protests is so prominent that some call it a women's revolution, a revolution that wants to overthrow laws that discriminate against women and violates their rights.

However, hijab and mandatory headscarves are not the whole issue. Mr Karimi describes how the protest movement is getting momentum from a vast range of demands and suppressed rights. He discusses how the new wave of protests are like no other seen in Iran. Previous protests focused on single issues such as the hijab, inflation, the lack of action for the environment, and rigged elections. Iranians know that previous protests by individual groups came to nothing, whereas this movement has become the umbrella for all previous protests, like oppression of women and minority groups, government corruption, inactivity to address the economic crisis, and the urgency of the environmental issues.

Iranians are starting to demand a new era and share the same ideals and the same visions. They want to save themselves from the fate they are sentenced to under the current regime. They also want to save their country and the environment from years and years of government neglect. For example, the largest lake in the Middle East, Lake Urmia, a saltwater lake which is about 150 kilometres long and 55 kilometres wide, has been reported to be disappearing. Other environmental issues include lagoons being ruined, rivers drying up and fires in forests. Iran's pollution is killing people and animals, and those who protest against the environmental crisis due to government inactivity are then thrown in jail. Mr Karimi also said:

> We want our economy to join the international world and thrive. That is possible with the educated workforce, energy, resources and the right government to handle it. This revolutionary movement's slogan, 'Women Life Freedom' is the most illustrative and illuminating I have ever seen…It seeks to bring back women's dignity and basic human rights, and wants to create a decent life for all and guarantee the freedom and democracy Iran has long sought.

Iranians are uniting; men and women are taking to the streets in huge numbers, posting on social media, protesting peacefully, and risking their personal safety to make their cause known to the world. Mr Karimi said that the current economic crisis is so devastating that even traditional supporters of the regime are joining the protesters.

Here in Adelaide, three large rallies have taken place, attracting thousands of demonstrators as South Australians continue to express their strong support for Iranians in their struggle for equality and empowerment. What is happening in Iran is about dismantling so many forms of oppression that exist for not only women, but many other groups, too. However, for Iranian women, the layers of oppression affect all aspects of their lives, and these must be dismantled.

I recently met with Ms Sahar Khajani from an Adelaide organisation called Arta Iranian Cultural Centre. During our conversation she told me that three years ago there was an uprising in Iran over increased fuel prices, and that the regime killed more than 1,500 protesters over a week, and no-one in the world said or did anything. She said this time almost everyone is coming out to protest because no-one wants any more mass killings. She also said that Iranians believe the time is right for political change.

Many Australians, including Australian-Iranians and Australian politicians from many sides of politics, are calling on the regime and official agencies in Iran to exercise restraint in their response to ongoing demonstrations. I would like to thank the Iranian community in Australia for their campaign. I especially want to acknowledge the members of Freedom for Iran in Adelaide, the Arta Iranian Cultural Centre, and other organisations from the Iranian community, who are working as one in support of their people.

Their commitment to keeping the demonstrations going in Australia is supporting and giving voice to the people in Iran who are demanding and needing political change. I ask honourable members from all political parties in this parliament to support my motion to demonstrate unity on this very important issue.

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

OVERLAND TELEGRAPH LINE

The Hon. E.S. BOURKE (15:46): I move:

That this council—

1. Recognises 15 November 2022 as the 150th anniversary of the state celebration of the completion of the Overland Telegraph Line;

2. Acknowledges the important social, technological and economic contribution the creator of the Overland Telegraph Line, Sir Charles Todd and his team, have made connecting South Australia to the rest of the world through the creation of the Overland Telegraph Line;

3. Acknowledges that there is an important First Nation's story to be told that will better enrich our understanding of this significant part of Australia's history; and

4. Recognises our great state's pioneering history in bold investments, from the Overland Telegraph Line, the world's largest battery to our future green hydrogen industry.

I am very proud to be able to speak to this motion today and to celebrate an historic event in our state's history book. I often refer to *Hansard* as our state's storybook. In *Hansard* we can go back and see a time line of our state's historic events, from wars to pandemics, to celebrations of some of our state's greatest heroes from our past, our present and perhaps even future outstanding members of our community.

Indeed, SA Parliament and *Hansard* can be an important place to celebrate and shine a light on some of the pillars of our community. It is a place where we can record their stories in our state's history book, and they stay there forever. That is exactly what I would like to do today. I would like to speak about the change that the Overland Telegraph Line brought to our community, and also to the rest of the world, thanks to Sir Charles Todd and his team.

Today, many South Australia's may be unaware of who Sir Charles Todd was. It is not a person's name that is often referred to when you are asking: who are iconic South Australians? Most people would be aware of Lleyton Hewitt or Haigh's Chocolates or even the Malls Balls or Paul Kelly, perhaps before they know about who Charles Todd was. I have to admit the same. It was not until I was contacted by the Charles Todd Foundation that I became aware of the significance of who Charles Todd was.

Quite often we sit in this parliament, in these very chairs, and it is easy to forget the history and the past that came before us, but it is really important that we do remember because the decisions that are made in parliament can change our state forever—hopefully for the better. Sir Charles Todd was certainly one of those individuals who went to the parliament and made a difference, not only to our state but to our country. It was Sir Charles Todd, if you were ever wondering when you switch on a light, who made that possible. He brought light to this building, to Parliament House, in 1890. But that was, by far, the least of his achievements. So, who is this mysterious Charles Todd?

Sir Charles Todd was born in London and moved to South Australia in 1855, tasked with the role of observing and being the superintendent of electric telegraph for the South Australian government. In those days, communication in and out of Australia could take years. Ships that would carry letters between England and Australia could take eight months either way, meaning having a conversation between family and friends and loved ones could potentially take years. There are many stories that were given to me about how a loved one could pass away here in our colony and family back home in England were to wait at least two years for that letter to go from here and back again to share the sad news of the passing of a loved one.

Importantly, though, this delay also hindered Australia's ability to trade and communicate with the rest of the world, and the Overland Telegraph Line was instrumental in changing all of this.

For the few of us who are less aware of what an electrical telegraph line is, essentially it was a technology that was developed in both Britain and America in the 1830s. It used an electrical cable to send short messages that were coded in a series of electrical pulses taking the shape of dots and dashes. It does not sound very exciting but it changed the world.

While the science behind telegrams can be confusing, at its core this technology allowed messages to be sent to people thousands of kilometres away in countries all around the world, in minutes rather than months. But for Australia to be connected to the rest of the world a major engineering challenge would have to be overcome. A telegraph line had to be built between southern and northern Australia, where it would be connected to a line that was being built across the other side of the world—and the lines would meet in Darwin.

The race was literally on in regard to which colony would get the ability and the funding to build this incredible piece of engineering, and it was South Australia who won that race. It happened right in our Old Chamber, behind the very desks that remain there today. It is a story I love telling people who come into our Old Chamber. We are known for many of our firsts, being the first state to allow women to have not only the right to vote but also to stand in parliament. We are also a parliament that should be very proud of the bold initiatives we have been willing to take to enable us to change not only our state but our country, right here in our parliament.

It was because of this decision by our parliament that we were able to go ahead and build something that had never been achieved before. It was Charles Todd who stepped in to build this incredible piece of engineering.

In July 1870, South Australia's Superintendent of Telegraphs, Sir Charles Todd, was tasked to be the planner, designer and driving force behind one of South Australia's greatest infrastructure projects, the Overland Telegraph Line. In the same month, he chose an exploration party to survey the route the proposed telegraph cable would take. While the First Nations people had travelled on this land for thousands of years and knew of its waterholes and other resources, the exploration feat was undertaken at a time when Australia was sparsely populated by European settlers, to whom much of the land was a great unknown.

Importantly, these explorations informed the way for the route of the Overland Telegraph and gave Sir Charles Todd the confidence that his bold plan was possible—and possible it was. Just over two years later, on 22 August 1872, the line was completed. The completion sparked great celebration in Australia, but particularly in Adelaide, and even prompted Governor Fergusson to declare a public holiday in South Australia. On 15 November 1872, 150 years ago almost to the day, the state hosted a banquet at the Adelaide Town Hall to celebrate the completion of the Overland Telegraph Line.

The completion of the line meant that Australia was connected to the world, and news that had previously taken months to reach England now could be transmitted within just hours. Importantly, Australia was no longer isolated from the rest of the world and our trade markets boomed.

Newspapers at the time often printed sections by-lined 'by Electric Telegraph', and businesses clamoured for news from the European markets. Telegraph offices, especially in regions, became centres of trade where information and banking were transacted and where orders were placed. Indeed, farmers were some of the biggest beneficiaries of the completion of the Overland Telegraph Line as it enabled them to negotiate better prices for their wheat and other exports before shipping.

Without these communication tools being made available to them, they were not able to trade in an open and transparent way. They were literally trading blind. The Overland Telegraph Line opened Australia's eyes to the world and, importantly, the world now saw Australia as a land of trade opportunities. The line also provided our state with a new employment opportunity. The use of batteries became integral to the line, as it required a constant and continuous charge to function and send messages and information.

There is a good story behind the battery. We think we are the state that built the first biggest battery, but we also built batteries at the very beginning to make this feat of engineering achievable.

The reason the batteries were required was that the line was built in Australia, where there is so much open space, and it was hard to know where a break in the line occurred. They had to attach a battery along the line so that they could send an electrical current through and find where the break in the line was.

Apparently, one of the biggest reasons for the breaks in the line was kids who got a little bit bored and would throw stones at the line and break it. The electrical currents helped find where the problems were. Battery rooms then became an important part of the telegraph stations, requiring workers to constantly maintain the batteries to keep the lines transmitting information and messages. I believe in some parts these batteries are still used today.

The Overland Telegraph Line also helped provide new technologies that we often now take for granted. In 1885, the line helped provide electricity to the very first house in Australia, which was John Hullett's house in Port Augusta. John connected to the line. He was doing research in England, through the use of the line, about how to bring electricity to his home.

His main motivation for bringing electricity to his home was he wanted light in his living room for his family and also the ability for his wife to sew clothing. He was able to connect to this line and unlock an opportunity for him to have light in his home. He also made history by becoming the first home in Australia to have electricity, and it was in Port Augusta. In 1885, John Hullett made history by not only lighting his dining room but also working with Sir Charles Todd to provide light in this very building.

Sir Charles Todd was a man of many talents. His legacy lives on far beyond his passing in 1910. He was South Australia's Postmaster-General and the government's technical expert, and he often referred to himself as the government electrician. He was influential in setting up the first electrical engineering course in SA and is believed to be one of the first to suggest that local climate is affected by global phenomena. He was the man responsible for lighting up this very building, as I have said previously.

He was not the only famous person in his family on his journey building the Overland line; Alice Springs was named after his wife, Alice Gillam Bell. Sir Charles Todd had been a public servant for 64 years, 50 of them in the service of South Australia. We can only imagine his delight in the bold, pioneering technological achievements of our great state that have been able to follow from what he was able to do in the late 1800s.

We have seen the world's largest battery in Jamestown. Now, we are establishing our future green hydrogen industry. These bold projects join South Australia's growing pioneering legacy and stand next to creations such as what Charles Todd was able to achieve, for it is decisions such as the building of the Overland Telegraph Line that show how lasting reforms and change are often made through parliament looking to the future and acting on bold reforms. However, sometimes in order to look to the future, it is important to look back on our past first.

To mark the 150th anniversary, a new research project led by experts from the National Communications Museum and Professor Marcia Langton AO will use archival material to tell the story of the construction of the Overland Telegraph Line through the eyes of Australia's First Nations communities, providing a new and important perspective into what has largely been a one-sided story.

All South Australians and Australians benefit from a more truthful and complete telling of an important story such as the Overland Telegraph Line, and I look forward to seeing this project developed over the coming months. I commend the late Sir Charles Todd for his service and the 150th anniversary of the completion of the Overland line. I look forward to hearing more of this story as we celebrate its achievements and what it is doing to build our very bold state in South Australia.

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

LEGACY WEEK

The Hon. L.A. CURRAN (16:00): I move:

That this council—

1. Notes that Legacy Week was held from 28 August until 3 September 2022;

2. Acknowledges the work of Legacy and their volunteers who support the families of our veterans; and

3. Recognises the sacrifices that our veterans and their families make when they serve in our Defence Force.

Legacy is an iconic Australian charity that was established in 1923 and was founded on a promise made from one digger to another to 'look after the missus and the kids'. Legacy Week works to help support the families of veterans. The Legacy Week appeal has been running since the 1940s and it is a time for Australians to show their support for the widows and children whose loved ones have served to protect our country, our values and our freedoms. The Legacy badge is sold throughout Legacy Week. It is a special emblem of support for our veterans' families, symbolising our nation's greatest values of mateship, compassion and fairness. The funds Legacy badges raise make a big impact on the lives of veterans' families.

Legacy Week is a time to give back to the families of those who have given so much to protect our way of life and democracy yet have sacrificed so much on a personal level. Legacy works hard to advocate for the beneficiaries, to ensure they receive the government benefits or pensions they are entitled to, and when needed Legacy will provide a one-off payment to assist during an emergency.

Legacy ensures that there is access to health and medical support, including an emergency response unit for those living alone in their own home. Legacy strives to ensure that no person faces social isolation. Legacy has clubs, local events, holidays and camps where widows, children and families can come together to bond and create friendships.

Social isolation can be detrimental to health and wellbeing. For so many Legacy widows and their children, a Legacy morning tea or lunch is an outing that they look forward to and feel a strong connection to. They look forward to those occasions and enjoy the companionship they offer. For widows who are unable to attend such gatherings, contact is often made from visits from their legatee or legacy community social worker.

For the launch of Legacy Week, I had the privilege of joining Legacy SA for their launch event, which had a panel session which highlighted the importance of supporting veterans' families. I was incredibly moved to hear about the clear impact and support that Legacy SA offers for these families, and particularly the impact it has for children. There were many references to Legacy SA becoming an extension of their families.

Legacy has a long history of nurturing the development of children, with a focus on education. Legacy's commitment to assisting with children's education and development extends to grants and scholarships, mentoring programs for children that will assist with education and life choices, adventure activities and holiday camps.

Legacy supports the partners and children of veterans who have seen their loved ones leave our shores to serve in wars, from World War I and World War II to Korea, Vietnam, Afghanistan and Iraq. Many never made the journey home and others returned bearing the physical and mental scars of war.

Whilst no-one can replace a loved one, the work of Legacy can assist with providing after-school care for the young child of a widow who needs to work to support their family, allow a widow to live in her senior years at home with dignity, without social isolation, or provide a veteran's child with uniforms, the purchase of schoolbooks and the support to pursue a tertiary education. Legacy has provided 98 years of service to the community, and there are 3,600 legatees working every day. With 44 active clubs across Australia and one in London, no less than 43,000 veterans' families are currently receiving support.

We recognise the sacrifices that our veterans and their families make when they serve in our Defence Force, and we acknowledge the work of Legacy and its volunteers who support the families of our veterans every day.

Debate adjourned on motion of Hon. R.B. Martin.

LIONS AUSTRALIA

The Hon. J.S. LEE (Deputy Leader of the Opposition) (16:05): I move:

That this council—

1. Congratulates Lions Australia for celebrating its 75th anniversary in September 2022;

2. Recognises Lions Clubs throughout Australia, including those in South Australia, who are involved in establishing and managing a range of meaningful projects and foundations to support a wide variety of community needs; and

3. Notes the significant contributions Lions Clubs make in funding vital medical research, improving health care, assisting adults and children with disabilities, responding to natural disasters and emergencies and improving the lives of others.

It is a great honour to rise today to move this motion in my name to acknowledge Lions Australia's 75th anniversary celebrations. It is important for the Parliament of South Australia to acknowledge the long and impressive history and outstanding contributions that Lions Australia has made, and is still making, to support those in need and to enrich our community across Australia.

Lions Australia is made up of men and women dedicated to serving those in need whether in their own community or halfway around the world. Lions began in the United States in 1917, when a group of independent clubs responded to an idea presented to them by a young Chicago insurance agent, Melvin Jones, who believed that local business clubs should expand their horizons from purely professional concerns to the betterment of their communities and the world at large.

I have always been fascinated by the meaning of, and how organisations come up with, a logo or emblem to represent their brand or their important charter, and I would like to take a moment to talk about the Lions' emblem. The corporate logo consists of a gold letter 'L' on a circular purple field. Bordering the letters is a circular gold area with two conventionalised lion profiles at either side facing away from the centre. The word 'Lions' appears at the top and the word 'International' at the bottom. Symbolically, the lions face both past and future—proud of the past and confident of the future.

The colours the Lions are proud to use are purple and gold. To Lions, purple stands for loyalty to country, to friends, one's self, and the integrity of mind and heart. Purple is the traditional colour of strength, courage and a tireless dedication to a cause. The colour gold symbolises sincerity of purpose, liberality in judgement, purity in life and generosity in mind, heart and purse towards those in need.

On 29 September 1947 the first Australian Lions Club was chartered in Lismore, largely through the efforts of Bill Tresise, who was later made a Member of the British Empire for his services to the community. Due to the determined efforts of the Australian Secretary for Lions Clubs International, Jim McLardie OAM, the first South Australian Lions Club was formed in 1961. It was called the Lions Club of the City of Adelaide. It also became the 201st Lions Club in Australia.

In South Australia, through times of change, in 2001-02 it was structured into two districts, 201C1 and 201C2. The C1 district covers all the areas west of Anzac Highway to the Western Australian border and north to the border with the Northern Territory. The C2 district is vast, reaching from the Limestone Coast region of south-east South Australia, and including Kangaroo Island, half of metropolitan Adelaide and out through the Riverland to Sunraysia in Victoria and Broken Hill in New South Wales. It also includes all the Northern Territory.

I would like to acknowledge some of the many firsts of Lions in South Australia as part of the Lions' legacy in this state. The first club, the Lions Club of the City of Adelaide, was established on 1 July 1961, and I would like to pay tribute to Bevan Rutt OBE, who was the first club president. The first club project was, believe it or not, the printing of a pamphlet to prevent children from molestation. That happened back in the 1960s. The first district was created in 1964, followed by the first multiple district chairperson, John LeCornu, in 1966.

In addition to acknowledging the founders in South Australia, I extend my sincere thanks to every Lion and Leo in every club across these two districts, particularly acknowledging Zig Osis, district governor of 201C1, and Ruth Pearsons, district governor of 201C2, together with all the

presidents and members of all the clubs for their strong leadership and commitment to serving our community.

South Australian Lions are involved in services projects at all levels and come from all walks of life and from all community groups. They are united in the common goal of fellowship and helping those in need. From the aspirational beginning, now in 2022, 75 years on from the founding of the first club, Lions Australia has grown dramatically, with over 1,200 clubs and 25,000 members giving back through an array of community-based programs and initiatives. This impressive list of clubs make Lions Australia the largest service club organisation in Australia and one of the country's most important and impactful organisations.

As shadow minister for communities, I am deeply proud of the amazing efforts and contributions that all the Lions Clubs of Australia have made and continue to make in their local communities. I am sure honourable members are aware of—and many are deeply involved in supporting—the great work of the local Lions Club in their areas.

In speaking to a number of my parliamentary colleagues, I understand that the Hon. John Gardner, the member for Morialta, is a Lion of the Torrens Valley club and has been a long-term sponsor of various Lions activities, including the Black Hill Challenge and others. His electorate office is always happy to sell Lions cakes to the community.

Lions Clubs epitomise the very best of life and community in regional Australia and regional South Australia. Mr Tim Whetstone, member for Chaffey, has spoken to me on numerous occasions of the fundraising efforts by the Riverland Lions Clubs—the Berri Lions Club and the Renmark Lions Club—and their incredible work over many decades. They have raised hundreds of thousands of dollars to assist people in the Riverland community.

Mrs Ashton Hurn, the member for Schubert, often speaks about her family involvement in Angaston Lions Club and how her grandfather, her uncle and her husband are all proud members of Lions. I am sure there are families out there just like Ashton's that share the traditions of the Lions heritage from one generation to another.

For 75 years, Lions Australia has served with uncommon kindness, putting the needs of their neighbours and their communities ahead of themselves. One of the great qualities of Lions Clubs is the incredibly diverse range of issues that they tackle. Some Lions Club members, known affectionately as Lions, are on a mission to cure childhood cancer and diabetes. Others are committed to assisting those impacted by drought and floods, and many simply are working together to help those in their local community.

Lions Clubs throughout Australia are involved in establishing and managing a range of national projects, activities, foundations and initiatives. Through community fundraising, last year alone Lions Clubs raised more than $28 million that went towards funding medical research, health care, assisting adults and children with disabilities, emergency response and other purposes to help the community. Lions also donate two million hours of volunteering services and community support each year.

I would like to take this opportunity to highlight some of the incredible projects that Lions Clubs across South Australia are doing, including supporting youth opportunities, health, humanitarian efforts, emergency response, the environment, and research and innovation. Young South Australians can be involved in Lions Australia through a range of youth opportunities or by joining a Leo Club. Leos are devoted young people who realise the power of action. Through service to their community, they make the world a better place.

I want to take this opportunity to highlight one of the scholarship recipients this year from South Australia. This year, through the Lions Medical Research Foundation Scholarship, Lions provided $35,000 to a recipient. I would like to congratulate a South Australian by the name of Emma Cheney, who was named the 2022 scholarship recipient.

Emma's area of study under the scholarship will be myeloma research at the University of Adelaide where she is focusing on a very special project. Congratulations Emma and everybody else involved in the Lions Club. I would like to congratulate Lions Australia for celebrating a milestone

75th anniversary. I want to commend this motion to the house and want to emphasise that when there is a need, there is always a Lion. I commend the motion.

Debate adjourned on motion of the Hon. R.B. Martin.

ANGLICARESA

The Hon. J.S. LEE (Deputy Leader of the Opposition) (16:15): I move:

That this council—

1. Recognises that AnglicareSA has been supporting South Australians in need for more than 150 years;

2. Acknowledges the contributions of more than 1,800 AnglicareSA staff and 400 volunteers who support more than 55,000 people each year; and

3. Notes the valuable role that AnglicareSA plays in South Australia through its social service programs including housing and homelessness, NDIS services, aged care, foster care, emergency assistance, financial counselling and literacy, Aboriginal services, new arrivals, children, youth and families.

It is a great honour to rise today to move this motion in my name to acknowledge the remarkable history and importance of Anglicare South Australia. For more than 150 years, AnglicareSA has been one of the leading organisations for supporting vulnerable and disadvantaged people set on the guiding principles of 'justice, respect and life for all'.

Anglicare's history began in 1860 when Julia Farr led the establishment of South Australia's earliest Anglican charitable organisation, The Orphan Home. The home cared for young girls aged five to 12, and sparked the founding of several Anglican homes throughout South Australia, which provided support and care for hundreds of children and women seeking refuge.

In the 1940s, Bishop Robin proposed to the Anglican church to authorise the establishment of a Social Welfare Committee and Bureau. The Bureau offered support which included placing children into homes and adoption, supplying clothing and funds, and soon also began providing aged care services. From this humble beginning, the bureau quickly discovered an escalating need in the community for various social support services. In 1998, the name 'Anglicare' was introduced to South Australia, and in 2000 AnglicareSA was independently incorporated officially gaining not-for-profit status.

What started as a single building on Carrington Street in Adelaide's CBD over 150 years ago is now 1,800 hardworking staff, 400 dedicated volunteers and a diverse portfolio of social services programs by Anglicare that supports more than 55,000 South Australians each year. As shadow minister for communities, I am passionate about addressing the social issues which continue to be causing challenges amongst our most vulnerable and disadvantaged people across the state. Supporting the organisations that support people in need is vital to giving all South Australians a better future.

I wish to put on the public record the Liberal Party's strong support and deep appreciation of the valuable role that Anglicare plays in South Australia through its social services program. I want to take this opportunity to speak on some of the many programs that they provide, and to provide the chamber with a quick snapshot of the scale of Anglicare's wide-ranging services. These are some of the highlights from the 2021-22 annual report:

- In 2021-22, Anglicare supported more than 51,500 people and clothed more than 5,000 people through the Thread Together program.
- 1,374 disability and mental health clients, including NDIS, were supported.
- Anglicare owned or managed more than 2,100 homes and supported nearly 5,000 tenants across our state.
- More than 750 permanent residents and 87 transition and respite care residents were supported across six residential care homes, and earlier this year AnglicareSA was recognised as the most highly commended residential aged care brand trusted in South Australia by the Reader's Digest Australian Trusted Brand Survey.

Anglicare Housing, better known as Believe Housing Australia, is one of Australia's leading social and affordable housing providers. Across the country, skyrocketing market prices have put home ownership out of reach for an increasing number of people, and escalating costs of private rentals leaves low-income earners without enough money for basic needs like food, heating and clothing. A dire shortage of social and affordable housing means only a fraction of those who need a place to call home can achieve it. More than ever, people are turning to providers like Believe Housing Australia for support.

Believe Housing Australia support covers community housing as well as housing for older people, young people and First Nations people. Believe Housing Australia is providing valuable guidance and assistance for all types of disadvantaged people, and helping to address the national affordable housing problem. Another key area of support provided by Anglicare is in disability and wellbeing, which I mentioned earlier. This program ranges from support camps and therapy sessions to personalised one-on-one services, to supporting transition to NDIS.

AnglicareSA also provides home care services for older people who want to live with more freedom and independence but still require assistance. The program is tailored to suit the individual care needs of each client and help them stay active and healthy, keep up with social activities, friends and family. Whether it is assistance with domestic care, transportation, safety modifications to their homes, or nursing or health support, Anglicare helps older people continue to live their lives according to their choices.

Anglicare also provides a range of support for children, young people and families, initiatives they are perhaps best known for, and have been supporting the community since its inception. For Anglicare all families—no matter what their situation—provides basic support through childcare centres, parenting and family support programs, as well as specialised support programs for postnatal support such as Staying Attached, and the Autism-Specific Early Learning and Care Centre.

Anglicare also provides foster care support. There are times, unfortunately, when some children and young people are unable to live with their birth families, even sometimes for a short period of time, or in a more permanent situation. Anglicare recognises that children and young people need a stable home environment, and they help these young people to transition into independent adults.

I want to turn my attention to the Community Connections Program that was implemented by the Marshall Liberal government in 2021, to support socially-isolated people to increase their independence and build strong and sustainable social and community connections. This includes helping people to get involved in local community activities, find new support groups, get some personal goals, and access information referrals for other services as needed.

What I have mentioned today are just a number of amazing programs by Anglicare. I am particularly looking forward to attending the Anglicare annual Cathedral Banquet this coming Friday, 4 November, joining the Hon. Michelle Lensink and Josh Teague, member for Heysen. The Cathedral Banquet is a major fundraising event to support the growing demand for AnglicareSA's emergency assistance programs which support more than 12,000 South Australians each year with emergency food relief, warm clothes, one-off rent assistance, financial counselling, and referrals to other wraparound services such as homelessness and suicide prevention.

Last year, the 2021 Cathedral Banquet raised $157,000 in support of Anglicare-funded programs. I want to express special thanks for all the generous donations and attendance by all the supporters. It is just another example of generosity that is demonstrated in our South Australian community.

I want to wholeheartedly express my gratitude to AnglicareSA. I want to make a special mention to congratulate the leadership: the CEO of AnglicareSA, Mr Grant Reubenicht; the new chair of both the AnglicareSA and Believe Housing Australia boards, Mr Tim Sarah; and all the volunteer board members who donate their time, skills, knowledge and expertise to manage and govern the affairs of AnglicareSA.

Congratulations to the entire team and volunteer staff for their amazing work every day to help disadvantaged and vulnerable South Australians. I look forward to working closely with AnglicareSA going forward. I commend the motion to the chamber.

The Hon. S.L. GAME (16:25): I rise in support of the motion moved by the honourable member, recognising AnglicareSA and the incredible work they have done for the South Australian community for over 150 years. In particular, I would like to acknowledge their work with young people transitioning out of state residential care and the foster care systems. Their Launch 180 program offers high-level support for 16 to 18 year olds exiting the state system. It guides them towards independence by assisting with housing, cooking, cleaning, budgeting and shopping, goal setting, education, assessing health and other services and employment training and volunteer pathways.

Those 18 to 25 year olds exiting care who are experiencing homelessness or housing instability or who are at risk of homelessness are incorporated under the Post Care Pathway program. This program incorporates accommodation, employment assistance, alternative education and training, mentoring, wellbeing and participation. It encourages practical skills, such as gaining a driver's licence, enrolling to vote and engaging in wellbeing programs and local community initiatives, and provides guidance in forming relationships and, where appropriate, reconnecting with kin.

Both programs act as an anchor so that young people can focus on their pathway to living independently. I support the motion put forward by the honourable member, as I support the government in expanding funding for this service. There would be a detrimental gap for young people exiting residential and foster care without AnglicareSA.

Debate adjourned on motion of Hon. R.B. Martin.

Bills

PRIVATE PARKING AREAS (SHOPPING CENTRE PARKING AREAS) AMENDMENT BILL

Final Stages

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

At 16:28 the council adjourned until Tuesday 15 November 2022 at 14:15.