LEGISLATIVE COUNCIL

Wednesday, 16 November 2022

The PRESIDENT (Hon. T.J. Stephens) took the chair at 14:16 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 Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. C. BONAROS (14:18): I bring up the 18th report of the committee.

Report received.

The Hon. C. BONAROS: I bring up the 19th report of the committee, 2022.

Report received and read.

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—
- Adult Safeguarding Unit
- Berri Barmera District Health Advisory Council Inc
- Coorong Health Service Health Advisory Council
- Loxton and Districts Health Advisory Council Inc
- Mallee Health Service Health Advisory Council Inc
- Mannum District Hospital Health Advisory Council Inc
- Mid North Health Advisory Council
- Murray Bridge Soldiers Memorial Hospital Health Advisory Council
- National Agreement on Closing the Gap—South Australia's Annual Report
- National Health Funding Body
- National Health Funding Pool
- Northern Adelaide Local Health Network
- Renmark Paringa District Health Advisory Council Inc
- South Australian Medical Education and Training Health Advisory Council
- South Australian Ambulance Service Volunteer Health Advisory Council
- Waikerie and Districts Health Advisory Council Inc
- Whyalla Hospital and Health Services
- Yorke and Northern Local Health Network

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

Reports, 2021-22—
- Administration of Freedom of Information Act 1991
- Attorney-General's Department—Additional Reporting Obligations
- Training Centre Review Board Annual Report 2021-22

Return Pursuant to Section 83B of the Summary Offences Act 1953 Dangerous Area Declarations—Authorisations issued for the period 1 July 2022 to 30 September 2022

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

The Mining and Quarrying Occupational Health and Safety Committee—Report, 2021-22

Ministerial Statement

CLOSING THE GAP ANNUAL REPORT

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:30): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.J. MAHER: This government takes seriously its responsibility to close the gap in outcomes between Aboriginal and non-Aboriginal people. The rates of disadvantage that we continue to see are quite simply unacceptable. If we are to continue our journey of reconciliation, we as a government and as a community must accept the injustices of the past but also embrace the responsibility to take action to improve the life outcomes that Aboriginal people in this state currently experience.

After 10 years of Closing the Gap, the former Council of Australian Governments (COAG) acknowledged the importance of genuine partnerships between Aboriginal and Torres Strait Islander communities and Australian governments. This led to a refresh of Closing the Gap, which ensures Aboriginal and Torres Strait Islander people are working alongside all governments to determine, drive and implement their own actions and outcomes. It is with these principles in mind that the government today tables the first South Australian Closing the Gap annual report for 2021-22.

It provides an honest assessment of how South Australia is tracking in terms of closing the gap, and I am pleased to report that South Australia is showing improvement in a number of areas, such as:

- increasing the proportion of Aboriginal children with a healthy birth weight;
- increasing the proportion of Aboriginal children enrolled in early childhood education; and
- increasing the landmass subject to Aboriginal people's legal rights or interests.

However, we must also acknowledge areas where we need to do more, such as:

- reducing the rate of Aboriginal adults who are incarcerated; and
- reducing the rate of over-representation of Aboriginal children in out-of-home care.

The annual report provides an overview of the significant work that has occurred over the last 12 months to build the relationships between the South Australia government and the South Australian Aboriginal Community Controlled Organisation Network (SAACCON).

SAACCON's membership consists of Aboriginal community-controlled organisations (ACCOs) and its role is to provide advice, recommendations and guidance based on the interests of ACCOs and Aboriginal peoples of South Australia.

Government agencies and SAACCON have invested significant time to establish the necessary structures to support the reforms set out in the Closing the Gap national agreement. The approach taken has been considered, and genuine, acknowledging where past efforts have fallen short, learning from mistakes and building trust.

A formal partnership agreement between government agencies and SAACCON has been signed, which embeds new governance arrangements and outlines how all parties will adopt new ways to work in partnership to address the disproportionate outcomes experienced by Aboriginal people in service and outcomes in this state.

It is my expectation that this groundwork will lead to accelerated progress to achieve the national agreement over the next 12 months. The annual report also provides an overview of actions in South Australia's Closing The Gap Implementation Plan, including case studies of actions that have been progressed over the past 12 months. Of the 254 actions in the implementation plan, over 200 are in progress, while 34 have been completed.

I note that agencies have reported that 32 actions have been delayed. These delays can be attributed to a number of factors, including the prioritisation of relationship building with community which will in turn support future implementation, the redirection of services to support COVID-19 efforts and the need to identify appropriate funding sources.

Despite the delay in implementing some of the actions, I am confident that the new governance arrangements will provide greater oversight of the measures that can be taken to ensure they continue to be progressed.

There are other meaningful actions occurring outside of the implementation plan that are also worthy of mentioning, such as this government's commitment to:

- implementing Voice, Treaty and Truth in South Australia;
- establishing an advisory commission into the incarceration rates of Aboriginal people in South Australia; and
- enshrining the Nunga Courts in legislation.

SAACCON has been actively engaged in the drafting of this annual report and in all activities under the Closing the Gap commitment. It is a significant commitment of time that the community-controlled organisations are making to work with government on implementing those actions and reforms.

I would like to thank all leaders and employees in these organisations for their commitment to this work. I would like to personally acknowledge Scott Wilson, who is the Lead Convenor of SAACCON, Deb Buckskin, who is the Co-Convenor of SAACCON, and Christine Brown, who is the Project Lead for SAACCON. Their genuine approach to work in partnership with government is greatly appreciated and is setting the foundation for future positive change for our Aboriginal people and our Aboriginal communities in this state.

Question Time

RIVERLAND FLOOD RESPONSE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:38): I seek leave to make a brief explanation before asking the Minister for Primary Industries and Regional Development a question about horticulture in the Riverland.

Leave granted.

The Hon. N.J. CENTOFANTI: Modelling shows that the flows down the River Murray are expected to reach 165 gigalitres a day, with the possibility of up to 220 gigalitres a day. It has been reported to the opposition that the government has ordered sandbags from India, despite the fact that there are sandbags available from interstate. My questions to the minister are:

1. Does the minister have any concerns about potential biosecurity risks for the acquisition of international sandbags?

2. As the Minister for Primary Industries, is the minister confident that South Australia has enough, and will have enough, sandbagging resources to protect and minimise damage to pumps and other vital irrigation infrastructure that our primary producers rely on?

3. Is the minister aware that her government has sourced sandbags from India?

4. Can she give an indication to the chamber as to how long it will take for the delivery of these sandbags to the Riverland?

5. Is she confident that the current number of sandbags in the Riverland is sufficient until then to protect our primary producers?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:40): I thank the honourable member for her question. I am happy to investigate the claims that she has made and bring an answer back to the chamber.

RIVERLAND FLOOD RESPONSE

The Hon. L.A. CURRAN (14:40): Supplementary question: was the minister unaware of where the sandbags were originating from when the order was placed?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:40): I am not aware of which department would have placed orders for sandbags. Obviously, we have a multifaceted approach to dealing with the high-water events that are occurring. I will seek some further advice and come back to the chamber.

REGIONAL EMERGENCY ACCOMMODATION

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:40): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development regarding regional emergency accommodation.

Leave granted.

The Hon. N.J. CENTOFANTI: Some permanent residents of the Barmera caravan park have been given two weeks' notice to evacuate due to rising water levels. Many of these people work in local businesses and due to the current rental shortages are now having to consider moving away. My question to the minister is: what emergency accommodation has been provided to local residents in the Riverland who are either homeless or being forced to evacuate from their homes, and how is this information being communicated to the Riverland public?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:41): I thank the honourable member for her question. Of course, as we would all be aware, it is a significant issue when there are requirements to evacuate. We have seen the very difficult situations in New South Wales and Victoria over recent weeks. Fortunately, we are not at the levels of flooding that they are, but of course it is still causing significant disruption. As I have answered a question in regard to housing a few weeks ago—I think, from memory, it was the Hon. Robert Simms—in regard to the sorts of measures that are in place, I refer the member back to that answer.

REGIONAL EMERGENCY ACCOMMODATION

The Hon. T.A. FRANKS (14:42): Supplementary: is the minister aware of what has changed in the last few weeks with regard to the amount of water that is going to be coming down the river and the need for different preparations?

The Hon. E.S. Bourke interjecting:

The PRESIDENT: This is for the Minister for Primary Industries, the Hon. Ms Bourke, so I will let the Minister for Primary Industries answer.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42): When I mentioned the question that was asked some weeks ago by the Hon. Robert Simms, if I recall correctly it was in the context of—

The Hon. R.A. Simms: It was a very good question.

The Hon. C.M. SCRIVEN: It was a very good question; I agree with him on that.

The PRESIDENT: The Hon. Mr Simms, interjections are out of order.

The Hon. C.M. SCRIVEN: It was in the context of preparations for a high-water event. We are seeing that high-water event eventuate, clearly, and so I am very glad that those preparations have been in place and therefore those actions are being taken.

REGIONAL EMERGENCY ACCOMMODATION

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:43): Supplementary question: where exactly is the emergency accommodation based in the Riverland? Where is it? No-one knows.

The PRESIDENT: Order! Listen to the answer, thanks.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43): In terms of the detail of accommodation, that will fall under the portfolio of the Minister for Housing or the Minister for Human Services. If the honourable member would like some specifics, I will endeavour to get those from that minister.

REGIONAL EMERGENCY ACCOMMODATION

The Hon. T.A. FRANKS (14:43): Supplementary: what gigalitres per day is the government's current emergency plan for accommodation based on?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:44): The question in regard to accommodation, I will refer to the relevant minister in the other place.

REGIONAL EMERGENCY ACCOMMODATION

The Hon. H.M. GIROLAMO (14:44): Supplementary: could the minister please verify that she is across the concerns within the Riverland and what involvement she, as Minister for Primary Industries and Regional Development, has in preparing for what could be quite a challenging event for the Riverland?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:44): Certainly, and I am very happy to do so. Updated modelling has been received in regard to the expected flows, but of course there is a lot of uncertainty and complexity around those forecasts. I am advised that there is a moderate risk of 200 gigalitres per day and a lower chance of the peak rising to 220 gigalitres per day.

There has been a number of cross-jurisdictional task force—I am not sure if that is the correct name—or emergency committees. PIRSA of course is one of those. In terms of the multiple amounts of work that is being done, if I recall correctly I think there are about 16 departments that are involved in the preparations for the flooding event. I am happy to provide information about all of that if members are interested.

While the peak flow is still forecast to arrive in South Australia in early December, it is important to note that the latest information provided indicates that the flows will increase more rapidly than originally anticipated, and there is a flow rate expected near the end of November that will be significantly higher.

I have some information both from the Department for Environment and Water as well as information in regard to the electricity challenges that we are facing, but the current forecast—the information that I have—is that it is likely to be the highest flow to come across the South Australian border since the high flows experienced in the early to mid 1970s, which peaked at 182 gigalitres a day in 1974.

PIRSA has undertaken modelling for various predicted high-level flows to determine the impacts on primary production across the river. At 160 gigalitres a day, pastures, grape vines, vegetables, fruit and nut trees would be most affected, and at this flow rate almost 3,200 hectares would be affected. There will be disruptions to transport routes for people, machinery and transportation for fruit and grain harvesting as a result of road or ferry closures. Alternative routes of course exist but they result in additional travel time and therefore additional cost.

PIRSA has been working with livestock industry partners, specifically SADA and LSA, to ensure livestock are relocated to higher ground in preparation for higher flows. There is concern for cows getting sore feet and mastitis infections due to the potential for cows to be standing in wet soils. There is an elevated risk of Japanese encephalitis virus for pickers, for other casual agricultural workers and susceptible species of animals due to increased mosquito—

The Hon. N.J. CENTOFANTI: Point of order: relevance. As much as I would like to hear about the agriculture—

Members interjecting:

The Hon. N.J. CENTOFANTI: No; the question was about emergency accommodation.

Members interjecting:

The Hon. N.J. CENTOFANTI: No; my question was about emergency accommodation.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter will come to order. Minister, please conclude your remarks and we can move on.

The Hon. C.M. SCRIVEN: Thank you, Mr President. I am very disappointed to hear that the opposition is not interested in the cross-government preparedness, despite asking a supplementary question about that. As I was saying, PIRSA is working with SA Health to raise awareness about the risk of Japanese encephalitis and to promote vaccinations.

I have a number of other pieces of information in regard to preparedness, but if the opposition is not interested in hearing it then I don't need to continue. If, however, they are interested in the various preparedness for the multiple sectors and individuals and industries that might be affected, then I am happy to continue. There are elevated risks of blackwater events along the river and, unfortunately, fish kills due to decreased oxygen, and increased particulate matter in the water. PIRSA is leading the SEC—

The Hon. N.J. Centofanti: What are you actually doing about it?

The Hon. C.M. SCRIVEN: I'm glad the honourable Leader of the Opposition should ask what are we doing about it. I was just about to say.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: PIRSA is leading the SEC subcommittee on the blackwater risk.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: PIRSA has committed to work with councils and stakeholders—

Members interjecting:

The PRESIDENT: Order, the two leaders!

The Hon. C.M. SCRIVEN: —on fish kill clean-up and has developed an emergency response plan. PIRSA is collaborating with the Department for Environment and Water to understand the wildlife impacts arising due to the rising water flows, and consideration is being given to activating PIRSA participating organisations such as DEW and SAVEM to address any predicted or identified wildlife issues. PIRSA is also undertaking contingency planning for household pets with participating organisations, including the RSPCA, Animal Welfare and DEW, should emergency evacuations be required.

There is reduced accommodation capacity in the region for fruit pickers and other casual agricultural workers, including casual fruit fly response contractors, due to caravan park and shack flooding. Contingency planning is underway within the Riverland fruit fly response to manage any potential impacts, including road closures, labour shortages, labour access issues and/or the reduced availability of accommodation. PIRSA continues to monitor flow levels—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: It's a shame that those opposite are laughing about preparedness for such a significant event as this high water event. I would have thought some empathy—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —for those who are experiencing this would have been far more appropriate.

Members interjecting:

The PRESIDENT: Order! Interjections are out of order. Minister, please conclude your remarks. This is an important topic for the people of the Riverland, but you have had a fair bit of latitude. I would prefer you to conclude so we can now move on.

The Hon. C.M. SCRIVEN: Certainly. I appreciate your concern, Mr President, for the residents of the Riverland. PIRSA continues to monitor flow levels, adjust predictive models and work with industry partners to manage potential risks.

RIVERLAND FLOOD RESPONSE

The Hon. T.A. FRANKS (14:50): Supplementary: what provisions are being made to feed both stranded wildlife and livestock? That wasn't covered in your answer.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:50): As I mentioned in the answer, we have been working with industry about moving livestock to higher ground.

The Hon. T.A. Franks interjecting:

The Hon. C.M. SCRIVEN: The landowners will generally feed their own livestock.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Perhaps the honourable member will let me finish.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Arrangements have been made, or planning is in process with livestock owners in terms of moving livestock to higher ground, and obviously part of that preparation would be in terms of feed.

The Hon. N.J. CENTOFANTI: Supplementary?

The PRESIDENT: No. The honourable Leader of the Opposition, your third question. We are 13 minutes in. We have had two questions.

An honourable member interjecting:

The PRESIDENT: Order!

RIVERLAND BUSINESSES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:51): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development regarding Riverland regional businesses.

Leave granted.

The Hon. N.J. CENTOFANTI: Last week, the Premier was photographed in the Riverland promising 'an appropriate package to provide tourism support in the Riverland'. As the Minister for Regional Development, have you requested an update from the Premier on any action taken in relation to this public commitment in the Riverland last week, and when will this package be made publicly available?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:52): Both myself and my office are in frequent contact with the Premier and the Premier's office, and I understand that an announcement will be made in the near future.

KANGAROO ISLAND FARM BUSINESS MANAGEMENT PROJECT

The Hon. T.T. NGO (14:52): My question is to the Minister for Primary Industries and Regional Development. Will the minister update the chamber on the completion of the Kangaroo Island farm business management workshops?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:52): I thank the member for his question. I am always pleased to talk about Kangaroo Island because I know the Hon. Mr Pangallo is always pleased to hear—

The Hon. F. Pangallo: And Mr Wortley.

The Hon. C.M. SCRIVEN: And the honourable member, Mr Wortley, absolutely. I had the opportunity to visit Kangaroo Island last week once again, where I spoke at and presented awards at the Kangaroo Island farm business management workshop in Kingscote. Following the 2019-20 bushfires on the island, the Department of Primary Industries and Regions (PIRSA) secured nearly $30 million in funding to support the short, medium and long-term recovery of bushfire-impacted primary producers.

We know of course that Kangaroo Island plays a key role in contributing to our state's agribusiness industry. In 2020-21, South Australia's primary industries and agribusiness generated revenue of over $15 billion. One of the initiatives that received funding is the Kangaroo Island Farm Business Management Project. This was an $825,000 project aimed at building a primary producer culture focused on overall long-term economic, environmental and social resilience.

To date, 50 producers across 30 different businesses have participated in this project. Of course, as we all know, the 2019-20 fires on Kangaroo Island caused enormous damage to the area, covering over 200,000 hectares and the loss of 129 homes, over 300 vehicles, nearly 60,000 livestock and, tragically, two lives were lost.

Since the fires the island has been working to restore their livelihoods and improve the island's economic, physical, cultural and environmental assets. As members would be aware, recovery from a disaster of this nature is a complex and lengthy process and requires a unique response. During my time speaking to primary producers impacted by the fire who then participated in the fire management course, it was clear that they all have definitely a desire to succeed and have worked very hard to develop clear and responsible succession plans, which will set up their farms moving forward. This was among a number of other outcomes of the program.

I want to particularly thank Jeanette Gellard, who was the project lead, from Coo-ee Collective and who has played a key role in the running of this project, along with the chair of Agriculture Kangaroo Island, Jamie Heinrich, and Steph Wurst, the deputy chair. During the presentations of the certificates last week, Jeanette invited participants to share their experience with the program and talk about what they have gained from undertaking it. It was clear from listening to the participants that they have gained an enormous amount from the program.

I want to take this opportunity to congratulate all of the participants who completed this program and who, I am glad to say, all reported gaining very useful experiences and skills from it, and also thanking PIRSA staff who have been involved in this program as well as all those who continue to play a vital role in the bushfire response on Kangaroo Island.

SAFEWORK SA

The Hon. T.A. FRANKS (14:55): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Industrial Relations on the topic of SafeWork SA's response to FOI requests.

Leave granted.

The Hon. T.A. FRANKS: Lawyer Greg Griffin is representing a number of players, including Josh Jenkins, who were involved with the infamous Adelaide Crows camp. In that process he has sought and put a freedom of information request for SafeWork SA's report into the controversial preseason camp that was held in 2018. In the media he has noted that the response to that freedom

of information request has been what he calls 'North Korea like', with him receiving a bill for $6,000 for many reams of blank pages. In the words of Mr Griffin:

> They basically sent me 58 blank pages and an extract from the Work, Health and Safety Act, which I could have printed off my computer for free.

The returned FOI identified 284 documents relevant to the request, but full access was denied to all but eight. Among those documents that Mr Griffin did receive access to was a parliamentary debate recorded in *Hansard*, which I believe was a question from myself to the previous minister; a press release, publicly issued by SafeWork SA, which was partially redacted; and, indeed, reams of the Work Health and Safety Act. My questions to the minister are—

The Hon. J.M.A. Lensink: These are public documents.

The Hon. T.A. FRANKS: They are public documents, exactly right. My questions to the minister are:

1. Is this good enough in terms of the practice of SafeWork SA with complying with freedom of information requests?

2. How has SafeWork SA gone about facilitating support for injured workers, potentially psychologically harmed workers, through this process, and why are they not cooperating with the legal representatives of workers seeking redress?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:58): I thank the honourable member for her question. In relation to freedom of information applications, the determination of freedom of information applications is dealt with by relevant public sector agencies in accordance with the provisions of the Freedom of Information Act.

I do not know in this case, but I suspect there are some further limitations in relation to what SafeWork is able to release because of legislative provisions. Under section 12 of the FOI Act a document is exempt from production if its disclosure would constitute an offence against an act. I have spoken in this chamber previously about section 271 of the Work Health and Safety Act, which imposes extraordinarily strict confidentiality requirements on information obtained through investigations by SafeWork SA and makes it an offence to disclose that information.

The John Mansfield review into SafeWork's investigation into the death of Gayle Woodford made some recommendations in relation to section 271 being reviewed, to look to see if more information can be provided to injured workers and their families. That is work we are undertaking. I suspect that part of the freedom of information process in relation to the functions that SafeWork carries out, particularly in relation to investigations, are likely impeded in terms of FOI disclosures by the operation of section 271 of the safe work act.

I think the second part of the question that the honourable member asked about is what support or assistance is provided to people who are involved in investigations under SafeWork SA. I have spoken in this place previously, particularly in relation to a matter to do with the Adelaide Crows, and I think there is a gap in relation to the cultural understanding and sensitivities, not just of the South Australian SafeWork SA.

I have asked to put that on the national agenda, of how SafeWork in this state and other similar organisations both conduct inquiries and treat those involved in investigations in a culturally safe manner. I expect that work will produce some recommendations that could lead to change in this state.

SAFEWORK SA

The Hon. T.A. FRANKS (15:00): Supplementary: will the minister undertake to get a briefing on why, if it is section 281 prohibiting the release of the investigation, part of the investigation, including an interview, was in fact released?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:01): I am happy to ask the agency in relation to that

but, as I have said, the relevant public sector agency determines FOI applications. However, I am happy to ask that agency if there is further information that I can provide.

REGIONAL EMERGENCY ACCOMMODATION

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:01): I seek leave to respond to an earlier question with some additional information that has been provided to me.

Leave granted.

The Hon. C.M. SCRIVEN: This is in regard to the queries about housing and River Murray flooding. The South Australian Housing Authority is continuing to monitor the situation in consultation with other agencies. Dedicated staff are on the ground, preparing for emergency relief operations in the area, and indeed I understand an executive director was in Loxton yesterday to oversee that work.

The South Australian Housing Authority is represented at the State Emergency Centre to coordinate with other agencies and has been represented at the Riverland zone emergency support team for the last six weeks and will continue to be a member of this team throughout the current event. As part of its emergency relief responsibilities, SA Housing has identified locations for emergency relief centres, if they are required in coming weeks or months; identified hotels and motels in affected areas and has the contact details in the event of activating large-scale emergency accommodation; and contacted organisations, such as Lions and Rotary, who may be asked to assist in emergency relief work.

The authority is also working with the local homelessness service provider to conduct assertive outreach to vulnerable communities along the riverbank. The authority will take advice from the State Emergency Service and other agencies about locations where emergency accommodation and other relief may be required. It is important, of course, for households to consider their backup plans, which may include family or friends, but hotels or motels can be used for emergency accommodation if that is the only option that people have. Of course, they may also be needed to support a range of emergency and relief workers who may go to the region to assist with flood response.

I thank the office of the member responsible in the other place for providing that information so quickly.

INDUSTRIAL RELATIONS

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:03): I seek leave to make a brief explanation before asking a question of the Minister for Industrial Relations about industrial relations matters.

Leave granted.

The Hon. J.S. LEE: It was reported in *The Australian* that the Albanese Labor government had not consulted with business groups about its new industrial relations legislation before it went public with its multi-employer wage bargaining idea. The National Farmers' Federation isn't impressed with the wage bargaining bill and the proposed changes, and *The Australian* newspaper said that the Australian Chamber of Commerce and Industry Chief Executive Andrew McKellar and Business Council of Australia Chief Executive Jennifer Westacott also rejected the fresh concessions flagged by Labor.

Business groups fear that multi-employer bargaining will lead to strikes, wage rises unlinked to productivity and higher prices, which will feed into inflation. The matter is important—

Members interjecting:

The PRESIDENT: Order, the Hon. Mr Hunter and the Hon. Mr Wortley! Let's listen to the question.

The Hon. J.S. LEE: Not related to productivity.

Members interjecting:

The PRESIDENT: Order, the Hon. Mr Hunter and the Hon. Mr Wortley! Let's listen to the question.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter, are you looking for an early minute?

The Hon. J.S. LEE: Linked to productivity, mind you.

Members interjecting:

The PRESIDENT: Order, the government benches! I'm sure the Attorney will be more than capable of providing an answer.

Members interjecting:

The PRESIDENT: Order! Enough. Please conclude your question, and then let's get an answer. The Hon. Ms Lee has the call.

The Hon. J.S. LEE: Thank you, Mr President, for your protection.

The PRESIDENT: Attempted protection.

The Hon. J.S. LEE: This matter is really important to raise in this parliament because it impacts every business sector in South Australia.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.S. LEE: My questions to the minister are:

1. What consultation has the minister undertaken with employers' associations and business groups to ensure their views are heard?

2. What assurance can the minister provide to ensure that such a rushed piece of legislation does not lead to strikes and wage rises that are not linked to productivity in South Australia?

3. Will the minister stand up to protect businesses and jobs in South Australia, or does he agree with his federal colleagues on their old-world, union-inspired way of crafting legislation that has the potential to shut down our economy?

Members interjecting:

The PRESIDENT: I call the Minister for Industrial Relations, and I'm not sure that he needs any help.

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 for what sounded much more like a government question; nonetheless, it is remarkable. Firstly, I think the opposition has now officially jumped the shark. They have run out of things to say so much that they're asking questions about federal matters and federal legislation.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: There would be a very good argument that the honourable member is out of order.

Members interjecting:

The PRESIDENT: Order! Attorney, sit down.

Members interjecting:

The PRESIDENT: Order! I want to hear the answer. His Majesty's Loyal Opposition, you are wasting your own question time, and you are wasting the crossbench's question time. The Attorney-General, please.

The Hon. K.J. MAHER: As I was saying before I was so rudely interrupted, this is a matter that wholly and squarely fits within federal legislation and a federal process. There would be an argument that the honourable member was out of order asking a question that a minister does not have a responsibility to this parliament for; however, be that as it may—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —I'm prepared to talk to the honourable member about what seems to be a new Liberal Party policy to drive down wages. I think we have had revealed here a policy for the Liberal Party to drive down the wages of working people in South Australia. That seems to be the new policy. I've got to say we would be more than happy to go to the next election—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: We would be more than happy to go to the next election with the Hon. Jing Lee and the Hon. David Speirs' policy to drive down wages as their sort of policy. We saw what happened to a former opposition leader who had a similar policy.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: Everyone remembers the policy of the former member for Heysen, Isobel Redmond—

The Hon. N.J. Centofanti interjecting:

The PRESIDENT: Order, the honourable Leader of the Opposition!

The Hon. K.J. MAHER: —to sack 30,000 public servants—

The Hon. J.S. Lee interjecting:

The PRESIDENT: Order, the honourable Deputy Leader of the Opposition!

The Hon. K.J. MAHER: —and we saw how that ended.

Members interjecting:

The PRESIDENT: Order! Have you concluded your remarks?

The Hon. K.J. MAHER: No, sir. I'm just getting started.

Members interjecting:

The PRESIDENT: Order! I think I would like to hear the Attorney-General's answer, and I am struggling to hear him.

The Hon. T.A. FRANKS: Point of order, Mr President.

The PRESIDENT: I will hear your point of order.

The Hon. T.A. FRANKS: We are talking about workers, and Hansard is probably finding this very hard to record.

The PRESIDENT: I am sure Hansard are finding it hard to record. Can I please listen to the minister's answer, and let's have some silence.

The Hon. K.J. MAHER: I do appreciate the Hon. Jing Lee letting us know the new policy that workers should be paid less in their view. We saw what happened the last time the opposition came out with a similar policy targeting workers. The former member for Heysen, Isobel Redmond, who was opposition leader for a time, had a policy to sack 30,000 public sector workers. Many on our side, many crossbenchers, in this chamber will remember that policy and will remember this attack on workers in South Australia did not go well. So we are very pleased that the Hon. Jing Lee has reinvigorated a very similar policy for the South Australian Liberal opposition, and we will be

more than happy to produce DLs, produce flyers, letting the public of South Australia know what the Liberal Party want for workers in this state.

The Hon. Jing Lee asked about interaction with business groups.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: We have massive interaction with business groups as a Labor government. Let me give you an example of an interaction with a business group.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: At the MBA awards recently, there were about half a dozen Labor members and ministers who attended those. As the media reported, the Leader of the Opposition apparently didn't attend because he didn't like the way he was invited to that event. This is how the Liberal opposition interact with business groups in South Australia. We will put our record about what we think of workers, whether we want to sack 30,000 public sector workers or drive down wages of workers in South Australia, and our interactions with business groups up against the record of the Liberal Party every single day of the week.

WOMEN'S LEGAL SERVICE

The Hon. R.B. MARTIN (15:11): I feel like asking another question about that. My question is to the Attorney-General. Will the Attorney-General please inform the chamber about the funding that has been provided to the Women's Legal Service of South Australia to provide for additional face-to-face legal services in regional South Australia?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:11): I thank the honourable member for his question and his interest in this area. The Women's Legal Service is one of the many terrific community legal services here in SA that provide critical legal assistance that is free and accessible to women of South Australia, both locally and in remote areas, during what is often some of the most stressful periods of their life.

I am very pleased to have just announced that this government will be supporting the continuation and further expansion of that critical work by making sure that $1.66 million is provided to the Women's Legal Service to provide face-to-face service delivery in priority areas in the northern and southern regions of the state, based in Port Augusta and Mount Gambier.

The Women's Legal Service currently provides services in these regions via videoconference and a fly-in fly-out basis. However, due to high rates of the experience of family and domestic violence in these areas, there is a compelling rationale for having the region being serviced with face-to-face support, which is often much more impactful. This is one of the many ways the government is acting on its commitment to support and empower women as they interact with the legal system.

I extend my appreciation to the Women's Legal Service and all their employees and their volunteers for the continuous hard work and service to support South Australian women as they navigate the legal system.

The Women's Legal Service this year are celebrating 25 years of service to the women of South Australia. Back in 1995, a steering committee was successful in lobbying the federal government for funding to establish the very first Women's Legal Service in South Australia, and the service we know today was officially incorporated on 4 October 1995.

The service established their Family Violence Legal Unit three years later, and in the following year the service continued to expand and help more women with a Rural Women's Outreach Program being established. In 2001, the service grew further to see the Aboriginal Family Violence Legal Unit become incorporated and operate as an independent body.

The work of the legal service in the space of our supporting Aboriginal women then continued in 2007 to help the establishment of the NPY women's outreach program. This program was a collaborative effort between the Women's Legal Service and the NPY Women's Council, with the aim of providing community legal education and legal advice to Aboriginal women throughout the NPY lands, which incorporates the APY lands, and areas of Western Australia and the Northern Territory. That legal presence on the lands continues today.

I look forward to continuing the work of and seeing the extraordinary achievements of the Women's Legal Service and hearing about the new face-to-face services that this funding will provide for, and thank the service once again for all the tremendous work that they do in supporting women in our community.

WOMEN'S LEGAL SERVICE

The Hon. J.M.A. LENSINK (15:14): Supplementary question: is this new service being funded from money that the commonwealth is providing to states and territories under their DV programs, the fourth tranche, or is it an appropriation from the minister's own department?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:14): I thank the honourable member for her question. I think it is through the national legal partnership framework, which is commonwealth funding but the states then work with the commonwealth in its allocation.

The Hon. J.S. Lee: It's not new money.

The Hon. K.J. MAHER: It's new money and it's what former governments have done. I note the Hon. Jing Lee interjecting. I appreciate the bipartisan way most people treat these issues.

CHILD PROTECTION

The Hon. C. BONAROS (15:15): I seek leave to make a brief explanation before asking the Minister for Primary Industries, representing the Minister for Child Protection and the Minister for Police in another place, a question about child protection.

Leave granted.

The Hon. C. BONAROS: Last week, the Premier announced police would check on the homes of 500 children flagged in a top-level report as living in high-risk situations. He said police officers would be drafted in to urgently check on the children identified in a report by former police commissioner Mal Hyde.

Two days later, the current police commissioner, Mr Grant Stevens, revealed only two senior officers had been allocated for an initial period of three months to coordinate the efforts of multiple government agencies to prioritise which of the children will be visited first. At the same time, he said it should be a last resort to send police to the homes of at-risk children, saying the responsibility remains that of the DCP. My questions to the minister are:

1. Does he—and she—believe the two police officers are enough to ensure the 500 children identified as high risk are checked on as a matter of urgency, as promised by the Premier?

2. Are urgent talks underway between SAPOL and the Department for Child Protection to assign more police officers to the task? If not, why not, given the gravity of Mr Hyde's report, which identified 500 children aged under 10 who were the subject of more than 15 reports to authorities and where red flags have been raised in the past six months?

3. Does he/she—both ministers—agree with the Parole Board chair, Frances Nelson KC, who has described the plan as 'another bandaid to a big problem'?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:17): I thank the honourable member for her questions. I will refer them to the ministers in the other place and bring back a response to the chamber.

COUNCIL AMALGAMATIONS

The Hon. L.A. CURRAN (15:17): My question is to the Acting Minister for Local Government on council amalgamations. Given the fact that the minister admitted in this chamber yesterday that she was one of less than 10 per cent of the ratepayers to vote yes for the investigation into council amalgamation, will she admit that she is out of touch with her own community of Port MacDonnell, who voted overwhelmingly against the plebiscite?

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:17): I do think it is a little insulting to the number of people who did vote in favour of the investigation for the opposition to be characterising it in such a way.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: I was happy for the question to be put. I was happy for an investigation to proceed. Roughly a third of respondents across the two council areas were also happy for an investigation to occur.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: What we are very committed to on this side of the chamber—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —what we are very committed to as a government—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —is inviting people to have their say.

Members interjecting:

The PRESIDENT: Order! I don't know where this behaviour comes from. I don't know who set an example of this behaviour.

Members interjecting:

The PRESIDENT: Order! No, I wasn't thinking of the Hon. Rob Lucas. Please continue, minister.

The Hon. C.M. SCRIVEN: Thank you, Mr President. As I was saying, those of us on this side of the house and the Malinauskas Labor government are committed to letting people have their say. A plebiscite enables people to have their say.

It is very interesting referring to remarks made by the Leader of the Opposition in the other house, remarks that he made on radio which suggested that what he would have done is actually set up a case for one side or another and then put it out to people, as though it was up to him, whereas we don't want that sort of top-down response.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: What we want is to consult with people, which is exactly what the plebiscite did.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Again, we have heard time and time again in this place complaints by those opposite that we went through a consultation process. They complained about there being consultation. They complained about—

Members interjecting:

The PRESIDENT: Order! Leader of the Government!

The Hon. C.M. SCRIVEN: —residents of the Limestone Coast and the two relevant councils—

Members interjecting:

The PRESIDENT: Order, honourable Leader of the Opposition!

The Hon. C.M. SCRIVEN: —being able to have their say on whether this proposal should be investigated further. It would appear they didn't want local people to have their say on whether this proposal should be investigated further. They didn't want people to be asked for their views, whether it was something that had sufficient support for further investigation or whether it was something—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —that did not have sufficient support.

Members interjecting:

The PRESIDENT: They are terrible interjections, the pair of you. Ridiculous.

The Hon. C.M. SCRIVEN: The fact that we have put the question is a positive thing. I would really like to thank those—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —many people who took the time—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —to respond to the plebiscite, who took the time to vote in local council elections and who took the time to make their views known. We, on this side of the chamber, are not afraid to ask the question; we are not afraid to listen to the answer. That is what has happened: we have listened to the answer and as I have stated on many occasions—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —both in this chamber and publicly in the media—

Members interjecting:

The PRESIDENT: Order! Minister—

The Hon. C.M. SCRIVEN: —we will not be progressing further because we—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —are happy—

Members interjecting:

The PRESIDENT: Order! Minister, please conclude your remarks. It's been going for long enough.

The Hon. C.M. SCRIVEN: —we are happy to listen to the views of local people.

COUNCIL AMALGAMATIONS

The Hon. L.A. CURRAN (15:20): Supplementary question: how many nights has the minister spent in her community of Port MacDonnell in the last six months?

The PRESIDENT: I am not sure how you tie that in. Minister, you can answer the question, if you want.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:21): I thank the honourable member for her question. What I can respond as part of that is how much I have been all over the state. I think it is—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —more than 30 regional trips.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: I have done more than 30 regional trips since becoming a minister in March.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: I am not surprised that those opposite don't want to listen to the fact—

Members interjecting:

The PRESIDENT: The Hon. Ms Girolamo and the Attorney-General, stop your conversation.

The Hon. C.M. SCRIVEN: —that as Minister for Regional Development I have done more than 30 trips since becoming minister. And why wouldn't they want to hear that? They wouldn't want to hear that because the former minister, the member for Finniss, didn't like doing regional trips. He didn't think he should do regional trips as regional development minister. How many trips did the former regional development minister do to the regions?

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Yes, well, he went back to Victor Harbor—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —where his office was. How any times did he come to the Limestone Coast? How many times did he go to the Riverland? How many times did he go to Yorke Peninsula? How many times did he go to Eyre Peninsula? How often did he do regional trips?

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: If the opposition thinks—

The Hon. N.J. Centofanti: You're incapable of answering a question.

The PRESIDENT: Order! Please conclude your remarks so we can move on. I have had enough.

The Hon. C.M. SCRIVEN: If the opposition is going to try to criticise me for doing regional trips around South Australia as Minister for Regional Development for South Australia, then I think that speaks volumes about them and very little about me.

The PRESIDENT: The Hon. Mr Hanson, let's go. I want to get to the crossbench.

REGIONAL SHOWCASE

The Hon. J.E. HANSON (15:22): This is going really well. My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the 2022 Regional Showcase and the winner of the regional resilience award?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:22): I thank the honourable member for his question and I am so glad that he is among those many on this side who are actually interested in the regions and think it's important—

Members interjecting:

The PRESIDENT: The Hon. Mr Wortley!

The Hon. C.M. SCRIVEN: —for ministers to get out to the regions. The regional resilience award—

The Hon. J.E. Hanson: I love the bakery. I particularly like the bakery.

The PRESIDENT: Order!

The Hon. J.E. Hanson: That's not even an interjection: it's a statement of fact.

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: The regional resilience award acknowledges that regional communities are the backbone of our state. It's a recognition of the community's proven ability to innovate, collaborate and adapt, while also highlighting the foresight, patience and persistence that is often required to bring great projects to life.

At the recent Regional Showcase held in Mount Barker, I was pleased to announce that the South Australian Seed Conservation Centre was the winner of the regional resilience award for 2022. Established in response to the devastating Kangaroo Island bushfires in 2019-20, the South Australian Seed Conservation Centre entered partnerships with the Nature Conservation Society of South Australia and Bio R in a bid to safeguard native plants from extinction on the island.

Together, they have created the Threatened Flora Seed Production Garden, which is a 5,000 square metre enclosed animal-proof space located at Cygnet Park Sanctuary, which is about five kilometres south-west of Kingscote. The garden will grow multiple populations of Kangaroo Island's at-risk species and collect their seed for banking and biodiversity recovery projects.

To capture the diversity of flora on the island, the project has sought to mirror the environment in which they are found, meaning varying soil types brought in from local quarries and simulating swamps, creek beds and sandbanks. The garden will also play an important role in teaching schoolchildren, tourists and the broader community about the importance of conservation of Kangaroo Island's plant and wildlife.

The Regional Showcase program is South Australia's premier showcase of regional individuals, businesses and organisations, and has been delivered by Solstice Media since 2019. Its objective is to highlight regional South Australia by telling the many stories of success that all too frequently occur in our regions but are often not enough celebrated, nor acknowledged.

The stories are published to a local, national and indeed international audience, in turn giving greater exposure to not only our regions but also to the regional journalists who are used to tell these stories. In fact, 107 stories about South Australia's regions were published through this program this

year, and all tell a wonderful story in support of the fact that incredible things happen in our regions, driving the people and communities who make our regions what they are.

I also congratulate the other winners from what was a really good night. The Meaningful Connections award was won by My Bundaleer and presented by Seniors Card. The Business Innovation award was won by Kiminnes Ol' School Shearing and presented by Business SA. The People's Choice award was 5431 Collective from Orroroo, and that was where the public select from among the top 20 articles. The Lifelong Learning award was won by Bike SA and presented by the University of South Australia. The Community Empowerment award was won by Rural Aid and presented by Regional Development South Australia.

I look forward to the work that will be done throughout our regions and look forward also to the power of good local journalism and getting together again in the future to celebrate their success.

RELIGIOUS EXEMPTIONS

The Hon. R.A. SIMMS (15:26): I seek leave to make a brief explanation before addressing a question without notice to the Attorney-General on the topic of religious exemptions.

Leave granted.

The Hon. R.A. SIMMS: In 2020, the former Liberal government held a public consultation on draft legislation via YourSAy on proposed changes to the Equal Opportunity Act. The aim was to create a better balance between equality and religious freedoms for organisations that provide services.

The draft legislation was to remove the provisions for religious organisations to discriminate on the basis of sex or LGBTI identity when providing preschool, primary or secondary education, health services, aged care, disability support services, foster care placement, emergency accommodation and public housing. The consultation summary has been removed from the YourSAy website.

My question to the Attorney-General is: what is the progress of these reforms to the Equal Opportunity Act to remove religious exemptions to equal opportunity laws, and what is the expected time frame for this reform?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:27): I thank the honourable member for his question. It's not an area that I am aware of where it's up to in terms of what the previous government had put forward or where it was up to in terms of the public consultation process and whatever followed on from that.

The Labor Party certainly doesn't have a policy in relation to the matters that the honourable member has raised, but as always I am happy to talk further to the honourable member about this or any other thoughts he has, but I am happy to take it on notice to see if there is—it's not something I have a briefing on or have any information in relation to.

RELIGIOUS EXEMPTIONS

The Hon. R.A. SIMMS (15:28): Supplementary: did the government remove the material from the YourSAy website, and does the Labor Party have a policy to remove exemptions to discrimination against LGBTI people?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:28): I thank the honourable member for his supplementary question. His second question, 'Does the Labor Party have a policy in relation to this area?' It's not something we formulated policy on and took to the last election, but as I say I am happy to talk to the honourable member further about it. In relation to what's on the YourSAy website, it's certainly nothing that has been brought to my attention, so it's nothing that I have had any active role in either having up or down or on or off of the YourSAy website.

ROYAL COMMISSION INTO EARLY CHILDHOOD EDUCATION AND CARE

The Hon. J.M.A. LENSINK (15:29): My questions are to the Leader of the Government regarding the royal commission into early childhood:

1. Can the leader advise how many people will be employed by the royal commission into early childhood?

2. How much is Commissioner Gillard being paid?

3. Are there any deputy commissioners?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:29): I thank the honourable member for her question. Certainly, the section of government that provides the administrative support for royal commissions is, I understand, within the Attorney-General's Department. Usually the details of royal commissions are worked out by the agency for which the royal commission applies—in this case, Education—but certainly it is housed and the supports are provided within the AGD.

I don't have information in relation to the details that the honourable member has asked but, as I said, since there is the royal commission section of the Attorney-General's Department, I will seek those responses either from my department or Education and am happy to bring back a response.

SHOP TRADING HOURS

The Hon. R.P. WORTLEY (15:30): My question is to the Minister for Industrial Relations and Public Sector. Will the minister update the council on the first two weekends of extended Sunday trading hours?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:30): I would be most happy to update the honourable member about the first two extraordinarily successful weekends of extended shop trading hours on a Sunday and acknowledge the honourable member's very strong interest in finding the right balance for South Australians, advocating for businesses and unions and workers in South Australia.

As the honourable member pointed out, we have had a couple of weekends now of extended Sunday shop trading in metropolitan South Australia, the Greater Adelaide region. On Sunday 6 November, a significant moment was marked when, after four years of complete inaction, failed ideology and posturing by the former Liberal government, in particular the former Treasurer in this place, the Hon. Rob Lucas, South Australians were finally able to turn up to their local supermarket at 9am on a Sunday to shop for the first time, certainly this century.

This was a reform that could have been delivered years ago. Years ago, it was offered by the then Leader of the Opposition, the now Premier, the Hon. Peter Malinauskas, the member for Croydon, but was rejected by the Liberal Party. They did not wish South Australians to have these extra hours on a Sunday. What the Liberal Party wanted was complete and utter deregulation or nothing, complete ideology to the detriment and harm of families and small businesses in this state or nothing at all. The sensible reforms that have struck the right balance, that have been supported by everyone in this chamber, I must say, except for the Liberal opposition as per usual—

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

The PRESIDENT: I will listen to it.

The Hon. H.M. GIROLAMO: The Attorney is referring to a debate that's happened within this parliament, and it should be noted that we did actually support the bill that went through.

The PRESIDENT: There is no point of order.

The Hon. K.J. MAHER: For years, for many years—

The PRESIDENT: Order! There is no point of order. Conclude, because it's a Dorothy.

The Hon. K.J. MAHER: To clarify for the honourable member's benefit, for many years the Liberal Party would not support extended shop trading hours. What we saw from the current Liberal

Party was an attempt to vandalise the bill. They said that they consulted and moved amendments. They said they consulted in moving amendments, and then it was found out that that consultation I think consisted of maybe one or two business days' worth of consultation in terms of trying to open up, to go further than what was eventually decided.

Let's be honest, we know what the Liberal Party wanted, because they moved it over and over and over again in the last parliament. What they wanted was complete and utter deregulation of shop trading hours. That is what the Liberal Party attempted under Rob Lucas more than one time and was overwhelmingly rejected by this parliament. Not once but twice in the last term of parliament, the Liberal Party, with their ideological bent to absolute deregulation, put it up and was defeated.

As I have said, when it was put up the last couple of times, it wasn't just the Labor Party who were standing up for South Australian small businesses, standing up for finding the balance for families; it was every single member of this chamber except for the Liberal Party in the last parliament. They were the only ones who wanted to go with complete and utter deregulation, so we know what they really want.

Members interjecting:

The Hon. K.J. MAHER: We know what they really want.

Members interjecting:

The Hon. K.J. MAHER: They want complete deregulation, and it would be unparliamentary to reflect on interjections but there are interjections coming from the Liberal side of the chamber saying, 'Give business more hours.' They are just proving the point. They are the party for complete deregulation. I can give you some good reasons—

The PRESIDENT: We are running out of time.

The Hon. K.J. MAHER: Thank you, sir. As I've said—

The Hon. S.G. WADE: Point of order: it has been more than four minutes, and there are crossbenchers who have questions. I believe he should be moved on.

Members interjecting:

The PRESIDENT: Order! I am well aware of that, the Hon. Mr Wade. Attorney, please conclude your remarks so I can get to the Hon. Ms Game, who is next.

The Hon. K.J. MAHER: Thank you, sir. I will be brief, but this is an important area.

The Hon. S.G. Wade interjecting:

The Hon. K.J. MAHER: I can well understand the Hon. Stephen Wade wanting to silence this chamber and the will of the people.

The PRESIDENT: Attorney, come on.

The Hon. K.J. MAHER: He doesn't want to hear it.

The Hon. S.G. Wade interjecting:

The Hon. K.J. MAHER: He knows how this has played out, and he knows—

The PRESIDENT: That's enough.

The Hon. K.J. MAHER: —how unpopular it has been. I can understand—

The PRESIDENT: Attorney!

The Hon. K.J. MAHER: —the Hon. Stephen Wade wanting to silence people in this chamber on this matter. It's a good tactic, but it won't work, it just won't work.

The PRESIDENT: Attorney—

The Hon. K.J. MAHER: As I was saying in response to the question—

The PRESIDENT: You've had your time for your Dorothy Dixer.

The Hon. K.J. MAHER: —just to sum up—

The PRESIDENT: You've got five seconds.

The Hon. K.J. MAHER: —as the Hon. Russell Wortley asked—

The PRESIDENT: Five seconds.

The Hon. K.J. MAHER: —the first two weekends have been extraordinarily successful.

The PRESIDENT: Thank you.

The Hon. K.J. MAHER: The government has been contacted by independent retailers to say just how well it has been—

The PRESIDENT: Thank you.

The Hon. K.J. MAHER: —the increase in trade week on week—

The PRESIDENT: Okay.

The Hon. K.J. MAHER: —that is helping South Australians in business—

The PRESIDENT: Thank you.

The Hon. K.J. MAHER: —and helping find the right balance.

The PRESIDENT: I think you've made your point.

PUBLIC SCHOOLS, ABSENTEEISM

The Hon. S.L. GAME (15:36): I seek leave to make a brief explanation before asking a question of the Attorney-General, representing the Minister for Education, Training and Skills, on the department's truancy services.

Leave granted.

The Hon. S.L. GAME: I have been informed that statewide there are 34 full-time equivalent social workers for the department, some of whom double as truancy officers. They provide truancy services to children and young people who have ongoing attendance issues. Just recently it was announced that a further three staff will be joining, no doubt also double timing as social workers.

We have also heard the plan to fine some families for non-attendance but not those deemed at risk or struggling, so it is confusing what effect this measure will have. Indeed, I read over the weekend that Crown solicitors are about to fine three parents $5,000—all those resources to potentially yield three fines with unknown outcomes on attendance.

There are 605 state schools that make use of the department's truancy services, yet the feedback I have received from principals and leadership teams across the state is that schools are mandated to report student absenteeism to the truancy hotline, yet it is of no help. It is just an addition to their administrative duties.

Teachers are pairing up to collect children and conduct welfare checks of at-risk kids because there is no department support to follow up these families. This is done during school hours when they should be teaching.

There is a teacher shortage in part caused by people leaving the profession because they did not expect to be social workers or truancy officers. I have raised this issue directly with the minister, and I am still seeking answers. With some schools reporting a persistent 40 per cent non-attendance rate, my questions to the Attorney-General, representing the minister, are:

1. What is the real full-time equivalent of staff solely dedicated to dealing with absenteeism? I'm not asking for social work staffing figures; I'm asking for transparency on truancy officers only.

2. What commitment will the government make to school leaders that chronic absenteeism will be adequately resourced statewide by the department, not by teachers who should be in the classroom?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:38): I thank the honourable member for her question and her interest in this area. I am happy to refer the questions the honourable member has asked to the Minister for Education in another place, the Hon. Blair Boyer (member for Wright) but I can say I know this is something that is a great passion—sorry, I've lost my train of thought. The Leader of the Opposition has just distracted me.

As I said, I'm happy to pass this on to the member for Wright, and as I was about to say before I lost my place, I know the Minister for Education, the Hon. Blair Boyer (member for Wright), has a very significant interest in this area. It is certainly something he has spoken to many of us about: the importance of making sure children have the very best start in life by the very best education, and that means making sure children are at school as much as they can be.

Matters of Interest

THE GREEK BRIDES OF THE BEGONA

The Hon. C. BONAROS (15:39): Like other people in this place, I am immensely proud of my Greek heritage and culture and the influence that it has had on my family, especially in this wonderful country and state. So it was an absolute privilege to be a part of a special day earlier this year, when I joined retired educator and my former teacher, Peter Photakis, at the launch of his book *The Greek Brides of the Begona*. The book preserves a very special and unique part of history for generations to come.

Who were the Greek brides of the *Begona*? Sixty-five years ago, more than 900 Greek would-be brides boarded the ship *Begona* at the Port of Piraeus in Athens. They were destined for Australia, betrothed to marry husbands they had never met or had already married by photograph. As Peter explains:

> There was an amount of money paid, the photos were sent here, the man selected out of the ten or so photos the girl he wanted to marry; then a photo of him was sent back to the girl.
>
> She accepted and they got married.
>
> She went to the church and they actually got blessed by the priest, marrying them by photo.

Peter was on board that very ship as an eight-year-old boy with his mother and brothers. Though his mother was not herself a bride, Peter has dedicated more than 40 years to researching and documenting that historic voyage and the stories of its passengers, culminating in this fascinating book.

Some did not see their families again for 20-plus years. These women courageously boarded a ship destined for the other side of the world, in search of a better future without any idea of what that future looked like and, in many instances, with just a photo. Some of them did not want to leave Greece but did not have any say because they had families who had already made that decision for them. At the end of the journey, some were fortunate enough to meet the love of their life.

The book keeps the stories of our Greek heritage alive for generations to come. It is an absolute testament to Peter that so many women and families opened their hearts to share what is otherwise a very private life story for the book.

At the time, I had the opportunity to share my own family story—my mum and dad's story—one that is not dissimilar to many others who emigrated to Australia and one that I proudly recounted in this place in my first speech. I said at the time that even though mum made the trip alone to Australia she always did so thinking that one day her family would follow, but that never eventuated and she remained here and eventually married my father in what became a wonderful and committed love affair that lasted for over 52 years.

The proudest part of that love affair, I suppose, was that, unlike their brothers and sisters and hundreds of others who came on that bride ship, theirs was a genuine love story. She was not a Greek bride, but her story is not dissimilar in any way to that of many of those Greek brides and to many that I had the privilege of meeting at that launch, who made the long and difficult trip to a foreign country, young and alone, in the hope of forging a new life for themselves. It is a story that I am exceptionally proud of, and a product that I am exceptionally proud of.

Like many immigrant families today, and I have said this before in this place, mine is a true reflection of the melting pot that Australia has become, as are those families that I had the privilege of meeting at the book launch. The stories recounted in *The Greek Brides of the Begona* paint that very same picture. They are courageous and inspirational, and I am terrifically honoured, humbled and privileged to have been a part of that, together with Peter. I thank him for his labour of love over so many decades. It is a wonderful book that I highly recommend, and I give it five stars.

GYNAECOLOGICAL CANCER AWARENESS MONTH

The Hon. L.A. CURRAN (15:44): September is Gynaecological Cancer Awareness Month. This is a term that is used for all types of cancers that can occur in or on a woman's reproductive organs and genitals. In 2022, about 9.3 per cent of all cancers diagnosed in Australian women were this type of cancer.

An estimated 9.6 per cent of all female deaths from cancer in 2022 were from gynaecological cancers. The overall chance of surviving these cancers for at least five years is 71 per cent, with the lowest in ovarian cancer at 49 per cent. In comparison, although there are a higher number of deaths in women with breast cancer due to its prevalence, the chance of surviving breast cancer for at least five years is higher at 92 per cent.

On 5 September 2022, *The Advertiser* reported on the need for more funding for these cancers, especially ovarian cancer. The article stated that one of the most promising trials for ovarian cancer therapy was still awaiting funding. Professor Clare Scott, who is the Chair of the Australia New Zealand Gynaecological Oncology Group, was quoted in the article as saying, 'If we don't push for funding of innovative trials of new therapies, survival rates will not improve.'

It is vital that life-saving research into these cancers is funded by the federal and state governments as well as other granting bodies. The only gynaecological cancer that has a screening test is cervical cancer. The screening has been a tremendous success in Australia. The incidence and mortality rates of cervical cancer have halved in Australia since the introduction of the National Cervical Screening Program in 1991. The program offered a free Pap smear test every two years to women between the ages of 18 and 70.

As of 1 December 2017, the Pap smear test has been replaced with the new cervical screening test. Under the new program, most women aged 25 to 74 will be tested every five years for HPV. If a woman is negative for HPV, she can then wait five years before her next screening test, as HPV causes almost all cervical cancers. If the test is positive for HPV, then further tests such as the Pap smear test and any other treatments required, such as the removal of precancerous or cancerous cells, can occur.

The ease of the test has been improved this year as women can also now self-collect a sample. It is concerning, however, that COVID-19 restrictions had an effect on cervical cancer screenings. Medicare Benefits Schedule (MBS) data showed that in March 2020, when COVID-19 restrictions began, cervical screening test numbers dropped dramatically. The MBS figures reveal that only 174,000 women had a test from March 2020 to June 2020 when COVID-19 restrictions were in place. This figure is dwarfed by the half a million tests that were performed during the same period in 2019. Now that restrictions have been lifted, hopefully women who have missed their appointments have caught up.

The reason some of these gynaecological cancers are detected too late is not only the lack of testing ability or the screening but the symptoms being similar to other common gynaecological symptoms, such as bloating and cramping. This is particularly the case for ovarian cancer, where they can be interpreted as mere tiredness, weight gain and bloating. Other symptoms can include appetite loss, abdominal or pelvic pain and increased urination frequency. Funding of accurate screening tests, effective treatments and educational resources about symptoms of these cancers is paramount to the improvement of health outcomes for women in South Australia.

OZASIA FESTIVAL

The Hon. T.T. NGO (15:48): The OzAsia Festival was founded in 2007 by the Adelaide Festival Centre's CEO, Douglas Gautier. It is a rich annual cultural experience showcasing both traditional and contemporary cultures of Asia over three weeks. What makes the OzAsia Festival

unique is that it is the only major national event devoted exclusively to exploring links between Australia and the diverse cultures of our Asian neighbours. This year's festival was held from 20 October to 6 November. Adelaide came alive with arts, theatre, dance, music, film, visual arts, food and cultural design from many parts of Asia.

I would like to speak about the work of one particular performer, Ms Maria Tran, who I had the pleasure to meet while attending her production of *Action Star*. Maria is an Australian-Vietnamese actress based in Las Vegas, USA. She is an award-winning film director, actor, martial artist, activist and cultural pioneer working across film, performance and action drama.

Maria grew up in Brisbane and then moved to Sydney with her parents. The story of Maria's parents is one I connected with, because they too fled Vietnam by boat following the end of the war in 1975. She told me how the racism and bullying she experienced throughout her high school years was a motivating force to studying martial arts. She spoke about working with actor and martial artist Jackie Chan, who was an inspiration for her and has always been one of her favourite action stars.

Maria's production, *Action Star*, has been described by critics as a show filled with world-class stunts, weapon wielding and explosive choreography. The show provides a snapshot of Maria's life growing up in Australia, with her mesmerising fighting skills mixed with personal storytelling, comedy, dance, choreographed martial arts and live filmmaking.

The show tells a poignant story. It portrays gender stereotypes, identity issues and racism. The show also depicts sexual harassment that female artists often face in the screen industry, as has been reported by media around the world in recent times. Maria's journey as an Asian Australian involved facing many prejudices as she attempted to break into the film industry.

The Australian screen industry was, and still is, heavily dominated by casting white Anglo-Saxons for roles. Maria told me how her Australian auditions only led to roles for unnamed characters such as sex workers, getting blown up in Vietnam war scenes or playing Asian female character roles.

Watching Maria's performance stirred personal memories I have about growing up in Australia during the eighties and nineties. During those decades, many young Asian children faced bullying and racism at school and on the streets to a much greater extent than occurs today. It actually brought tears to my eyes as some of those bad memories came back.

To conclude, I would thank our first Asian Australian to lead an OzAsia Festival, Ms Annette Shun Wah, the 2022 artistic director. For more than a decade, Annette's work has been highly influential in forging personal pathways through various programs for Asian Australian artists. These programs identify and develop emerging talent in collaboration with major theatre companies to bring contemporary Asian Australian stories to festival stages around Australia.

I thank each and every one of the OzAsia performers, the event managers, production teams and the audiences who attended a highly successful 2022 festival.

PROSTITUTION

The Hon. S.L. GAME (15:53): Prostitution is violence and humiliation of vulnerable men and women. Statistics suggest that around 80 per cent of prostitutes are women. The call to legalise prostitution is a call to legalise gender-based violence.

British police working in joint operations with South Australia's 2018 Operation Webpage admitted, 'We stopped looking at the sex workers themselves as offenders, but as victims, as pawns.' They said they worked in abysmal conditions, the lowest rung, and were being sold specifically for rape, with clients paying extra for freedom to abuse them.

I will never support the decriminalisation of abusers who degrade, humiliate and mentally torture vulnerable human beings. The idea I have heard that legislating prostitution is about women's rights and freedom is dehumanising and degrading. I will never agree to legislating violence and sexual abuse of women.

I have met with a number of sex workers since taking my role in parliament to better understand the issues that currently face them. Although some women tried to convince me that the

role of being a prostitute was a positive one, statements such as, 'The men who pay me for sex treat me better than any boyfriend has,' and, 'Yes, women…from overseas…work off…debt through prostitution, it's better…than the situations they face in their own country, they are grateful for it,' left me distressed at the emotional anguish these women are in. They are mothers, wives, human beings, trying to survive.

We should be doing everything we can to support these women out of these hostage situations, support them out of drug addiction, homelessness, mental health issues and domestic violence. This is not about freedom of choice. There is no choice when the door closes and you are forced into degrading acts. No woman chooses to be a prostitute.

I am absolutely horrified at the current legislation, which further punishes these abused and vulnerable human beings. Instead of abuse victims, they are treated as criminals, given a criminal conviction that further shames them and acts as a barrier to employment, finance and society. Women who are effectively prisoners in motel rooms, held in exploitation as sex slaves, should absolutely not be criminalised. They are victims.

It is everyone making money off these victims who needs to be punished. There needs to be urgent reform to prostitution laws that decriminalises the abuse victim and delivers harsh consequences for the abuser. I have been told by former prostitutes that although they tried to convince themselves they were willing participants they have come out of prostitution physically battered and with post-traumatic stress disorder.

It is extremely difficult to find reliable unbiased data for South Australia on prostitution. An international study across nine countries found 71 per cent of sex workers admitted to being physically assaulted while in prostitution. Eighty-nine per cent of respondents to that same survey clearly indicated they wished to leave prostitution but felt they could not do so safely. Sixty-eight per cent of respondents met the indicators for post-traumatic stress disorder and 75 per cent admitted to being homeless at some point.

Apparently, there seems to be more stigma for the seller of sex than there is for the purchaser, yet we do know that in the United States survey results show the largest support for legalisation of the industry comes from male buyers, not industry workers. The majority of UK sex buyers believed that the majority of the women they purchased for prostitution had been trafficked, lured or tricked, but this did not deter them from the purchase. According to figures shown to the European Parliament, it is estimated that 98 per cent of those purchasing sex are male.

Let me be clear: prostitution is a gendered issue. The overwhelming majority of prostitutes worldwide are women and girls. In New Zealand, where there is full decriminalisation of prostitution, 89 per cent of private and brothel prostitutes are female, 92 per cent of escort prostitutes at agencies are female and 98 per cent of massage parlour based prostitutes are female.

A 2014 Australian CSIRO study of over 20,000 adults found that 17 per cent of Australian men had previously paid for sex and only 0.3 per cent of women surveyed reported paying for sex. Of these men, the majority were married or partnered. This is not an industry driven by male loneliness. It is driven by exploitation, coercion and control. An experience from the legalised sex industry in New Zealand reads:

> They literally raped me all the time. Made me do things I didn't want to do.

The New Zealand experience has shown that decriminalisation does not increase safety. It increases the entitlement and expectation of sex buyers. It keeps prostitutes trapped in poverty, substance abuse and violence.

Those who are exploited and abused deserve legislative protection and to find lasting exit pathways. They deserve to have the stigma shifted onto the buyer. You cannot buy the right to rape another human being, and we must never legislate to allow it.

EXTREME WEATHER RESPONSE

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:57): Today, I rise to speak about the extreme weather events that caused major blackouts and damage across South Australia over the last weekend. My heart goes out to everyone, every family and every business that has

been affected financially and emotionally by the horrible storms and power blackouts. The SA State Emergency Service reported that over 2,000 requests for flood and storm emergencies were received over a 24-hour period, and they responded to over 1,000 requests for assistance on the weekend.

I ask honourable members of parliament to join me in placing our sincere gratitude on the public record, to thank and acknowledge the SA State Emergency Service, the South Australian Country Fire Service, the Metropolitan Fire Service, South Australian Power Networks crews and hundreds of amazing volunteers for their tremendous work.

Those frontline emergency services personnel and volunteers worked tirelessly and selflessly, enduring strong winds, heavy rain and stormy conditions to keep the South Australian community safe. They diligently responded to urgent requests for assistance, from restoring power lines, removing fallen trees and fixing up broken infrastructure to busily cleaning up after the weekend's long list of damages caused by the horrendous weather events.

The freak storm on Saturday 12 November cut South Australia off from the rest of the country's electricity grid and saw at least 164,000 SA Power Networks customers lose power. This equates to more than one in five households and businesses and up to 492,000 South Australians, based on a three-person household calculation.

As of Monday evening, nearly 25,000 homes and businesses were still in the dark, and some areas in the Adelaide Hills expect to be without power until the end of the week as crews work around the clock to undertake major repairs to powerlines. Nearly 50 schools across the state were closed on Monday 14 November due to power outages or storm damage, and at least 24 public schools and kindergartens across Adelaide remained closed yesterday as it was still unsafe for children and students to return.

Among those worst hit were businesses in the hospitality and food sectors, some of whom lost power from Friday evening and were still waiting for it to be restored as of Tuesday. While it is too early to quantify the total amount of produce and money lost, there were already reports of business owners dumping up to $60,000 worth of produce from restaurants and cafes. The Australian Hotels Association of South Australia expects that the blackout has caused a multi-million dollar loss for hotels and pubs affected and the many casual workers employed in the industry have again lost hours at a time when they are still recovering from the impacts of COVID restrictions.

The main electricity interconnector with Victoria was crippled due to the damaged tower near Tailem Bend, completely cutting South Australia off from the rest of the country's power network. This blackout is considered worse than the one our state experienced in 2016. To put things into perspective, Business SA claimed that the 2016 statewide blackout cost South Australian businesses $367 million. While the statewide blackout in 2016 was more wide reaching and resulted in the loss of power to over 850,000 customers, including hospitals, SA Power Networks has said this week that it will take much longer to restore power as crews work to rebuild the network in regional and metropolitan areas.

I would like to remind honourable members that the Marshall Liberal government understood this risk and therefore introduced a new interconnector between South Australia and New South Wales to provide 800 megawatts capacity between the two states, stabilise the grid and help to support the continued take-up of household solar by South Australians. Until that $2.3 billion interconnector is completed, we remain vulnerable to catastrophic weather events cutting off the sole interconnector we rely on from Victoria.

This week and in the last parliament sitting week, Liberal members from this side of the chamber have asked a series of questions to the Malinauskas government regarding South Australia's energy security and we continue to call on the Labor government to oversee the final delivery of an interconnector between South Australia and New South Wales as a critical priority so that our South Australian community can keep our lights on.

MARIE CLAIRE WOMEN OF THE YEAR GALA

The Hon. E.S. BOURKE (16:03): Last week, Marie Claire hosted their inaugural Women of the Year gala. Chloe Hayden, an award-winning motivational speaker, actor, performer, author,

influencer, content creator and disability rights activist and advocate won this year's rising star award. Chloe was diagnosed with autism and ADHD at the age of 13 and, feeling as though she was often excluded from society, Chloe started an anonymous blog to share her feelings and to find a community and a sense of belonging.

Chloe built something bigger than she had ever dreamed of. She now has half a million followers and nearly half a billion view across her platforms. She has toured three continents and presented to over a hundred thousand people in total. At the heart of her advocacy is her passion for creating change and celebrating diversity, which she highlights in her book, *Different, Not Less*.

Most recently, Chloe starred as one of the world's first autistic characters, Quinni, in Netflix's revival of *Heartbreak High*. Many grew up—even some of us in this chamber—watching television shows like *Heartbreak High* and comparing themselves to characters and choosing ones that they might relate to.

However, many autistic people have shared with me when they were growing up, they did not have the opportunity of turning on the television and seeing someone who they could relate to, and sometimes when they did they were stereotypical and often harmful representations of autism. Now, thanks to shows like *Heartbreak High*, and the Netflix series, this television show can be viewed all around the world and will now inspire autistic people all around the world.

Many autistic people took to Twitter to express their delight. One person said, 'Seeing an autistic character like Quinni on *Heartbreak High* makes me realise that I'm not as isolated as I thought'. Another wrote, 'Quinni is my favourite and makes me feel so seen and understood. My favourite character. I love the autistic representation.'

We know that autism is particularly difficult to be diagnosed in young women and girls. It can often be more difficult because it is masked and therefore harder to find the support needed at a younger age, and even throughout life. Autistic women have shared with me how they often feel marginalised, and so this representation of an autistic woman on their screens is incredibly crucial to the identity of autistic women and girls.

To have this representation transcend to an autistic woman winning the Rising Star of the Year award is incredibly powerful. I would like to read sections of Chloe's acceptance speech:

> Growing up I was convinced that I wasn't supposed to be here. I was convinced I was a mistake…a glitch…that I was an alien that had crash landed on a planet that made absolutely no sense to me.
>
> I grew up never seeing myself represented. I grew up knowing that my mind, everything that was my mind, was wrong and broken and strange and different. I was taught that different was bad because I never saw myself represented anywhere.
>
> No one has ever made a change by being the same, no one has ever done anything by being the same and every single woman in this room tonight is showcasing that and showcasing just how important and brilliant and incredible 'different' is.
>
> Change is made by being different and it is time that those who are different see themselves for who they are because who you are is exactly who you're supposed to be.
>
> I hope that any young person in the room tonight and disabled person in the room tonight and whoever is watching this, if you have young children who are different understand that different isn't less, different is powerful and beautiful and so incredibly important.

Chloe is right. Change is made by being different, and it is fitting that this state government is doing exactly that; creating change by being different. Our statewide autism policies are nation firsts. We are creating change by building knowledge within our community, and to create a sense of belonging with the autistic and autism communities.

This state is seeking to create knowledge not just within the classrooms, but across the broader community and across the whole state, with a statewide charter and our first ever autism strategy, so that seeing an autistic character on our television shows will not be a rarity, but instead it will be a given, because we must remember, as Chloe said, being different is not less.

Motions

WHALERS WAY ORBITAL LAUNCH COMPLEX

The Hon. T.A. FRANKS (16:08): I move:

1. That a select committee of the Legislative Council be established to inquire into and report on the decision-making process and impact of approval of the Whalers Way Orbital Launch Complex at the tip of Eyre Peninsula by Southern Launch, with particular consideration to be given to:

   (a) the potential impact of the project on surrounding nearby marine parks, the Southern Basins Prescribed Wells Area and water protection zone, heritage agreements, and coastal conservation zones;

   (b) what assessments of environmental, social, and economic implications were undertaken before declaring the project a major development;

   (c) the preparation of the environmental impact statement released for public comment in August 2021 and its content;

   (d) the consideration given to alternate sites;

   (e) the impact of the Whalers Way Orbital Launch Complex on Eyre Peninsula tourism industry;

   (f) the interaction between the space industries sector strategy and the state planning system;

   (g) the separation of the Test Launch Campaign from the major development declaration;

   (h) the consideration given to the bushfire risk associated with the test launch campaign;

   (i) the level of consultation of, and engagement with, First Nations people regarding the Whalers Way Orbital Launch Complex; and

   (j) any other related matters.

2. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

This motion calls for a select committee of this council to be established to inquire into and report on the decision-making processes and impact of the approval of the Whalers Way Orbital Launch Complex at the tip of Eyre Peninsula by Southern Launch, with particular consideration to be given to a range of factors. I will go through some of those factors as I speak to this motion.

This is an incredibly important motion and I urge this parliament to take a serious look at what is being proposed down at Whalers Way on Eyre Peninsula by the aforementioned Southern Launch. South Australia is rightly investing in establishing a space industry in our state and much of that work in the area is both commendable and necessary, but I and many others—and those who caught the protest yesterday on the steps could see the strength of the local community concern about this—are concerned that there is a proposal to establish a rocket launch facility on land that is zoned 'conservation' under the Planning and Design Code.

This land contains a unique ecosystem and some endangered native species. It is commonly known as Whalers Way, at the bottom of Eyre Peninsula. Whalers Way is a privately-owned property under the South Australian Heritage Act 1978. The South Australian Heritage Act was established in 1978 to prevent the overclearance of native vegetation and to protect native fauna in agricultural regions of our state.

Heritage agreements were created at a time when it was evident that we needed to protect what little native vegetation and fauna we had left, and such agreements are supposed to last lifetimes even if the property to which they apply is sold. But now the government seems determined to ride roughshod over this particular agreement, all in the name of private profiteering. This is just the tip of the conservation iceberg that seems to be being actively ignored in the name of this project.

The launch complex is surrounded by a marine park, adjoins the Southern Basins Prescribed Wells Area public water supply and water protection zone, is a declared historic reserve, is a coastal conservation zone, lies between Lincoln National Park and the Coffin Bay National Park, and the

area is known to have inhabiting it 25 species that are listed under the Environment Protection and Biodiversity Conservation Act as either threatened or migratory and/or marine.

Southern Launch are hoping to overturn this agreement for a mere $965,477.76, a little under $100,000, to clear 23.7 hectares of land and create lasting effects on the surrounding environment when there are other suitable areas along the southern coast of Australia that are not under the Heritage Places Act or part of coastal conservation and do not launch over a marine sanctuary.

There are approximately 98.3 million hectares in our state of South Australia, with only one million hectares protected by heritage agreement. That is 1 per cent of all of South Australia. Surely we need to protect what is left of that 1 per cent. Conservation zones are supposed to do just that—protect—but this proposal seems to fly in the face of all the efforts that have gone into protecting Whalers Way.

The proposal is for two permanent launch pads and support infrastructure, which will involve clearing over 23 hectares of native vegetation. Further, conservation groups have raised concerns that a permanent rocket launch facility at Whalers Way could push threatened bird species to extinction, including the white-bellied sea eagle, the eastern osprey, the Eyre Peninsula southern emu wren and the white-fronted whipbird. The emu wren and the whipbird are particularly under threat and, should this proposal go ahead, as they are sedentary, weak fliers and have limited ability to disperse, it is particularly concerning.

I must note the work of Des Menz, who has been working with the Eyre Peninsula Environmental Protection Alliance, and who puts it best. I will quote him now:

> In a Conservation Zone there are substantial planning limitations to establish any industry or land use change let alone a rocket launch facility. And yet, it is happening at Whalers Way, a place that is environmentally fragile and is home to endangered flora and fauna, a place that has unique associations with the marine environment and endangered marine species, a place that has a long-standing Heritage Agreement, a place that contains the highest amenity value coastline in South Australia, a place that has been open to public visitations for fifty years, a place that is highly significant to many local and non-local residents.

Local residents, conservation advocates, tourism operators and many more are being left with many questions, including how on earth an approval could possibly be granted for a rocket launch facility in such a sensitive area. The process has been nebulous and community questions remain unanswered, particularly when it comes to potential environmental impacts. Going through the environmental impact statement, there is a clear trail of failures within the planning and environmental processes that have seen the proposal get this far.

The Greens and many others believe there have been failures in applying our planning laws, codes and procedures, along with compromise of proper process. I ask for the council's patience as I elaborate on the string of issues with this proposed rocket launch site at Whalers Way and the threats it poses to the environment but also the precedent it sets within the planning system. That is why the Greens believe we do need a comprehensive inquiry into this project.

I want to start by going though some of the flagged potential impacts and the shortcomings of Southern Launch's environmental impact statement (EIS) in addressing them. In this respect one of the key concerns is the contamination of the surrounding environment from rocket exhausts, including marine parks, and the contamination of aquifers.

That is why point (a) of this inquiry would look at 'the potential impact of the project on surrounding nearby marine parks, the Southern Basins Prescribed Wells Area and water protection zone, heritage agreements, and coastal conservation zones'. Indeed, our concerns are that contamination from rocket exhaust into the surrounding environment, including the marine parks and contamination of aquifers, which have been addressed by Southern Launch as—and I am quoting from their own EIS, on page 23, appendix V:

> …the key chemicals of environmental concern identified in the literature review were HCl (which form hydrochloric acid when dissolved in water), carbon black (which may contain traces of PolyAromaticHydrocarbons) and aluminium oxide…

They go on to say that when the rocket is launched the 'heated ground cloud' of atomised and/or vaporised water deluge will mix with the atmosphere. Here the chemical contaminants will 'mix with

the water and fall/rain out at some distance from the launch site'. That is on page 6 of that same appendix.

They go on to say ground level concentration of hydrogen chloride is considered toxic if it is 270 milligrams per cubic metre of air. That is referenced on page 12 of that document. Launches will result in levels up to 1,000 milligrams per cubic metres of air over Whalers Way and surrounding land, water and coast. They say the:

> …installation of groundwater monitoring wells and groundwater monitoring is—

in the submission by Southern Launch—

> not recommended at this stage since risks to groundwater are considered to be low subject to implementation of surface water management measures which will mitigate the risk of waterborne contaminants migrating from the launch site(s).

That is on page 25 of that document. There is significant concern about a lack of formal and independent assessment of the use of the local aquifer for this project. How would this use impact locals dependent on this aquifer? How will the proposed fenced-off 30 megalitre dam and the collection of local rainfall or runoff to fill it impact the local environment, specifically the water availability to animals and plants?

Further questions are the potential for rocket failure, resulting in the dumping of debris and unburnt fuels into the marine protection zone. By their own admission, Southern Launch say, 'We expect to lose rockets on the pad, and in the air.'

The proponent's environmental mitigation strategies are inadequate, misguided and do not adequately mitigate the vast impact that this facility will result in. Their EIS does briefly detail an app for feral cat spotting, removing waste appropriately and some weed removal. However, concern for underestimated environmental impact in the proponent's self-assessment remains strong due to the lack of an independent review.

There is, quite rightly, concern that chemicals and debris from launches will fall within the complex, which is in a water protection zone and could filter into public water supply. It could also enter into water lenses used by neighbouring properties which are underground, meaning it is impossible to remove those pollutants once they enter that water.

The full development by Southern Launch actually requires an estimated 30 million litres of water. Originally, this was going to be sourced from public waters, but as the Southern Basins are over-allocated and over-extracted Southern Launch have now stated they will be using water sourced from a farmer. The water in the lens used is for stock and domestic use for neighbouring properties, and this could and probably would severely affect their water supply.

Southern Launch have indicated their intention to cover the smallholding dams part of the project but have made no mention of covering the 30 million litre dam to be constructed to prevent birds, animals, reptiles and insects from drinking that contaminated water. Further, while it is indicated that the water will be contaminated to the allowable contamination levels, what those levels are is not detailed in the EIS.

At a public meeting, the general manager of infrastructure for the site stated that before the dam is constructed and filled with harvested run-off, the water will be trucked in from Port Lincoln's water supply. Residents have also raised concerns that the rainfall data used for estimating how much can be harvested from that rainfall is over 30 years old.

It has been said that each rocket will require somewhere between 50,000 litres and 70,000 litres of water per launch. However, the general manager of infrastructure stated at a general town meeting that it would likely be closer to 150,000 litres of that same water per launch and that this water is used at high flow in rocket exhaust to absorb sound, heat and energy.

The environmental impact statement, self-assessed, states that the stormwater and wastewater run-off provides the greatest source of potential pollution of the marine environment and that total surface water cycle management will be employed through the Whalers Way OLC to ensure that. Southern Launch have stated that they have not been able to estimate the potential of contaminants in the water from fuels, lubricants, cleaners and firefighting foams handled in a launch.

At this point, it is vital to consider as well that Southern Launch have made it clear that they plan to expand the Whalers Way Orbital Launch Complex in the future. Southern Launch's own documents responding to the submissions made to the EIS include these statements about their proposed future growth:

> The WWOLC is proposed to be developed in stages over time in response to emerging market opportunities and conditions. The current proposal represents the initial development of the complex and is the subject of this EIS.

They go on to say:

> Additional non-conventional launching facilities, as a component of the ultimate development of the WWOLC, are currently under investigation and may be sought on the site in the future; however, these will form subsequent phases of development and will be subject to a further application and assessment at the appropriate time.

There are many references in the current application to how 'minimal' the vegetation clearance will be, but clearly any further expansion, either at Whalers Way or in Lincoln National Park, which was also identified as a preferred site, would of course entail further habitat loss and damage.

Point (b) of this inquiry would look at 'what assessments of environmental, social and economic implications were undertaken before declaring the project a major development'. I remind the council that former Minister Knoll declared this proposal a major development on 22 August 2019. He was guided by Southern Launch's planning consultant's master plan 'major development declaration request' of 13 May 2019.

Former Minister Knoll in his declaration stated, 'The proposal has major environmental, social and economic implications.' Yet, the Koonibba rocket launch facility, despite being quite considerably comparative, was able to be created without this same major project status, and all the free passes that that provides. Major project status enables the bypassing of numerous local council restrictions on such a development. In fact, without major project status this development would likely not be approved.

Point (c) of this inquiry would look at 'the preparation of the environmental impact statement released for public comment in August 2021 and its content'. There is a concern that there is inadequate depth of assessment, given the significant disclaimers that are attached to each section. I point to the marine ecological assessment. To quote that:

> While reasonable efforts have been made to ensure the contents of this report are factually correct, the author does not accept responsibility for the accuracy and completeness of the contents.

It is laughable if it were not so serious. It goes on to say:

> The author does not accept liability for any loss or damage that may be occasioned directly or indirectly through the use of, or reliance on, the contents of this report.

Extraordinary. With the geotechnical assessment:

> It must be accepted that variations in subsurface conditions are likely to occur at this site and such variations may impact on the design recommendations provided. Under no circumstances can it be assumed that this report represents the actual subsurface conditions at all locations over the site. Further geotechnical investigations must be conducted during the detailed design phase to more reliably assess the ground conditions at the site and confirm the recommendations contained in this report.

With regard to air quality:

> From a literature review for references to emissions data for orbital launch facilities, it appears facilities are typically located in remote areas without nearby receptors. Given this, assessments are typically more qualitative than quantitative, and the level of detail available on rocket engine exhaust launch emissions is limited.

The role of the Southern Launch Taskforce in this project, in their own words, is 'to facilitate the communication between areas of government to ease the formation of the EIS'. It begs the question of whether a private company's development plan has ever had a government body created with the sole purpose of assisting them with developmental approval.

Point (d) looks at 'consideration given to alternate sites'. The environmental impact self-assessment states that the critical criteria for site selection included latitude, launch trajectories, coastal access, weather, land size, critical national infrastructure, population and environment. It goes on to say:

> Failure to meet one or more (of the critical criteria) will almost always rule a site option out of contention.

I refer there to page 143 of that document. It was not made public, however, which sites failed to meet which criteria. Considering the vast environmental concerns with the proposal and the location's weather being a combination of significant wind and extreme bushfire risk, are we to assume that Whalers Way inappropriately passed these criteria, or was the assessment process itself limited and inadequate, hence the need for an independent review into suitable sites? Why should we take their word for it without the evidence?

Multiple alternative sites are identified in the EIS; however, it seems all have been excluded without substantial assessment. The site identified west of Ceduna seemingly provides a very similar landscape and launch trajectory as Whalers Way; however, it was excluded due to 'the limitations of service and logistics', not due to any of the supposed critical criteria.

There is also a significant concern that alternate sites have not been assessed properly, and there have been suggestions that an independent review should be undertaken for possible alternate locations for the launch pads. As I believe some of the above examples do highlight, there is a lack of clarity around what the site criteria are or how stringently they need to be adhered to. The elephant in the room is that, at the end of the day, this is a for-profit company looking for the cheapest land they can get, and that sure as hell should not allow them to trample over conservation zones or heritage agreements.

Point (e) of this inquiry would look at 'the impact of the Whalers Way Orbital Launch Complex on Eyre Peninsula tourism industry'. I know everyone in this place cares about our state tourism. I am going to point something out: Whalers Way is the number one tourist attraction on Tripadvisor for Lower Eyre Peninsula. Many local tourism companies benefit from uninterrupted access to Whalers Way as marketing for the region.

WWOLC will close this off and allow guided tour access only. It is substantially at variance with the otherwise clean, eco-friendly tourism businesses that work on Eyre Peninsula. Southern Launch expects that tourists will be coming to view launches for rocket tourism. However, the suggested viewing point is 45 minutes' drive into the Lincoln National Park, with a tiny area for car parking and potential for people to drive or park over fragile native vegetation, bird nests and other fauna habitat.

The entire coastline from Whalers Way to Wanna has a limited number of small parking areas on fragile sandstone cliffs. There is concern that extra vehicle and foot traffic could well destroy those cliffs. Southern Launch envisions hundreds of tourists flocking to view the launches, but if a bushfire broke out in that national park, there is only one road out and it is through thick scrubland for both campers and the purported space tourists.

Space tourists could find themselves waiting up to 12 hours for launches as Southern Launch does not provide exact launch times, only 12-hour windows. I point out there are no toilet facilities in the area, and there are rightfully concerns about litter.

Point (f) of this inquiry would look at 'the interaction between the space industries sector strategy and the state planning system'. This case makes it apparent that, while we have a space industry sector strategy for our state, our existing laws and regulations, particularly in planning, are ill-equipped to facilitate such a strategy in a way that is transparent and fair, particularly when it does come to contentious cases of land use and development.

Six years have now passed since the Space Innovation and Growth Strategy Action Plan was created, yet there is still no action on identifying and zoning suitable land for commercial rocket launch facilities and other space-related development in South Australia. This is a major failure of our planning system and is indeed the root of the problems now confronting Whalers Way Orbital Launch Complex that we see now.

The absence of a proper zone for rocket launching, which should have been appropriately identified in the Planning and Design Code, has resulted in some serious compromises by various participants and has involved the exposure of flaws in our planning processes, including what appears to be an abject misinterpretation of the relatively new Planning, Development and Infrastructure Act 2016 as well as a misapplication of the Planning and Design Code.

Although the strategy identified that there is no domestic orbital or suborbital launch capability in Australia, there was no further mention in the strategy of a launch facility for or in South Australia. The absence of a launch capability, which is reasonable to assume would be vital to be part of the space industry, revealed a significant lacking by those in government who were pivotal in establishing this 2016 strategy and also by those whose business it was to promote it.

Here was our best opportunity and best moment to identify appropriate land for commercial rocket launching somewhere in our state and then to zone that land for that intended use. The decision to entertain Southern Launch's proposal to establish a rocket launch facility at Whalers Way therefore begs the question: what legitimate procedures were used to impose a rocket launch facility on a sensitive coastal environment that has been protected by various instruments of our state for many decades?

We do not have any definition or even mention of rocket launch facilities in any of our planning and environmental laws and regulations. One would therefore expect that the greatest care and the precautionary principle would be taken in finding a site for such a project. Clearly, it was not to be. This has clearly not been the case for Whalers Way. Do we really want the precedent for space industry development in our state to be defined by environmental destruction? Do we really want the precedent to be allowing private corporations to ignore our planning and environmental requirements? Is this a sustainable way to build any industry, let alone the space industry?

Finally, point (g) refers to 'the separation of the 'Test Launch Campaign' from the major development declaration', and (h) to 'the consideration given to the bushfire risk associated with the test launch'. They are both incredibly important areas.

I have to say I was horrified to learn that Whalers Way and the surrounding area extending some 20 kilometres around is classified as 'extreme bushfire risk'. There is only one access road, which extends 28 kilometres and passes over 70 human residences with continuous bushland. Launches are actually occurring during fire ban season. The test launch facility itself, being quite basic, therefore lacks many of the safety measures that should be required for full major development, such as necessary vegetation clearance around the launchpad, established flame trenches and temporary fuel storage containers.

Adjacent landowners and the nearest local township of Tulka have not been engaged with regarding the bushfire management safety plans, and this has created great consternation. These have actually been redacted from public viewing due to supposed security issues. There have been numerous attempts to either view these emergency management plans or to have increased communication with the proponents going forward for the trial launch campaign, but neither the CFS or the Southern Launch task force have responded with anything of substance to address these particular concerns.

It may never happen, you might think. However, when the fire did occur at their failed test launch on 16 September 2021, the local community was not notified of the fire, and they actually found out about it on social media afterwards. Community members, quite rightly, are deeply concerned by the lack of communication, because if this fire had not been controlled their homes and their lives could have been lost.

The launch complex is mainly native vegetation, with limited tracks for firefighting access, and there are concerns about the risk of fires becoming uncontrolled. I think they are quite valid concerns. For example, if a rocket ignites a bushfire this could indeed be quite a serious matter for these people. Southern Launch have denied, with regard to the incident of 16 September that did result in native vegetation being burnt, that the damage was of any concern. They have stated that no people or environment was put at risk, downplaying it despite photo evidence to the contrary.

There is particular concern about the night launches, as water bombers cannot be deployed at night, and Southern Launch refuse to share their firefighting plan with the neighbouring property owners, so there can be no coordinated approach to extinguishing these fires should they occur. I remind the council that Whalers Way is in a high bushfire risk zone. If a fire is ignited at Whalers Way, there is a corridor of thick scrubland to Port Lincoln and across the lower peninsula to both national parks, which would make that bushfire almost impossible to control. The area is under a

strict fire ban from November through to April, and it does seem extraordinary that this ban would not apply to a rocket launch facility.

Further considerations include the level of consultation and engagement with First Nations people. It will probably, sadly, come as no surprise that this has also been found to be inadequate by locals raising concerns and certainly the First Nations people of this area.

I know there were many words in this speech, so I will not say 'With those few words, I commend the motion,' but with those, I hope, words that will pique members of this parliament's interest that perhaps we might have gone the wrong way with this project, I do commend this motion to the council, and I look forward to providing further information in the form of potential briefings to interested members.

I note that there was a protest on the steps of parliament about this yesterday. It was a very vocal and very diverse group. Yes, there were probably vegetarians there and no doubt there were environmentalists, but there were locals, there were people who have been involved with the CFS in the region, there were First Nations peoples and there were regular community members who are rightly concerned that this is no place for space, that we have got it wrong and we need to ensure that our planning system is properly zoning projects, not seeing projects run roughshod over our lack of detail and appropriate provisions in our planning system.

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

INDEPENDENT COMMISSION AGAINST CORRUPTION INVESTIGATIONS

The Hon. F. PANGALLO (16:40): I move:

That this council—

1. Acknowledges former Renewal SA CEO John Hanlon was charged and prosecuted with the criminal offence of dishonest dealing with documents based on false, incomplete and inadmissible evidence obtained by an unlawful ICAC investigation.

2. Notes that:

   (a) since 2014, ICAC has been conducting investigations and providing evidence and information briefs to the Director of Public Prosecutions (DPP) without the authority to do so within the original ICAC Act 2012 and the stated intention of the parliament at the time;

   (b) there has been a history of failure by ICAC to disclose all evidence available in its referral practices to the Office of the Director of Public Prosecutions (ODPP);

   (c) ICAC hid evidence (phone data) for three years supporting Mr Hanlon's version of events;

   (d) the DPP acted inconsistently with the prosecuting guidelines;

   (e) the DPP relied on incomplete information and inadmissible evidence disclosed by ICAC for the purposes of prosecuting Mr Hanlon;

   (f) ICAC had acted unlawfully in obtaining evidence for the purpose of a prosecution by breaching international law and ignoring commonwealth and internal ICAC legal advice and that a court ruled it was inadmissible and excluded; and

   (g) the humiliating collapse of the case against Mr Hanlon, Ms Georgina Vasilevski and others has caused serious reputational damage to ICAC, the ODPP, the South Australian criminal justice system and the legal profession.

3. Calls on the Attorney-General to initiate measures to compel ICAC to disclose all evidence to SAPOL and the ODPP.

4. Calls on the Attorney-General to introduce legislation to establish a special commission of inquiry into ICAC and the ODPP with powers, in addition to the Royal Commissions Act 1917, requiring any notice issued by the commissioner must be answered, notwithstanding any common law or any act of parliament.

I rise to speak on my motion. It is a matter concerning grave miscarriages of justice and the integrity of our criminal justice system and our faith and trust in it and of the integrity agencies themselves, and that must now be of great concern to all South Australians. Quis custodiet ipsos custodes—that is Latin for 'Who will guard the guards themselves?' It refers to a situation in which a person or body

having power to supervise or scrutinise the actions of others is not itself or themselves subject to supervision or scrutiny.

That phrase could well be applied to such a body in South Australia: the Independent Commission Against Corruption and the statutory officers who run it and have run it. They think they are untouchable, protected—or so they thought—by the secrecy clauses that were built into the act designed to protect the integrity of their investigations, not for them to also be abused, as we now know has occurred.

Woe betide anyone who speaks up against them and exposes the wrongs they have caused to individuals, as I have done. They will orchestrate a public campaign in their favoured media to shut you down and attempt to discredit you any way they can. I am living proof of that. I have remained mute for 12 months while they have gone about trashing the will of the parliament.

It is quite unprecedented, seeing a statutory officer continue to attack the supreme authority they answer, making demands they have disguised as recommendations to alter the new act, including a review. If there is to be a review, it has to be into their conduct, their operations, their management of the agency. ICAC is not above the parliament and it is not above the law.

The undermining began shortly before parliament unanimously passed my legislation to reform ICAC and its function, and it continues. The catalyst was the select committee into reputational harm and damage caused by ICAC investigations, which heard shocking evidence of ICAC's incompetent investigations against public officers, including police, and the tragic consequences these failed witch-hunts had on the innocent—although, as I will point out later from public comments made by the current ICAC commissioner, Ann Vanstone KC, being found innocent or not guilty does not necessarily mean you have not done the crime, that you are really off the hook, that the stain of an accusation is that easily erased.

Commissioner Vanstone told the National Anti-Corruption Commission committee in Canberra last month, 'There's no room to draw from an acquittal that someone was not guilty of that crime, that they were innocent of that crime.' What hope is there for them with a cold legalistic attitude like that? In contrast, I will point you to comments made by Judge Adam Kimber to the select committee, that is, 'If you walk out of court being found not guilty you are entitled to be presumed innocent of those charges.'

More on that later, and some comments Commissioner Vanstone made in the public arena, and to the Senate, which should disturb us and send cold shivers down the spines of our public servants, like this to an unflummoxed David Bevan on ABC 891 on 17 August this year. Again, allow me to quote Ms Vanstone:

> It seems to me that public interest is better served by getting into the agency and, as I have said, looking at what the problems are. What gave rise to that corruption? Asking the agency to deal with a person who might have been involved with nefarious conduct, preferably getting rid of that person or moving that person, fixing the system that was able to be exploited, and getting on with their work, because if a person is suspended because they have been charged with a criminal offence, they are probably suspended on full pay. They might be suspended or waiting for their trial, and that might take three years. Meanwhile, the agency is also in suspension not knowing what's going to happen. They've got a problem of filling that spot, so the public interest seems to me mostly to be better served by dealing with the problem as quickly as we can, and allowing the agency to fix it and move on.

So if you are caught in their web why waste money from the public purse? Simply cut them loose. Sacking them is the cheapest solution, she muses. What happened to due process? That happened to an innocent man, the highly respected and experienced former CEO of Renewal SA, John Hanlon. As one senior barrister said to me, and again let me quote:

> They are using extraordinary powers reserved for criminal offences, and then without trial just sack someone because they can never prove it in a court. She is basically saying that because all their prosecutions have failed they should have just been allowed to go in there and sack people who should never have been sacked because ICAC said so. It's shocking. It's unbelievable.

I will just make this other note in relation to Ms Vanstone's attitude towards this place and the legislation that we passed unanimously last year. She made a rather sneering remark before the Senate in her introduction last month where she said, 'I want to make a few brief points about the South Australian ICAC, if I can call it that.' What does she call it? What does she mean by that?

My interest in ICAC's conduct began soon after I was elected to parliament when aggrieved constituents contacted me knowing my background and the fact that I was willing to listen and do something about it if their complaint had some merit. It did have merit, lots. Even I was flabbergasted at what has been going on since 2014 and still to this very day. Why had not anyone turned a spotlight on it? Were they afraid of the consequences of speaking out? I was not. I have always reported without fear or favour and I bring that ethic into this place.

I did have one member in this place warn me, 'Be careful. Don't tread on powerful toes. They will come after you,' and they did, in ways I did not expect. They lobbied to have me thrown off the Crime and Public Integrity Policy Committee. As colleagues would know, I will not hold back from asking probing, robust questions, no matter who they are or who they think they are. They inferred publicly that I and all of us who supported my bill were corrupt because the legislation would protect corrupt members of parliament and corrupt police officers.

Voracious media like the ABC and InDaily lapped it all up and amplified the public pile on. They showed little interest in hearing the stories of the victims of ICAC or the unethical manner in which ICAC had conducted their investigations—the very reasons we had to look at the original act. But what about them? Who is going to guard the guards against their own corrupt actions?

It is why we needed to establish the new office of the Inspector with strong powers and independent oversight over integrity agencies and government authorities, as well as the parliament. We needed to replace the reviewer because the powers of the reviewer to examine complaints were extremely limited to maladministration. They were bordering on the benign. Serious corruption or malfeasance was out of their reach. The current commissioner appears to have an issue with the new role, telling *The Australian Financial Review* in April this year, and I quote:

> The new legislation establishes an independent office of an ICAC Inspector that has greater powers than the ICAC. The case for the Inspector was built upon the idea that the ICAC regularly abused its powers. There is no evidence that this has ever occurred.

That is what she said. Those comments appeared in the orchestrated hatchet job on me on 21 April this year using *The Australian Financial Review's* Michael Roddan, a Walkley winner, no less, who easily swallowed the narrow, ill-informed and jaundiced narrative that clearly was inspired by the wounded ICAC sympathisers wanting to blow up our parliamentary processes and integrity, to teach us a lesson—modern-day Guy Fawkeses, to use an analogy.

The published story, which I will seek to table here, was a load of absolute bollocks, a beat-up, and I should know a beat-up when I see one. It defamed a dead man, a highly respected and decorated police officer, Chief Inspector Doug Barr, who did not have the opportunity to prepare his final defence to the findings and criticisms levelled at him by former ICAC commissioner Bruce Lander KC.

More disturbing, however, Mr Roddan appears to have been given access to a copy of Recruit 313, a sensitive, classified document, part of which carried no privilege. I have my suspicions about where that came from. I am confident the leak did not come from a member in this place or from the Crime and Public Integrity Policy Committee. It did not come from the rival news organisation, *The Advertiser*, Mr Roddan castigates, which did have a copy that it could not publish or distribute.

It certainly did not come from one of the people with an interest in the report, the widow of Doug Barr, who took his life three years ago because of the enormous toll the protracted investigation, which was undertaken by the same incompetent investigator in several failed cases, including that of Mr Hanlon—Andrew Baker—and the length of time it took to be finalised by Mr Lander.

It is doubtful anyone in SAPOL would have leaked it, considering its explosive contents involving high-profile officers. So where did Mr Roddan get it? Then assume that the favoured case, as he calls it, was the sole reason we passed the legislation based on the suicide of Mr Barr—that it was done based on fake news.

Roddan steered clear of all the other damaging revelations and compelling matters corroborating ICAC's appalling conduct. No approach had been made, as far as I am aware, to the

many other witnesses and serious cases highlighted in the select committee's tabled report. It might have taken the gloss off his obtuse agenda.

With debate on a bill for a federal integrity agency in progress in the federal parliament, Mr Roddan could not help himself from taking another misinformed swipe at me and this parliament last Monday, the day before ICAC's nadir in the District Court in its latest deplorable botched case involving Mr Hanlon.

Out of courtesy and balance, as a journalist should do, I sent a series of questions to Mr Roddan, indicating I was going to raise matters in parliament this week. No response. In fact, the *Australian Financial Review* has not even mentioned the humiliating collapse of Mr Hanlon's case. Not a word. Why would it? It makes Mr Roddan's one-sided editorialising look extremely foolish.

The Advertiser's respected chief court reporter, Sean Fewster, is one of the very few journalists in this town to acknowledge the gravity of what has occurred and has diligently followed Mr Hanlon's tortuous passage through the court system.

Soon after being appointed, Commissioner Vanstone told the Crime and Public Integrity Policy Committee, of which I was Chair, on 10 December 2020 that she was not afraid of examination or scrutiny. 'We expect it,' she said. Okay, although obviously not from my select committee into reputational harm and damage caused by ICAC investigations.

Before even one word of evidence was given to that committee Commissioner Vanstone vehemently expressed her opposition to it—was opposed to it. Here is an excerpt of what she said to put her position into some context:

> I have read *Hansard* of 2 December, and I see that the committee is to examine, among other things, damage, harm and adverse outcomes relating to ICAC investigations and prosecutions which have ensued. I confess that I am perplexed at this initiative, absolutely perplexed. I ask myself: what is the point of this? Anyone reading the transcript of *Hansard* might infer that ICAC operates outside a regulatory framework and acts like cowboys and neither of those things is true in the least. Nothing could be further from the truth.

Oops—those words may haunt her. Mr Hanlon's case, as I am about to reveal in some unbelievable detail, gives lie to that statement, along with demolishing ICAC's own core values, which it brags about on its website, things like:

> We conduct ourselves without fear or favour and make decisions according to law.
>
> Accountability
>
> We are responsible for our actions and decisions. We use our resources responsibly. We scrutinise ourselves as vigorously as we scrutinise others.
>
> Integrity...

Can it honestly say, with what we now know, that any of that was applied in Mr Hanlon's case? It is akin to one of those Hollywood conspiracy miscarriages of justice movies, like Alfred Hitchcock's classic *The Wrong Man*, in which Henry Fonda played a man whose life falls apart after being falsely accused of stealing. Hitchcock summed it up like this:

> I thought the story would make an interesting picture if all the events were shown from the viewpoint of the innocent man…

Like *In the Name of the Father*, based on the Guildford four, where four innocent men were sent to jail for life for deadly pub bombings in Britain. It is like *The Hurricane*, about black boxer Rubin Carter, framed for a murder he did not commit. Then there is one of my favourites, Paul Newman's *Absence of Malice*, which was promoted as 'In America, can a man be guilty until proven innocent?'

Well, you could not find a better plot than the sad and deeply disturbing Hanlon saga: a distinguished, high-profile senior government executive wrongly accused of rorting business trips by a group of vexatious underlings with a score to settle. They go to a pollie with a political axe to grind, the then member for Bragg and future Attorney-General Vickie Chapman, who then goes to ICAC, which then becomes hellbent on proving he did it, with absolutely no evidence—even if it fabricates that evidence and breaches international laws to justify its expensive pursuit.

Just to tickle the irony, even the pursuers decide to take a side trip overseas, at the taxpayers' expense, to fill their idle time away. The accused loses all in his battle: top job, reputation in ruins,

dignity destroyed, mentally mangled and heavily in debt. He is in such rapid refall that he contemplates suicide daily. It is a common theme in ICAC investigations. So, as a movie, you could promote it as a sequel to *Absence of Malice.* The title in South Australia: 'Can a man be guilty until proven innocent?' The answer to that is an emphatic yes, because that is how ICAC appears to deal with its investigations, all the way back to 2014's Operation Bandicoot, involving those police officers assigned to Sturt Mantle.

Fortunately, under the new laws and undertakings provided by the DPP to the High Court—never reported on here by any of the media—ICAC must now refer cases to South Australia Police, who would be far more cognisant of complying with the rules of evidence and lawful investigative practices, such as in investigations involving foreign governments. You would sooner put your trust in the police—and this was always the intention of parliament.

A scan through the second readings of the original 2012 bill by the then Attorney-General John Rau and others will demonstrate this, albeit it was not specifically set out as it probably should have been. But then again, under the old law, ICAC had the discretion to investigate you, me, members in this place and public servants for corruption, merely for a trifling traffic matter.

Having been made aware during the select committee of what ICAC had done, I knew that the John Hanlon-Georgina Vasilevski matter—Georgina being John's former work colleague, whose career, like John's, is in absolute tatters—would be the landmark case for ICAC's failures. It is the watershed in ICAC's bungle-ridden history and highlights its investigative incompetence and gives some explanation as to why so many of its witch-hunts have failed miserably in the courts, particularly after some accused, like Mr Hanlon, refused to accept feeble plea bargains that were really face-saving exercises for ICAC and the DPP in having to deal with extremely flawed briefs.

If I were still a journalist, the scandalous abuse of power and public money would easily top the stories I have done, spanning 46 years. It is that bad. I have not seen this level of dishonest and corrupt activity within a government agency, let alone one dealing with corruption. Their nefarious endeavours cannot simply be cast aside and justified as some form of noble cause corruption.

As we know, there have been others. As one of the most learned and respected legal eagles in this state whispered to me, 'Frank, it's just the tip of the iceberg. There's much worse to come.' Pardon the analogy, but let us remember it was an iceberg that sank the unsinkable *Titanic*. I still cannot explain why many journalists in this town are so reluctant to investigate serious miscarriages of justice that challenge the very foundations of the rule of law, the public's trust in integrity organisations and the credibility of powerful figures in positions of authority and influence—unless you are a politician, of course; then you are fair game, they will reason.

Make no mistake: this is one of the state's biggest criminal justice scandals. Even I was stunned and disturbed by the extent of the deceitful dishonesty in this case. The Independent Commission Against Corruption and the Office of the Director of Public Prosecutions, two institutions we believed we could trust, have both been caught out abusing their powers and trying to break and destroy John Hanlon, once a proud and renowned public servant.

The state has failed to uphold the noble principles of being a model litigant. It has brought its own agencies, the criminal justice system and the legal profession into disrepute. This needs to be restored as a matter of urgency, and the only way to do that is through an independent inquiry with an investigator who has powers stronger than a royal commission and maybe a clean-out of the culture within.

There is no excuse whatsoever for what they have done to Mr Hanlon and his family. His legal bill is now well over half a million dollars. He showed me his latest invoice for a two-week period for $133,000 covering the recent farcical pre-trial hearings where the damning new evidence that had to be disclosed late, days before the trial, that confirmed his innocence emerged.

The horrific ordeal came close to killing him. What if he did suicide before he knew the eventual outcome? Would they simply close the case and be thankful none of their dirty secrets would be exposed? They could not beat an innocent man, thanks to the unstinting support of his family, including his loving wife, Jenny, their daughters, Millie and Kate, and his brilliant legal team led by David Edwardson KC and Matthew Selley.

Someone must be accountable for the disgraceful actions, the utter abuse of power. You know the saying: power corrupts and absolute power corrupts absolutely—absolutely, it does. To give you a better and accurate understanding, I will need to take you through some of the integral steps of Mr Hanlon's case with documents that are publicly available on the court file and documents I have personally viewed. It is important that they can be seen rather than left buried to put this horrific abuse of power into proper and accurate perspective. This story must be told, then South Australians will begin to fully comprehend why parliament had a responsibility to act last year.

Allow me to explain how this witch-hunt unfolded and then went pear-shaped. It is an anatomy of an ICAC fiasco. In 2017, Mr Hanlon justifiably reprimanded four staff in his office for bullying a young woman suffering from a serious eating disorder. Among their cruel pranks and taunts, they placed a skeleton doll dressed in black on the woman's desk just as she was preparing to be married. This action, as you would expect, greatly distressed a woman already with a mental condition.

Disgruntled, they sought revenge. They set about destroying Mr Hanlon and his former colleague Georgina Vasilevski's careers and reputations with unsubstantiated complaints that both had gone on trips to the Melbourne Cup, and Mr Hanlon to Germany to holiday with his family, while doing no work and at taxpayers' expense.

The key part of the ICAC investigation went like this. I shall provide and refer to particular documents that were tendered to support what I am about to outline. I will seek to table them—and there are many—following my remarks. Let me start. On 28 June 2019, Mr Hanlon is interviewed by ICAC. He is interviewed formally under criminal caution by ICAC investigator Andrew Baker about a business trip he took to Germany as CEO of Renewal SA from 19 September 2017 to 30 September 2017, where John was accused of misuse of public funds and deceptive dealing with documents.

Amanda Bridge, another of the investigators, references to knowledge of a mutual assistance request. This is a request that needs to be made to a foreign government to enable investigators to go and interview potential witnesses. In this affidavit, dated 3 November 2022, Bridge makes a notation in her affidavit to AFP liaison, which she describes it as relating to AFP assistance in Germany. This was on 23 July 2019, prior to leaving for Germany. Bridge admits to being now aware of MAR prior to departing to Germany—this was on 23 July 2019, in an AFP liaison notation in the affidavit. She admits to being aware of the requirements of MAR prior to departing to Germany and that she had not made an application for MAR due to conversations she had with police and ICAC staff due to potential delays.

On 25 February 2020, there is a MAR note. Bridge had MAR on a to-do list, which was never acted upon. Bridge admits that upon her return she sought legal advice from ICAC legal counsel Victoria Greenslade on 2 October, which advised on MAR procedure and requirements as well as a MAR application itself.

I refer now to cell phone extraction of Mr Hanlon, 7 August 2019. Cell phone data is extracted from Mr Hanlon's phone and reviewed. There is a memo containing CCR data info tracking John's phone while he was in Germany in 2017: 'obtained and viewed'. It was an original matrix of John's whereabouts which demonstrates exculpatory evidence that John was where he said he was. This original matrix was never disclosed. I have seen it. It bears absolutely little resemblance to an alternative doctored version of it without the exculpatory evidence, and that was instead produced and briefed to the DPP. I seek leave to table that document.

Leave granted.

The Hon. F. PANGALLO: This is the document. I will make it clear that in the original document there are two significant columns showing that Mr Hanlon was actually in the vicinity of where he was visiting as part of his work assignments or duties and also another column showing that his family were a great distance away from him.

Those two significant columns were removed from the table that was presented as evidence, and it was only discovered late in the piece, on 4 November, after a subpoena had to be issued. Why was it not discovered earlier? It was doctored evidence. Only through a subpoena was this original

matrix revealed. As I have said, I have seen it and it bears little resemblance to the one submitted in the ICAC brief.

Amanda Bridge was the investigator with conduct over this evidence. This evidence also formed the basis for her request to travel to Germany. So there you have it: they have evidence before they travel that Mr Hanlon was telling the truth about where he went. That is after they have seized his phone and those of his family, so they know that this is where he had been and where his family were, yet they still decide they are going to take a trip to Germany to go and talk to people.

On 13 August 2019, there was an Amanda Bridge memo to Commissioner Lander requesting to go to Germany. Mr Baker, through a submission by Bridge, sent a memorandum titled 'Matter 2018/3882 Inquiries in Germany' to the commissioner outlining a plan to travel to Germany to investigate a 2017 work trip John Hanlon took while acting as CEO of Renewal SA.

At this stage, Bridge was aware of the CCR data evidence, which was consistent with Mr Hanlon's evidence of his whereabouts. This evidence was later removed from the CCR matrix developed by Bridge and IT staff member Libby Kelly, who never gave an affidavit, a statement of her role in this. On 15 August, there is a Baker memo to Commissioner Lander agreeing with the request to go to Germany. In this memo Baker states:

> Having reviewed that memorandum [from Bridge] I agree that inquiries suggested by Amanda are appropriate and required for the successful prosecution of Mr Hanlon.

Let me read that to you again:

> Having reviewed that memorandum [from Amanda Bridge] I agree that inquiries suggested by Amanda are appropriate and required for the successful prosecution of Mr Hanlon. The matter is significant in respect of the position that Mr Hanlon held and given the media publicity and attention that has been given to this matter in parliament, particularly by Tom Koutsantonis MP.

Let me emphasise what Mr Baker says:

> It is important that it result in a successful prosecution.

This shows that ICAC is recognising positive or advantageous political wins as a reason to pursue the matter. Remember, this is despite the CCR evidence showing evidence to the contrary of that allegation and being also opportunistic of positive news. We saw that in Operation Bandicoot. I want to note that in Judge Liesl Chapman's reasoning in R v Bell she finds that it is not part of ICAC's function to brief the DPP for the purpose of a prosecution. The High Court agreed it was inappropriate for ICAC to brief the DPP, and this is an example why.

On 31 August 2019, Amanda Bridge, in an effort to compel witnesses to meet with them, was asked by Alice Grindhammer to stop contacting her, questioning the legitimacy of the request. I quote this from Ms Grindhammer:

> We find this request very strange, especially since we have confirmed to you multiple times now that we have never met this person. We are now doubting the legitimacy of this request. Can you please provide proof of (a) the legitimacy of your request and (b) legitimacy of the body that you are representing.

I really do not know whether to laugh at this because I think some seasoned investigators, perhaps even in SAPOL, would be rolling their eyes at this. In response, Mr Baker outlined the reasoning for their investigation and by extension requested they go to a link on the ICAC website. He did not endeavour to seek out further authority from within ICAC or from any other form of government agency in proving the legitimacy of the investigation.

He requested they meet with him on 10 September at 10am. They did not want to meet with him because they did not know whether he was legitimate. So what does he do? He refers them to the ICAC website to have a look and see who they are, to see if they are legitimate. They needed much more than that—far more than that. They just received an email from halfway around the world from somebody sitting in an office who claims he has the authority to come over there to interview them. Of course, they should have known and did know that this required an international clearance, an MAR.

This is just another pre-travel red flag showing that there are proper international channels by which this process is supposed to take place. Grindhammer ultimately refused to be part of the

inquiries due to questioning the legitimacy of ICAC's presence and purpose. An inference can be drawn that Grindhammer was actually probably made aware of the proper MAR channels that were not being executed by ICAC.

I will go to correspondence from 3 September 2019. This is the commissioner at the time, Mr Lander's response to an email to a German company that they were interested in also getting statements from, called Mindspace. It went to Mindspace's general counsel. I have seen a copy of Mr Lander's emails responding directly to legal counsel of Mindspace, justifying ICAC's presence and its request to speak with employees. The contents show Mr Lander making a statement of fact to the effect that Mr Hanlon used public funds when in fact the basis of the trip was a personal holiday to visit family living in Germany.

Mr Lander does not make an allegation here. He only alleges that there was a business trip undertaken by Mr Hanlon, but asserts as fact that Mr Hanlon had factually used public funds. This demonstrates an apprehended bias of Mr Lander as to a predetermined guilt and this could be an example of actual or perceived apprehension of bias.

I now turn to an affidavit by Mr Andrew Baker, with references to knowledge of the MAR and a trip to Germany with unauthorised affidavits from German witnesses between 7 and 19 September 2019. Andrew Baker and Amanda Bridge travel to Germany. An affidavit of Baker, dated 2 November 2022—2 November 2022; remember, this thing has been going on for a number of years—confirms those dates.

Baker admits to considering reaching out to German authorities; however, states that after conversations with Bruce Lander, the commissioner, it was decided they did not need to. He admits being aware of mutual assistance requests as the proper legally authorised protocol to take when seeking to obtain witness evidence from German nationals. Australia has no bilateral treaty with Germany, making this process a matter of national security.

Baker and Lander decided on their own authority that it would be too time-consuming and cumbersome to use this lawful process. That is quite serious—quite serious. Just think about it, Mr Lander is a KC and was a former judge. Surely, he should have known or done something. Baker admits in this affidavit that it was decided that prior to travel to Germany he (someone without a legal background) formed the view that section 66(1) of the Evidence Act 1929 permitted him to take an oath or affidavit outside South Australia, that there were a range of people available to them to witness an affidavit and that they were going to make an appointment with the Australian Embassy, the Consular-General, to get witnessing of the affidavits done by a notary public. The investigation locations refer to—you can refer to the affidavit filed by Amanda Bridge.

There is something to note here: ICAC spent something like $20,000 on this trip, $15,000 more than what they accused John Hanlon of misappropriating from the South Australian government. This is damning given the very light schedule in week two of the trip itinerary, and Baker asked for a full 14 days. I would not mind going to Hamburg one day, Mr President, a famous place where The Beatles played, but if you look at the schedule that has been tendered as evidence of what the ICAC investigators did: one week they did work and the second is virtually blank.

I will go to Mr Andrew Baker's affidavit of 12 September 2019. Mr Baker emails Mr Lander about difficulties they are having with getting witness affidavits notarised. Mr Lander advised Mr Baker to have Bridge witness them with a view to attend the Australian Embassy at a later date to have them re-signed and formalised. Could this be the cowboy attitude that Ms Vanstone says does not happen in ICAC, because it certainly starts to look like that to me.

This shows that Baker, Bridge and Mr Lander were cognisant—aware—of the need to have the statements formalised in accordance with domestic and international laws in order for them to be admissible in a South Australian court. They thought they could retrofit the evidence rather than follow the known due process, and this on 18 September 2019 in an Andrew Baker affidavit. So Mr Baker and Ms Bridge attend the Australian Embassy in Berlin with two witnesses for the purpose of having several witnessing of affidavits.

At the embassy, they spoke with the Australian Consular-General, Peter Sams, who, understandably, was annoyed with them both in that he was not aware through official channels of

their reasons for being there. They were told that they had not got the correct authority to obtain these statements and that they needed to go through the Australian Federal Police, who would then go through Interpol, who would then go through German authorities. German authorities would then appoint a German prosecutor to take the statements.

As you would expect from somebody who knew the law, Mr Sams refused to assist with the witnessing of affidavits. Despite this being clear at the time, it was also understood by Baker that this process, or at least something similar, was required, taking into mind that he and Mr Lander discussed this very issue before their departure to Germany. Ms Bridge then went on to sign these statements with the knowledge that they could not be in admissible form for the purpose of a prosecution in a South Australian court. I will just point out to you that Ms Bridge is a former police officer.

I will go back to the reasons that the new legislation asks that ICAC now refer matters to the South Australian police, and then the South Australian police investigate and prepare a brief for the DPP—not the way it was here where ICAC went straight to the DPP with their flimsy, flawed file. I am quite confident that, under the current arrangements, if all this happened and it was referred to the police, the first thing the police would have done was check on how this could be done. They would have checked with the AFP, they would have checked with the authorities, because they know the process.

Clearly, Mr Baker, apparently a former police officer, and Ms Bridge, former police officer, were unaware of all this, but when they did become aware of it still did not pursue it and still decided to go to Germany. Again, if this is not a cowboy attitude I do not know what is. This is all happening during the time of Mr Lander being in charge of ICAC.

I will now go to Mr Baker's affidavit of 24 September 2019. Mr Baker met with Commissioner Lander to discuss the issue of the witness statements. The commissioner requested a legal team be tasked with confirming the correct protocols for this to be complete. It was with Rod Jensen, the director of legal services, who then appointed junior lawyers to look into it. Now they start trying to cover their tracks.

On 27 September, came ICAC legal counsel's request for advice on MAR to the ICCCA, which is the International Crime Cooperation Central Authority. Before you head off overseas and you are seeking an MAR, this is the body you need to go through. ICAC's legal officer Victoria Greenslade made an inquiry, on the direction of Mr Baker, to the ICCCA to obtain MAR advice on 27 September. This is after they have come back.

On 1 October 2019, came the ICCCA's legal advice regarding the MAR. The response from the ICCCA outlined comprehensively the MAR process, including compliance with the Foreign Evidence Act, which is a commonwealth act, in order for witness statements to be admissible in an Australian court jurisdiction. That advice followed the same advice provided by Mr Sams, which was that a German state prosecutor or federal German or state police officer take and swear the statement by the witnesses before a court in Germany.

The collected material then needs to be passed back to the German central authority to then be conveyed to the AGD in Canberra for certification. This was the advice Baker, Bridge and Lander formally received from the commonwealth Attorney-General's Department, conveyed in no uncertain terms to them from their own internal ICAC legal document. They then elected, recklessly or otherwise, to ignore this advice and put the material into a brief which was then sent directly to—guess who? The Office of Director of Public Prosecutions. Again, I point out that if they had gone to the police I am sure they would have pointed out the appalling failures here.

On 2 October 2019, there was ICAC counsel's formal legal advice to ICAC investigators Baker and Bridge on MAR requirements. It is like this: the response from the commission legal officer advised of the same process, which was advised on 18 September by Mr Peter Sams. An email of that advice from ICAC's legal officer, Victoria Greenslade, was explicitly clear about the MAR process and the admissibility of foreign evidence, noting the application of the Foreign Evidence Act 1994, a commonwealth act, and advice relating specifically to the admissibility under section 66(1) of the Evidence Act 1921 of South Australia.

It was at this time that Bridge formed the view, despite the legal advice, that an MAR would not be necessary and that they would proceed with the statements as they were. At this stage Bridge, Baker and Lander have been made aware of MAR on multiple occasions, and that dated back to before their departure. What is going on here? What is actually going on here?

On 28 November 2019, in a Bridge affidavit outlining the German evidence—this is where Ms Bridge created a new matrix leaving out the cell data which confirmed John Hanlon's version of events. I have seen that document; I have seen the original document. The original document should have been discovered. It should have been disclosed to the DPP. It should have been disclosed to the defence. If it was, this whole charade would have started to fall over. But, no, ICAC were committed. They were in too deep. They had to make their case, didn't they?

In November 2019, there was ICAC's first brief of Mr Hanlon's Germany evidence to the DPP. The first set of ICAC investigation briefs were sent to the DPP for advice. ICAC failed in its disclosure to put the DPP on notice that the German evidence had been obtained contrary to German law and in breach of the MAR obligations of the commonwealth.

In the reasons that were handed down this week in court by Judge Heffernan, he just outlines what happened here. Again, as I have pointed out, they have failed to properly disclose this to the office of the DPP. They were preparing a case. They were looking at preparing a prosecution. Why would you not tell them that you had or had admitted this vital evidence and that you had inadmissible statements from witnesses? Where all this is going just beggars belief. As has been seen above, ICAC investigators knew of the MAR obligation yet decided not to engage with the process and put the evidence that they had anyway.

On 3 March 2020, there is an ICAC Berlin brief to the Office of the DPP. Not much happened in 2020 because of the pandemic outbreak. On 7 August 2020, there was a judgement in the R v Bell SADC 107 matter. It was a defendant application for a stay of proceedings. The application for a stay was ultimately dismissed by Her Honour; however, she made some consequential findings about ICAC and the DPP relationship. Judge Chapman made a ruling in R v Bell that questioned ICAC's statutory power and capability to directly brief the DPP and made a distinction between the function and the powers of ICAC. I will later file some documents in relation to that judgement as well.

Judge Chapman comments at paragraph 55 on page 13, 'What is stark in its absence is any relevant mention of the DPP in the ICAC Act.' She further questions parliament's intention at paragraph 56, asking: did parliament intend for a referral of the matter for prosecution to be via SAPOL to the DPP? This is with respect to section 36 of the act, under 'Prosecutions and disciplinary action', in which subsection (a) provides:

> …refer a matter to the relevant law enforcement agency for further investigation and potential prosecution;

Judge Chapman, as she was at the time, noted that within the ICAC Act itself the definition of 'law enforcement agency' did not include the Office of the DPP. Judge Chapman again refers to referral pathways for ICAC to the DPP, in paragraph 81 on page 19. I will quote a little bit of that:

> There being no referral power direct to the DPP. There is no mention of a referral of a matter in accordance with the ICAC Act to the DPP or a prosecuting agency.

Upon her construction of the application of the act as it was at this time, in May 2017, Her Honour Judge Chapman formed the view that ICAC has no power to refer this matter directly to the DPP. The matter should have been referred to SAPOL, pursuant to section 36(1)(a) of the ICAC Act as it existed then.

In helping to form this view, Her Honour sought to understand the parliament's intention at the time of drafting and found the following to support her view—the second reading speech in the Parliament of South Australia, in *Hansard*, for the Independent Commissioner Against Corruption Bill, paragraph 86, and I will just skim over that. What was said there was:

> Under the process set out in this Bill, once a matter investigated by the ICAC has been referred to SA Police for determination as to whether, based on the evidence collected by the ICAC, a charge or charges are to be laid, the normal processes and procedures of a criminal prosecution will apply. In other words, subject to any suppression order, the charge or charges and identity of the accused will then become public and the matter will proceed as per any other criminal offence, through the criminal justice system to finalisation.

Judge Chapman also found that section 56A of the ICAC Act, use of evidence or information, enables the ICAC to provide information and evidence obtained during a corruption investigation directly to the DPP for the purpose of any criminal proceedings, but such provision of information does not amount to a referral for prosecution. If ICAC intends to refer the matter for prosecution, it should have done so via section 36, which is to go through SAPOL.

Commissioner Vanstone, as the incoming commissioner only one month later, would or should have been acutely aware of this ruling as it had implications for the operations of ICAC and some of its key cases.

I will now go to September 2020, when there was the change of the ICAC commissioner. The Hon. Ann Vanstone commenced her role, then on 3 December 2020, with Ms Vanstone already ensconced as the commissioner, there were the matters of Bell v The Queen, R v Bell and ICAC v Bell in the Full Court. In the judgement, the Full Court of the Supreme Court took a different view to Judge Chapman's interpretation with respect to ICAC's powers under the act to make referrals directly to the DPP in the course of the application. At paragraph 185, the court noted the following:

> Given the requirement contained in subsection 8(3) that a person appointed as Commissioner be a legal practitioner and the very nature of the office of the Commissioner, it is likely that the legislature expected that the Commissioner would disclose to the Director all disclosable material in accordance with the common law duty of disclosure by the Crown.

I will read that again:

> …it is likely that the legislature expected that the Commissioner would disclose to the Director all—

all—

> disclosable material in accordance with the common law duty of disclosure by the Crown. The Director could decline to prosecute if the Commissioner did not disclose all disclosable material. The Court could stay a prosecution in the absence of such disclosure. More importantly, on the construction of the Act advanced by Mr Bell, if the Commissioner had conducted an investigation and then referred the matter to SAPOL for further investigation and prosecution, sections 10A and 11 of the DPP Act would not apply to the Commissioner.

I will also later table that document, Bell v The Queen. It is noted as JH13. It is the Full Court of the Supreme Court judgement.

I then move to 10 December 2020, when the Hon. Ann Vanstone appeared before the Crime and Public Integrity Policy Committee, of which I was the Presiding Member. Ms Vanstone declared that her first impressions formed of the office were that it is 'very well organised and very well run, and that's a tribute to my predecessor, the Hon. Bruce Lander QC (at the time) and a tribute to his deputy and now my deputy, Michael Riches, and all the leaders at the office'. I will note here that Mr Riches, not long after, left ICAC and took up an appointment as the head of the Northern Territory ICAC. That is where he is now. Ms Vanstone goes on to say:

> I am extremely impressed with the culture. They are a good group of committed, diligent individuals who respect the organisation and its charter, and they operate with great integrity. If South Australia knew a lot more of the office and how it's run and the sort of people who staff it, they would be proud.

We already know what happened in Mr Hanlon's case months before, well before Ms Vanstone has taken over the office. We know that they breached international law. We know they took shortcuts to try to bring the prosecution to a head. I am just not sure why the commissioner would not have reviewed that case.

I then move to 5 February 2021. The DPP filed a charge against John Hanlon and Georgina Vasilevski in the South Australian Magistrates Court. Mr Hanlon was arrested and charges were laid against him. The outline of prosecution's submissions as to request for oral examination of witness and as to the presence of a case to answer was filed. This charge was based on the brief of evidence provided by ICAC to the DPP from late 2019 to 3 March 2020, which included inadmissible evidence, which was known to ICAC, its investigators, but which did not form part of the disclosure.

They had already provided a brief of evidence, which included the inadmissible evidence which confirmed that they had broken international law. Within the brief was the altered cell phone data tracking matrix, which was edited not to include the evidence which supported Mr Hanlon's version of events. It is shameful.

On 18 June 2021, the DPP dropped charges against Mr Hanlon and there was some evidence from the now Treasurer, the Hon. Stephen Mullighan. The prosecutor, Peter Longson, conceded at a committal hearing that the evidence and the charges that are particularised on could not be proven beyond reasonable doubt. The charges were then dismissed. Peter Longson conceded to Magistrate Simon Smart that his evidence did not go far enough to prove that the travel was for personal rather than work purposes. On the same day, Mr Mullighan gave evidence that he approved Mr Hanlon's trip, and nothing was amiss with the details.

There are articles from InDaily and the ABC which, again, form part of the documents I will file. It is marked as JH16. It is worth noting here that by this stage the DPP had made multiple attempts to settle with Mr Hanlon, to do a plea deal. We already know what has transpired here, although of course Mr Hanlon and his lawyers are oblivious to that, as are those of Ms Vasilevski.

On 12 May 2021, came the ICCCA advice to the DPP on the MAR. The DPP became aware of the MAR process when the ICCCA wrote to the deputy director to advise of MAR's requirements, stating:

> MAR required in all circumstances. No contact should be made with a witness or prior to a MAR being made. Examination via AVL requires consent of the person and the involvement of the German court.

That will be another document, JH10 in R v Hanlon, the Deputy Director of Public Prosecutions who was at the time made aware of it. That, as we know, was Sandi McDonald, now Judge McDonald.

On 7 September 2021, the deputy director files an ex officio in the District Court. A decision was made to file ex officio information to lay charges of (1) abuse of office and (2) the dishonest dealing with documents—there were two of them. It is ironic, is it not? A dishonest dealing with documents, and we already know that they themselves had dishonestly dealt with documents. The ex officio was based on no new evidence and did not contest an error of law made in the magistrate's decision to dismiss the prosecution.

It is made quite clear in a document from the Magistrates Court that the power to lay ex-officio information—just to get it right, this is in the reasons for not allowing an adjournment and not making the witness statements admissible in court by Judge Heffernan. He makes it clear that the power to lay ex-officio information was used recklessly. I will quote what he said:

> It must nonetheless be observed that the onus on the prosecution to make necessary the arrangements in an appropriate manner was particularly acute, given the power to lay an ex-officio information was used after erroneous concessions by the prosecutor of the trial and that there was at least an implied assurance from the prosecution to both the court and the defendant that this matter was ready to proceed to trial on the occasion that it was listed, 22 October 2022.

This means that all the necessary witnesses were ready and available by that date, so what changed then to warrant and justify the ex officio? Prosecution guidelines were not followed, by the looks of it. His Honour continues in his recent judgement, reflecting:

> A MAR has not yet been made by the prosecution at time of the proposed trial, October 2022. It seems inevitable that German authorities will at some point become aware of the fact that a significant investigation has taken place within its borders in what it regards as a breach of its sovereignty.

There is Judge Heffernan pointing out what ICAC had already known for a great period of time—they already knew that. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

Sitting suspended from 17:59 to 19:45.

IRANIAN PROTESTS

Adjourned debate on motion of Hon. T.T. Ngo:

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.

(Continued from 3 November 2022.)

The Hon. T.A. FRANKS (19:46): I rise on behalf of the Greens in support of this motion. Jina was a young Kurdish woman. Her real name, like that of many Kurds, is banned in Iran, and so Jina was forced to use a Persian name, Mahsa, when dealing with the state. The banning of Kurdish names is just one form of cultural oppression against the Kurds in Iran who are barred from speaking, singing or teaching their language.

Like the Baloch and other ethnic minorities in Iran, the Kurds are denied political and cultural rights. There is an important and painful context of oppression behind the name Mahsa. It is imperative that when we speak of her suffering, her brutal death at the hands of the dictatorship and the incredible protest and resistance movements she inspired across Iran and all over the world, we respect her family and her memory by calling her by her real name. Her family have asked that she be referred to by the name that they gave her, the name Jina, the name that means 'life' in Kurdish.

In September, Jina Amini was visiting Teheran from her home town in Iran's Kurdish region. Jina Amini was arbitrarily detained by the so-called 'morality' police, as are many other women and girls in Iran. She was arrested for 'wearing her hijab too loosely'. She was detained and beaten violently to the point that she died days later as a result of her injuries. Her funeral in her Kurdish home town of Saqqez turned into a protest, which quickly sparked more protests across all other Kurdish villages and cities, which then quickly spread throughout the entire country and now, as we have seen, across the world.

Since her death, thousands have been detained, charged, brutalised and killed by Iranian security forces. Human Rights Watch reports paint a distressing picture of what is happening to people standing up for their rights in Iran. Human rights groups have reported the deaths of at least 326 people, and that includes 45 children. Over 15,000 have been charged over the protests. The vast majority of these people are civilians: men, women and children, as well as journalists, students, lawyers, musicians and political activists.

In the vast majority of cases, the whereabouts of these abducted and arrested people are unknown, while others are housed in Evin and other prisons, infamous for their cruelty and torture of prisoners. Where families have received word of their loved ones' transfer to these facilities, Human Rights Watch has stated these prisoners will face a sham trial, if any at all, before they are being charged with enmity against God, an offence that carries the death penalty.

The latest high-profile arrest has been the young Kurdish musician and rapper Saman Yasin, whose music has exposed the brutality of the regime and the growing poverty of the people living in Iran. It is believed that the death of this young father and rising star is imminent. These prisoners are being denied access to legal advice or representation, and they are unable to contact their families.

Families have protested outside Evin prison demanding information on their loved ones, but to no avail. In many cases, the close relatives of those killed at the hands of security forces have been forced to hand over large sums of money to retrieve the bodies of their loved ones, and others have been pressured to supply untrue statements about their loved ones dying of suicide or other causes. Many families of the wounded are forced to care for them in home, fearing abduction or arrest if they are taken to seek medical attention in hospitals. Jina Amini's own brother was arrested and her family was threatened with severe retaliation unless they called on protesters to cease on their behalf, a pressure that the family has bravely continued to resist.

Across the border, the Iranian regime has also engaged in drone strikes on Iraqi soil, targeting civilian groups, targeting civilian camps of exiled Kurdish people from Iran, and the

headquarters of the progressive political parties that oppose the regime, killing numerous civilians and destroying their local primary school of Koya.

The brutal crackdown being undertaken by the Iranian authorities is seeking to quash the momentum of growing descent, and to suppress the rights of people in Iran. They are suppressing the rights of women, the rights of LGBTQA+ people, the working class and those living in poverty and, importantly, they are suppressing the rights of ethnic minorities which collectively form a large proportion of the population. These minorities, which include the Kurds and Baloch people, are disproportionately affected by those who rule in Iran. Iranian authorities have long ago oppressed these groups and their communities suffer, their children suffer. These minorities stand at the forefront of the protests and are now bearing the brunt of the authorities' attempts to quash those protests.

This is a historic moment in Iran. People have taken to the streets to vocally reject the oppression of women in their country. The protests are spreading, with protests seen in hundreds of towns, universities and schools. Across the Kurdish towns the people are holding a general strike in solidarity with the protesters, and particularly with the Baloch people who recently suffered some 80 deaths in just one day at the hands of government forces, a dark day that they now refer to as Black Friday.

Young women have been at the forefront of these demonstrations. Headscarves are being tossed in bonfires, women are dancing bare-headed in the streets, schoolgirls are heckling security agents out of their classrooms and their schools, and the long banned Kurdish flag is been flown across Kurdistan with local mosques blaring Kurdish songs of resistance throughout the towns, supplying the defining images and sounds of defiance against the restrictive morality laws and their brutal enforcement. In a country that has fatal penalties for public protests this is an incredible show of bravery and solidarity.

The slogan 'Women Life Freedom' has been chanted all over the world, but it has important roots in the long-standing Kurdish women's liberation movement, a movement that effectively brought an end to the rule of ISIS in north-east Syria and Iraq, against all odds. This movement is rooted in a world view of ecology, women's liberation and radical bottom-up democracy. In its original Kurdish form, Jin Jiyan Azadi has been chanted in the battle against the so-called Islamic State and subsequent invading Turkish forces in northern Syria, and for decades before this in the Kurdish women's liberation struggle in Turkey. Today, in its Kurdish, Farsi, English, and countless other language forms, Women Life Freedom has inspired thousands of people worldwide to rise up in support of the protests across Iran.

The gendered and racial impacts of authoritarian rule, whether by the Iranian government, the Taliban, Russia, Turkey or others cannot be ignored. We must stand up for the right to protest, and we must speak out for women's rights. We should fight for women's rights to speak and sing and teach in their own language and to choose their clothes, their partner, their career and what they want to do with their bodies. I stand in solidarity with the women of Iran. The Greens here today stand in solidarity with the women of Iran. Women. Life. Freedom. We commend the motion.

The Hon. C. BONAROS (19:55): I rise on behalf of SA-Best to speak in support of this motion and echo the sentiments of other honourable members. The eyes of the world are on Iran following the death in custody of 22-year-old Jina on 16 September, three days after her arrest by the morality police for improperly wearing a hijab. Media reports say she was violently beaten in a van en route to a detention centre. The police, on the other hand, say she simply had a heart attack.

In the aftermath of Jina's death, Iranian citizens have risked their lives by peacefully protesting. Hundreds of people have been killed and many more injured, many of them women and children. We have seen reports of state mandated internet disruptions being used to stifle freedom of speech. The United Nations special rapporteur on the situation of human rights in the Islamic Republic of Iran has told CNN:

> Over the past six weeks, thousands of men, women and children—by some accounts over 14,000 persons—have been arrested, which includes human rights defenders, students, lawyers, journalists and civil society activists…

He said at least 277 people at that time—to that date—had been killed. The Iran Human Rights NGO has since reported the killing of at least 326 people, including 43 children and 25 women. There are

very legitimate fears that those numbers are much higher than what has been reported. And that is before the executions begin. Imagine opening fire on protestors after prayer. That is what we have seen happening in Iran. The Iranian government, through state media, has reported 1,000 arrests and signalled its intention to hold public trials for 'waging war against God' and 'corruption on earth', charges which carry the death penalty.

On 6 November, 227 members of parliament called on the judiciary to act decisively against those arrested. According to the ABC, as at yesterday almost all of Iran's 290 politicians demanded the death penalty for those who have harmed people's lives and property. Only China executes more people annually than Iran. Some 20 people are now facing the death penalty in Iran. This is not a horror movie. This is real life for many women and children.

United Nations human rights experts have issued this plea:

> With the continuous repression of protests, many more indictments on charges carrying the death penalty and death sentences might soon be issued, and we fear that women and girls, who have been at the forefront of protests, and especially women human rights defenders, who have been arrested and jailed for demanding the end of systemic and systematic discriminatory laws, policies and practices might be particularly targeted...
>
> We urge Iranian authorities to stop using the death penalty as a tool to squash protests and reiterate our call to immediately release all protesters who have been arbitrarily deprived of their liberty for the sole reason of exercising their legitimate rights to freedom of opinion and expression, association and peaceful assembly and for their actions to promote and protect human rights and fundamental freedoms through peaceful means.

It is difficult to contemplate what it is like to be a woman in Iran. It is difficult to comprehend injustices that women in the West simply cannot imagine. It is difficult to contemplate them in the face of standing here today and having the freedom to speak as we do.

In Iran, a man can divorce his wife whenever he pleases, but a woman cannot. A husband's written consent must be provided for his wife to apply for a passport. He must consent to her attending college. There are sweeping restrictions on what women can do outside of the home. A woman's life is literally worth half of that of a man. A woman's evidence in court is given half the weight of a man's. Men automatically get custody of children. Sisters automatically inherit half of what their brothers do.

A man will murder his wife and her lover if he suspects unfaithfulness or infidelity. A woman can be murdered by relatives if she is thought to have dishonoured her family. In 2020, a man beheaded his daughter with a farm sickle as he thought she was in a relationship with an unsuitable man, but not before seeking legal advice to ensure that his actions would not attract the death penalty.

Child marriages are common. In the first six months of 2021, 16,000 girls between the ages of 10 and 14 years were married. It gets worse, because the age of criminal responsibility in Iran is nine years for girls and 15 years for boys. It is one of the last countries in the world to execute juvenile offenders. According to Amnesty International, at least 73 juvenile offenders were executed between 2005 and 2015, many of them publicly. There are legitimate fears that these numbers are much higher behind closed doors.

Reports of the horrific rape of girls on death row have now been well documented since the eighties by journalists, families of executed girls, guards and even in the memoirs of a former Islamic Republic leader. The justification? The law dictates that a minor cannot be executed if they are a virgin. Girls, children, are married off to prison guards the night before their execution and raped to prevent them from going to heaven. I am not sure it could get any more horrific than that. There are fears that these practices continue even as we speak, with so many young girls arrested in recent months.

In late September, Australia's foreign minister, Penny Wong, issued a joint statement with the Minister for Women, Senator Katy Gallagher, condemning the death of Jina and expressing concern about the disproportionate use of force that has followed. If Australia remains strongly committed to promoting gender equality and human rights, as it claims, then we should be questioning why we continue to support the existence of an embassy and a presence in Canberra.

We should be continuing to question why we appear to support a country that appears to justify the rape of little girls the night before their execution. I do not support the death penalty, and

the apparent legal execution of children is unfathomable. We are talking about a country that has ratified the Convention on the Rights of the Child, a convention that absolutely bans the death penalty for people under the age of 18 years, but continues to execute minors.

They do have a responsibility—we have a responsibility to get serious with those countries that blatantly disregard the rights of women and girls. The many thousands of people who have joined peaceful protests all over the world know that we simply are not doing enough. I certainly do not profess to have any of the answers to what is a very complex issue, but I do know, as has been echoed by the Hon. Tammy Franks today, international pressure plays an important role, but gender equality is absolutely key. At the current rate of progress, the United Nations has already warned us that full gender equality is almost 300 years away. It is one of the most pressing global issues requiring our most urgent attention.

In closing, I would like to thank the Hon. Tung Ngo for amplifying through this motion the voices of the women and girls in Iran who have none. Our heart goes out to all of them, including the family of Jina and every other victim of a senseless killing. Thank you also to the many people who have written to our office urging our support on this very important motion, many of whom are here this evening. Please know that your voices are being heard and we do support your pleas for an end to the senseless and tragic atrocities that are occurring before our eyes and that we stand with you.

The Hon. S.L. GAME (20:05): I rise in support of the motion put forward by the honourable member and add what I hope to be an important contribution for our South Australian Iranian community. We absolutely should acknowledge the call for democracy in Iran and condemn the inappropriate use of force against protesters. I do acknowledge the gender-based oppression of women and girls in that country and implore for an improvement of conditions for minorities.

My primary concern is for those members of our community who have moved here from Iran and are now an important part of the society of South Australia. I have been told firsthand how difficult it is to witness current events from afar. Their impact brings to the surface memories many would like to leave in the past but may also bring a feeling of grief for family and loved ones left behind. This is why I wish to move the amendment that has been circulated standing in my name:

After paragraph 6 insert new paragraph as follows:

7. Expresses its support for the South Australian Iranian community, who have been a part of our cultural tapestry since the 1950s.

Iranians have been contributing to the South Australian community since the 1950s. Census shows there are 4,500 of Iranian birth and that number again of those of Iranian descent living here. I acknowledge the community groups, Iranian Women's Association, Persian Cultural Association of South Australia, Persian Cultural Group (Baha'i), Local Spiritual Assemblies of the Baha'i of South Australia and Iranian Women Organisation SA Incorporated, all who play an important part in the balance of upholding tradition, culture and faith, whilst promoting cohesion, learning and integration.

I acknowledge the many Iranian Australians who have contributed to our society. The South Australian Migration Museum notes the first Iranian migrants arrived in Adelaide towards the end of the 1950s. Since that time, they have been welcomed members of our society, adding to the tapestry that is our modern culture.

We must acknowledge that Iranian South Australians come from a number of religious backgrounds, including Christian, Muslim, Baha'i, Judaism and of course Zoroastrian, an Iranian religion and one of the world's oldest organised faiths, based on the teaching of the Iranian speaking prophet Zoroaster.

I want to shine a light on the vast academic and professional contribution of our Iranian-Australian population. The 2016 census notes that the Iran-Australian population has a higher proportion, over 40 per cent, of adults with university qualifications than the general population. They bring skills and knowledge to our economy. This is reflective of the professional workers who arrived in Australia during the eighties, nineties and early-2000s.

I applaud the high aspirations many young and second-generation Iranian Australians show with their studies and careers. I especially call this chamber's attention to Mr Arman Abrahimzadeh OAM, ambassador of White Ribbon Australia, nationally prominent anti domestic violence

campaigner and founder of the Zahra Foundation in South Australia, supporting victims of domestic violence to re-establish themselves financially as they escape domestic violence situations.

Mr Abrahimzadeh and his sisters migrated from Iran in the 1990s, along with both his parents. After the horrific and public murder of his mother at the hands of his father, Mr Abrahimzadeh has been instrumental in creating change in both legislative and cultural forms for domestic and family violence.

In conclusion, the Iranian Australian community can be incredibly proud of their contribution to the fabric of South Australia. One Nation recognises all Australians, regardless of their faith or ethnic background, as worthy of the important values of democracy, freedom and respect. This motion is the right thing to do and we must ensure that human rights are protected. I support the honourable member's motion and hope this small amendment to specifically recognise our own Iranian Australian community is viewed as a positive contribution by the chamber.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (20:10): On behalf of the Liberal Party, I rise today to speak on this motion. On this side of the chamber, I would also like to acknowledge my Liberal colleagues, the Hon. Nicola Centofanti, the Hon. Michelle Lensink and the Hon. Laura Curran. We will all show our solidarity and the strong support of the Liberal Party of South Australia for this motion.

This motion calls on this parliament to condemn the deadly and disproportionate use of force against protesters in Iran, following the tragic death of a 22-year-old Kurdish woman, Jina Mahsa Amini. We have all been confronted by the horrifying circumstances of the death of this young woman. The news reported that Ms Amini died in a hospital in Tehran, Iran in suspicious circumstances on 16 September 2022.

Ms Amini was arrested by the religious morality police of Iran's government for not wearing the hijab in accordance with the Iranian government standards. The authority attempted to cover up the cause of her death by stating that she had a heart attack at a police station, before transferring her to the hospital. However, eyewitnesses, including women who were detained with Ms Amini, reported that Jina was severely beaten and that she died as a result of police brutality, which was denied by the Iranian authorities.

The protest which began outside the hospital where Ms Amini died quickly spread to dozens of cities across the country and grew into something much, much larger through the international communities, including those in South Australia. I was contacted by community leaders, including councillor Arman Abrahimzadeh OAM, Sahar Khajani, Suren Edgar, Shaza Ravaji, Rashanak Amrein and many other leaders, to raise awareness of the matter on 29 September 2022. I issued a public statement the next day, published on my Facebook page, to show my support and the Liberal Party's support for the Iranian community in South Australia.

At that time, I was the first and only state member of parliament who had publicly acknowledged the matter. At the time of issuing my statement, my office found no evidence of any other social post by any state government ministers on this matter. I would like to put on the public record the statement I published on Friday 30 September 2022 on Facebook, to be included in my contribution today, as it is directly relevant to the motion. The title is 'Statement of support for Iranian community':

> The incidents of human rights violation that have unfolded in Iran have shocked us all, following the tragic death of Mahsa Amini.
>
> I join with the Iranian community in South Australia and Members of Parliament in Australia and around the world to express my deepest concerns and heartfelt condolences for the lives lost in the ongoing protests in Iran.
>
> South Australians are standing in solidarity with the women-led movement in Iran and are calling for Iran to cease its oppression and stop the violation of human rights.
>
> I fully support the United Nations statement that 'Iran must repeal all legislation and policies that discriminate on the grounds of sex and gender, in line with international human standards'.
>
> Australia has always strongly supported the right to protest peacefully, and it is deeply troubling to hear reports of violence, internet restrictions and journalists being arrested in Iran. South Australians are standing in solidarity with women and girls throughout Iran and around the world who are protesting for equality and empowerment, freedom of choice, freedom of speech and basic human rights for women.

My thoughts and prayers are with the Iranian Australian community during these very traumatic and difficult times, and I will continue to work with my parliamentary colleagues to condemn the use of violence by the government of Iran.

That is the end of my official statement.

What started as a protest against the brutal treatment that led to Ms Amini's death, and the strict morality and clothing laws oppressing Iranian women, has grown into a worldwide movement calling for women's rights, human rights, dignity, freedom, democracy and the downfall of Iran's authoritarian clerical regime.

The Iranian authorities' response to the peaceful protests has been ruthless and unconscionable, with reports of indiscriminate violence, region-wide internet restrictions and wideranging arrests of protesters and journalists. I join with the Iranian community in South Australia and members of parliament in South Australia to express our deepest concerns and heartfelt condolences for the lives lost and imprisonment in the ongoing protests in Iran.

Human rights organisations in Iran estimate that between 200 and 300 people have been killed since the protests erupted a few months ago, with more than 15,000 Iranians arrested across the country. Authorities have demanded harsh punishments for protesters whom they see as rioters and have tried to blame the civil unrest on foreign powers.

I am deeply disturbed by the latest news that Iran has issued the first death sentence over the protest, with the accused being sentenced by a Tehran court for the crimes of setting fire to a government building, disturbing public order, assembly and conspiracy to commit a crime against national security, as well as being an enemy of God and corruption on earth. There are grave fears and concerns that this ruling is only the start with many more trials of those arrested yet to come.

The South Australian Liberal Party strongly condemns the use of force against peaceful protesters in Iran and calls for the Iranian government to cease its oppression and stop the violation of human rights. We are standing in solidarity with the women-led movement in Iran and we strongly support the rights of Iranians to call for democracy, equality and empowerment, freedom of choice, freedom of speech and basic human rights for women and girls.

Recently, I was told by an Iranian community leader in South Australia that this feels like an historic moment in Iranian history and that for many Iranian Australians it is the first time in many years that they have felt proud to call themselves Iranian. I learnt that many migrants in Australia have felt embarrassed and even ashamed of the policies and actions of the Iranian government and have preferred to identify as Persian so that they would not be associated with the regime in Iran. However, they now feel great pride and power in this women's movement and the calls for democracy taking place in Iran, around the world and in South Australia.

The Iranian community wants everyone in the broader community to know that they are different, they are totally different, from the Iranian regime and government over there and do not accept the regime's policies and practices. Iranians are standing up for their rights and freedoms as a people even in the face of unimaginable consequences.

I wish to acknowledge and thank all the Iranian community leaders, organisations and volunteers in South Australia who are adding their voice to the global call to support the women and people of Iran. Thank you for your courage and persistence. Today, I want to reassure you that this parliament and the Liberal Party are standing shoulder to shoulder with you.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (20:19): I rise to speak in support of this important motion introduced by the Hon. Tung Ngo. I do so as a mother of twin girls. I tell my children daily that they can do whatever they want to do—within reason, of course—and achieve whatever they set out to achieve with determination and hard work. It is not lost on me that there are many young girls around the world who are not afforded the same opportunity as my girls.

In Iran, women and girls struggle to fight oppression daily. They are not afforded equal opportunities and are not empowered to be whatever they choose to be. In this great country of Australia, we often take our freedoms, opportunities and democracy for granted. We take for granted the fact that we can largely choose what we want to do with our lives, how we want to live our lives

and certainly what we want to wear without fear of persecution and death. This does not happen everywhere. As Setareh Viziri, an Australian woman with Kurdish-Iranian heritage, wrote:

> Death is the ultimate price for freedom in Iran. This disparity should not be lost on anyone living with basic human rights.

On 16 September 2022, a 22-year-old Iranian woman named Jina Amini died in a hospital in Tehran, Iran, after her arrest by Iranian religious police for allegedly breaching Iran's strict dress code for women. The traditional mourning period in Iran lasts 40 days; however, since the widespread national protest began approximately two months ago following the death of Jina, the period of mourning in the country has not ceased.

What began as an outpouring of grief over Jina's death has evolved into a transformative national movement, but it is a movement not without sacrifice, as hundreds of protesters have lost their lives and thousands more have been arrested. The two female journalists who helped break the story of Jina Amini have been jailed since last September, accused, detained and charged, without evidence, of being CIA agents.

Despite the violent crackdowns by Iranian security forces, despite the tear gas, shotguns, assault rifles and handguns, there are no signs of the movement's momentum abating anytime soon because this has become a movement about women, life, liberty. It is these three words that can be heard and have touched nearly every corner of Iranian society. Despite the Iranian government trying to silence the masses by cutting internet across the region to prevent images and videos of the protests being circulated, these three words remain loud and clear.

We must stand with these protestors. We must commit to promoting gender equality, women's human rights and empowerment, and we must stand to end the violence and oppression of women and girls worldwide. The establishment of the Islamic Republic in 1979 has meant that women's rights in the country have been continuously curtailed, notably, though not exclusively, through the imposition of strict dress code rules, including compulsory hijabs for women in public.

While Iranian women have previously sought to remedy their situation by backing reformist candidates and campaigns, those efforts were largely futile in bringing about substantive change. But this movement has galvanised Iranians' resolve to stand up and seek the freedoms they deserve. This is a fight against a system of government and it is a fight for liberty and freedom that has transcended class, gender and religious divide.

We must not forget these brave women. We must continue to condemn the deadly and disproportionate use of force against them. We must continue to apply pressure and help them achieve the change they deserve and are fighting for. We must continue to promote the rights and equalities for women and girls everywhere, the rights and equalities that we take for granted in Australia.

The Hon. J.M.A. LENSINK (20:24): I also rise to support this motion, and thank the Hon. Tung Ngo for raising it, and for calling it to a vote tonight. I acknowledge the many members of the Iranian community here tonight, and particularly thank the Hon. Jing Lee, our deputy leader in the Liberal Party, for her steadfast support for the community, and for raising this issue for many weeks.

We are all shocked and horrified that a woman died after being detained on a so-called count of being 'improper'. Women across the globe have been shaken. The Iranian regime mandates women to wear the hijab in a manner that covers their hair completely. Jina was alleged to have been wearing her hijab too loosely, and as a result was detained by the morality police. Three days after her arrest she collapsed at a police station and died. Public outrage, protests and columns have unfolded around this horrific event, and shines the light on the critical importance of women, rights and freedom.

An Islamic Studies researcher and lecturer at Charles Sturt University, Dr Derya Iner, provides some good background on Islam and the actual requirements to wear a hijab. Dr Iner says that Islam forbids acts of worship under compulsion, hence Muslim women cannot be forced to wear a hijab but must do so of their 'own free will'. She further says:

> Human beings are left alone to make their own choices. And if you are doing it not for the sake of God but for the sake of…your [country's political] regime, that can be problematic.

Which I find as somewhat an understatement. She says that from an Islamic perspective, performing an act of worship without having the willed intention can invoke a sense of duality or hypocrisy, which is frowned upon in Islam.

Women in Iran should have the right to dress the way they want. Women in Iran should have a right to be free and make their own choices. This should be true for all women all over the world and Jina should be alive today.

The Hon. L.A. CURRAN (20:26): I rise today to support this motion and to commend the Hon. Tung Ngo MLC for bringing this motion to this place. For the benefit of *Hansard*, and to mark this momentous point in history, I would like to take a moment to acknowledge those who are in our galleries today. It is not often that these galleries are full, but rightly so tonight they are, so I take a moment to acknowledge you all here.

Australia is a liberal democracy where exercising one's right of religion is a free choice. People are free to choose if they practise a religion, which religion that may be, and how they practise that religion. Not everyone is fortunate to have such freedom. It is a freedom that I believe we here in Australia take for granted at times.

Having grown up myself under Sharia law in Saudi Arabia, a country where at the time it was forbidden to practise one's faith other than Islam publicly, I was required to wear an abaya in public, cover my hair when demanded to by matawa (or religious police), and religious police were often accompanied by a police escort who could order the detention and arrest of violators, where stonings, lashings and beheadings were common, where there was no freedom of speech, public worship or association, and a place where the media and the internet was censored and where there was a ban on public demonstrations and marches. In some countries, wearing or not wearing a hijab is not a choice. In Iran, the hijab is mandatory.

The death of Mahsa Amini, a young Iranian Kurdish woman while in police custody for allegedly not observing the strict mandatory hijab laws, has sparked protests across Iran and throughout the world. The initial protests were mostly by Iranian women, largely high school and university students, but they have galvanised both female and male Iranians to stand up for freedom.

The nationwide protests have included women burning their hijabs and cutting off their hair, and have resulted in the deaths of protesters. Some protesters have been taken to psychological institutions to reform and re-educate students to prevent 'antisocial behaviour', as stated by Iran's education minister Yousef Nouri last month. He told the Shargh newspaper:

> It is possible these students have become 'anti-social characters' and we want to reform them.

And he added that students 'can return to class after they've been reformed'. Now, 22-year-old Mahsa Amini died after being taken to a re-education centre by state morality police for not abiding by the state's conservative dress code. Amini's death has sparked weeks of anti-government protests that have spread across the country and throughout the world.

Iranian officials have said that Mahsa Amini died after suffering a heart attack and falling into a coma following her arrest. According to Emtedad News, an Iranian media outlet which claimed to have spoken to Amini's father, her family has said she has no pre-existing heart condition.

These protests symbolise something far greater than the simple act of wearing or not wearing a hijab. It symbolises the freedom that Iranian people yearn for, the freedom we here in Australia are so fortunate to have. So the next time that South Australians speak out against their government or practise their religion or choose what they may wish to wear, just remember how fortunate you truly are.

For many in our society such oppression is unimaginable. As someone who has lived through such oppression, I can only imagine the courage it has taken for them to speak out. So today my thoughts are with all those who are so brave to speak out and continue to protest despite the consequences of protesting. They are a symbol of hope. They are a symbol of hope that maybe one

day we will all share the same values and same freedoms that we here in Australia are so fortunate to have.

The Hon. R.B. MARTIN (20:31): I rise to speak in support of the motion and in solidarity with the uprisings in Iran. On September 16 a 22-year-old Kurdish woman was visiting the Iranian capital city of Teheran when she was stopped by the so-called morality police due to her hijab. She subsequently ended up in hospital and died as a result of her head injuries. You may have read and heard this story many times in the last month, but in order to acknowledge the nature of this woman's experience and the current uprising in Iran we need to understand the cultural context.

The 22-year-old Kurdish woman whose life was so brutally taken and who has ignited a revolution is known to the world as Mahsa Amini, but her real name was Jina Amini. Iran is home to many different minorities which make up its rich tapestry of history and culture over many thousands of years. One of these minorities, who have constantly fought against the Islamic Republic regime's oppression and colonisation is the Kurdish people. The Kurdish people make up about 15 million people inside Iran, making them the second largest minority.

The Islamic Republic of Iran has a track record of treating its own citizens with contempt and using brutal punishment to implement its rule over Iran for the past 43 years. The very deliberate and racist policies of the regime must also be highlighted and acknowledged to truly understand what the people of Iran are calling for in today's uprisings.

The reason Jina's real name was not official is due to the Islamic Republic's cultural and ethnic genocide of its minorities as part of its oppressive policies. The Kurdish people of Iran are not able to register their Kurdish names and are instead forced to have Persian or Islamic names approved by the government.

Jina is an inherently Kurdish name, which ironically comes from the two words 'jin', meaning 'woman', and jiyan, meaning 'life'. It is a very symbolic name for a woman whose life was brutally taken and who, in her passing, introduced the 'Jin, Jiyan, Azadi' movement. Translated to English as 'Women, Life, Freedom' this movement is not just a hashtag, and it is not just a slogan. It is a movement deeply rooted in over 40 years of the Kurdish women's struggle against dictatorship and extremism.

Kurdish women in Iran, the first to use this phrase in its early protests, have an equally powerful history of resistance to repressive regimes and religious extremists. The Kurdish people have been subjected to unfathomable cultural and ethnic oppression, including but not limited to having the teaching of the Kurdish native language outlawed, having Kurdish cultural dress outlawed, having traditional celebrations outlawed, having the flag of the indigenous Kurdish people of the land outlawed, having Kurdish rights activism outlawed and having Kurdish political opposition parties outlawed.

All these individual acts can be punishable by death, and many Kurdish people have been executed as a result of standing up to these oppressions. Although the Kurdish people make up approximately 10 per cent of Iran's overall population, they make up 50 per cent of the political prisoners being held without fair trial in prisons right across Iran.

In SA, many Kurdish South Australians from Iran are former political prisoners. Their experiences have led to their decision to flee the country, seeking refuge and ultimately landing on our shores. The personal story of one Kurdish South Australian who served five years in Iran's notorious prisons and fled with his family to Australia is truly touching. He was in prison due to his activism against the regime after it was installed in the late 1970s. His name will remain anonymous for his safety.

Today, he says he is grateful every day for the opportunity to live in a safe and democratic country, free from discrimination and oppression. He arrived in South Australia in 1995 and has since worked on fruit farms in the Riverland and driven a taxi on the streets of Adelaide. He says that he is now a proud South Australian but has not seen his family, including his elderly mother, for over 30 years due to the fear and risk of persecution, or worse, if he were to return to Iran.

His story is not unique to former refugees from Iran, but the discrimination faced by the Kurdish people in their own country due to their ethnicity is a unique experience for the Kurdish

people. The minority regions of Kurdistan and Balochistan are being systematically and deliberately targeted by the regime. In the first 50 days since Jina's death in the Kurdistan region, 38 cities have joined the revolution by uprising against the Islamic Republic of Iran; 61 civilians have been killed, including 11 children; over 5,000 civilians have been injured; and over 4,000 people have been arrested, with many already receiving the death sentence.

What is happening in Iran and Kurdistan is as devastating as it is inspiring. A movement calling for democracy and freedom in the Middle East, led by women, and in particular young women, is beyond commendable and should be supported by Western governments. I would like to give particular thanks to everyone in the public gallery for coming out to hear these speeches and this motion, and to my friend Tara, in particular, for her advocacy over many years.

Today, the South Australian parliament stands in solidarity with the people of Iran. We commend you for your courage and your bravery. Jin, Jiyan, Azadi. Women, life, freedom.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (20:37): I also rise, of course, in support of this motion. Many have spoken eloquently tonight about the unjust death of 22-year-old Jina Amini. It is a tragedy, yet out of this tragedy have come the many protests that we have heard about tonight, and there has come an increased awareness of the brutal tactics and behaviour of the Iranian regime. There has come the bravery and the strength that we have seen by many standing up for those who are oppressed in Iran.

So I rise simply to say thank you to the members of the Iranian community who have been such strong advocates. Thank you to those of you who are here tonight and who have also contacted us in this parliament. Thank you to the many brave people in Iran standing up for what is right and true. I am very proud that our government is supporting this motion and that this parliament is supporting this motion. I would also like to thank the Hon. Tung Ngo for moving this motion and further raising the profile of this incredibly important issue.

The Hon. T.T. NGO (20:38): Before I conclude the debate, I am happy to support the amendment, provided we take out the words 'since the 1950s' because I believe the Iranian community might have been in Australia a lot earlier than that. I move to amend the amendment as follows:

Delete 'since the 1950s'

The PRESIDENT: The Hon. Mr Ngo, you are moving an amendment to the amendment; is that what you are doing?

The Hon. T.T. NGO: Yes.

The PRESIDENT: Has it been circulated?

The Hon. T.T. NGO: No.

The PRESIDENT: Would you repeat that so that everybody can hear what you are saying?

The Hon. T.T. NGO: The amendment would be: 'Expresses its support for the South Australian Iranian community, who have been a part of our cultural tapestry.'

The PRESIDENT: You are leaving out the words 'since the 1950s'?

The Hon. T.T. NGO: Yes.

The PRESIDENT: So everybody understands what the amendment to amendment is. Continue, the Hon. Mr Ngo.

The Hon. T.T. NGO: This motion is about giving a voice to the people who are risking their lives protesting as they demand political change and a better future for all Iranians. The momentum of the demonstration is powered by a fight to restore dignity and basic freedoms to women and girls. The Iranian people have united and are protesting against a range of oppressed rights, government corruption and the inactivity to address Iran's economic crisis and urgent environmental issues.

I thank all honourable members from all sides of politics for supporting this motion. I thank all honourable members for sharing their stories: the Hon. Tammy Franks MLC, the Hon. Connie Bonaros MLC, the Hon. Sarah Game MLC, the Hon. Jing Lee MLC, the Hon. Nicola Centofanti MLC, the Hon. Michelle Lensink MLC, the Hon. Laura Curran MLC, the Hon. Reggie Martin MLC and the Hon. Clare Scriven MLC. As you can see, this motion is supported by all political parties.

Thank you to the Australian Iranian community, especially the South Australian Iranian community who are here tonight, for their willingness to speak out in support of the Iranian people and for their continued campaign to raise awareness about the horrific violation of human rights in their former homeland.

Amendment to amendment carried; amendment as amended carried; motion as amended carried.

The PRESIDENT: Just before you start, the Hon. Mr Pangallo, and the gallery clears, there was reference made tonight a number of times to those in the gallery. This is a very emotional and respectful motion and I have allowed that, but it is out of order. This is not something that should be happening all the time.

INDEPENDENT COMMISSION AGAINST CORRUPTION INVESTIGATIONS

Adjourned debate on motion of Hon. F. Pangallo (resumed on motion).

The Hon. F. PANGALLO (20:43): I shall continue with an accurate chronology of events in the investigation of Mr John Hanlon, which paints a true picture of what ICAC knew and what it did and did not do. Before the break, I had been speaking about the failure of ICAC to abide by international law in getting witness statements under the MAR process, but what was worse was the fact that there was a vital document containing phone data—the original document with information about where Mr Hanlon was, where his family was. It was a critical document that had not been discovered and later, in an affidavit, an entirely different document was discovered and those two vital columns were removed. This is quite a serious matter, and I will go into that a little bit later on.

I want to go to some time around September 2021. There is a matter of R v Clarke and it actually deals with international witnesses and the requirement of an MAR where the DPP became aware that there is a prohibition against direct contact with overseas witnesses. This issue was agitated before the court from December 2021 to January 2022, as the application for the MAR was in the hands of the Italian central police directorate, who were reviewing the MAR. This represents a clear occasion when the DPP is acutely aware of MAR requirements for overseas witnesses. This is DPP corporate knowledge of the MAR process. On 8 January 2022, the trial is adjourned on a DPP application, due to process of MAR having not been finalised.

On 25 November 2021, the Deputy Director of the DPP, Ms Sandi McDonald, who had oversight of the ex-officio, was appointed to the bench and DPP admitted that there were other related volumes of turnover and thus knowledge of the case was lost. Sometime in November, a solicitor with full conduct was appointed to the Hanlon prosecution. That is outlined in a document that is noted as JH10, which I will table afterwards.

It is interesting that on 17 January 2022 an email is circulated to all DPP staff of MAR for overseas witnesses. An internal email was sent out to all professional DPP staff to the effect that an MAR is required for any overseas witnesses. The email attached a schedule of the requirements of individual countries, including Germany.

This works against the DPP submission in October 2022 to the court that the solicitor with conduct was only made aware of an MAR, despite it being apparently circulated within the DPP in January 2022, some nine months earlier, meaning the DPP had corporate knowledge of MAR such that filing one in January would have given them an opportunity to have a MAR in place with Germany prior to trial date, or at least within a reasonable time frame.

I will go to 23 March 2022 and Bell v The Queen in the High Court of Australia. Special leave was granted to the appellant of the Full Court of the Supreme Court decision from December 2020. Here it was successfully argued that the tasks of ICAC investigators and SAPOL are distinguished when it comes to their practical function in the prosecution process. His Honour Gordon Jay, in

response to DPP Hinton QC, as he was at the time, put to the High Court that the role of both ICAC and SAPOL as investigating officers for a prosecution are the same, and said:

> They do, but they do it through a different lens because they recognise that they have to prosecute a case or provide assistance to prosecute a case to the DPP at trial. Their purpose is different.

That is, ICAC's purpose. It continues:

> Their object is different. Their skills are different. The tools they have available to them are different.

His Honour Edelman J said:

> …but I just for the moment cannot understand what the practical benefit or purpose of the DPP continuing to use ICAC investigators in relation to the future progress of some of these eight matters purely for the convenience that you describe in circumstances in which, as Mr Doyle has submitted, there may be very large questions about the extent and scope of sections such as section 43. What advantage is there to the DPP in exposing all of its ongoing prosecutions to potential appeals merely for the sake of this minor convenience that you refer to?

The DPP make an undertaking to not make any further requests to the commission, ICAC, for assistance in the prosecution of any other matter. Mr Hinton says, 'If I understand it correctly, the effect of it is that, going forward, I use the South Australia Police,' and Justice King says, 'That is right.'

I note that in April 2022, after this decision, the commissioner for ICAC, Ann Vanstone, wrote to the Queensland CCC in a submission identifying her knowledge of this High Court decision and how it affects ICAC in South Australia. Yet, on 17 August, Ann Vanstone, as the ICAC commissioner, was on radio making public statements that she had no idea why her right to refer to the DPP was being taken away from her. She had no idea who did it. It is quite clear who did it. It was the DPP himself, and it was an undertaking given to the High Court. I am sure the commissioner would have read that crucial judgement.

I now want to go to the first directions hearing for Mr Hanlon on 26 July 2022. There was an application by defence to subpoena the DPP for further material relating to the following:

1. Documents relating to communications between certain officers of the DPP from the time of committal until the date of the filing of the ex officio information.

2. Documents relating to communications between the DPP and the Attorney-General or her office about the filing of the ex officio information.

This application was dismissed by His Honour Judge Heffernan. Then, on 14 October 2022, things may have started to look somewhat fragile in the Office of the DPP and ICAC. They would have probably pored over the files, and there is a likelihood there was some nervous discussion about the MAR and the unlawfully obtained witness statements. A letter was sent by the DPP requesting defence to agree to a set of facts in lieu of the Germany evidence being made available by the time of the trial some few weeks away at this point.

According to the letter I have seen, Mr Hinton describes being only made aware by the ICCCA in August 2022 that Germany considers it a breach of their sovereign authority to contact witnesses within their own state, despite knowing the requirements of MAR in January 2022 and having obtained ICCCA advice at that time.

So in January 2022 there is an email that is circulating throughout the DPP that is saying 'You better be mindful in these matters. MARs are required if you are to approach witnesses in a foreign land.' That is going throughout the Office of the DPP, yet here we are. The DPP himself describes being only made aware by the ICCCA in August 2022 that Germany considers it a breach of their sovereign authority to contact witnesses.

This is less than 10 days from the start of the trial, which Mr Hanlon was ready for, but which clearly the DPP was not, despite being aware of MAR requirements in January 2022 in that memo that was circulated in his office. Judge Heffernan points this out in paragraph 20 of his reasons that were published this week. Mr Hinton notes that:

> In making various arrangements of overseas witnesses, we have been advised by the ICCCA that as of August 2022, Germany now considers it a breach of their sovereignty to contact witnesses and make arrangements

for their travel to Australia in order to give evidence. Consequently, MAR, governed by the Mutual Assistance in Criminal Matters Act 1987, is required in all circumstances.

Mr Hinton goes on to say:

> In light of the prosecution recently becoming aware that we are unable to make such arrangements, we began taking steps towards MAR. Regrettably, the ICCCA have advised that an MAR of this kind would not be able to be facilitated in time for the trial of this matter to begin.

But let's go all the way back. ICAC actually knew, before they even went overseas, that they needed an MAR but just plodded on. What took so long when they knew about it? ICAC knew, too, as I have just pointed out, but has left the Director of Public Prosecutions with a foul-smelling mess he had to deal with.

On 24 October 2022, in R v Hanlon SADC 128, the defence files an application for a stay of proceedings for an abuse of process. Defence counsel question the DPP's own use and apparent aversion of its own prosecuting guidelines in lodging the ex officio by emphasising that this was not a case in which new evidence had come to light and that the charges were based on the same factual background. I want to briefly go through some of the ex officio guidelines:

> Guideline Number 4: Ex Officio Information
>
> A decision to indict in the absence of prior committal proceedings will only be justified if any disadvantage to the accused that may thereby ensue will nevertheless not be such as to deny the accused a fair trial.

It goes on:

> …if there are strong and powerful grounds for so doing. An ex officio information should not be presented in the absence of committal proceedings unless the evidentiary and public interest considerations outlined in the prosecution policy are satisfied…that the prosecution will present at the trial and any other material in accordance with disclosure principles.
>
> On the other hand, a decision to indict, notwithstanding the accused was discharged at the committal proceedings, will not constitute as great a departure from accepted practice…An ex officio information should not be presented in such cases unless it can be confidently asserted that the Magistrate erred in declining to commit, or fresh evidence has since become available and it can be confidently asserted that, if the evidence had been available at the time of the committal proceedings, the Magistrate would have committed the accused for trial.

In summary, the solicitor for the conduct of this ex officio, now Judge Sandi McDonald, had to have regard that the decision to prosecute guideline was followed, given that most of the evidence known in the brief did not satisfy the reasonable requirements of a public interest and evidentiary standard.

This is one of the serious questions: should there be a special commission of inquiry, that Judge McDonald needs to answer. Why did she go to call an ex officio? Was she aware of the apparent flaws and deficiencies in the case that had been presented by ICAC or that was present in their files? We also know that an ex officio is a very rare move: should one have been called in this case? That needs to be answered.

On 26 October 2022, the DPP solicitor with conduct of the Hanlon files has a response from the ICCCA on the MAR advice. It is the ICCCA MAR advice to a Kirby Draper:

> …and despite there being corporate knowledge within the DPP since January 2022 of the MAR, and at this time and the fact that ICAC knew of the MAR process but failed to disclose it in their brief rendering the evidence inadmissible.

On 27 October 2022, the DPP solicitor with conduct of the Hanlon file—with the affidavit of Kirby Draper. This is the DPP's admission of the fact that they have made an error in the case. Draper admits that at the time, in August, she did not specifically consider the need for an MAR for the six German witnesses listed, despite an internal email going out to all DPP staff of the MAR process in January 2022. I will tender the Draper affidavit as document JH25 later on.

On 28 October, Judge Heffernan is to make an order to subpoena the ICAC. So Judge Heffernan has ordered that the ICAC investigators who travelled to Germany be subpoenaed for all their related evidence for investigations into Germany. This is relevant as the investigating officers were no longer ICAC due to the R v Bell ruling by the High Court.

On 2 November 2022, in affidavits by Mr Baker and Ms Bridge, and again on 4 November, when Mr Baker and Ms Bridge are cross-examined, at the cross-examination of their evidence

Ms Bridge made several admissions as to her knowledge of MAR and the correct processes as well as her failure to put any of that into the DPP brief.

Essentially, Ms Bridge made admissions to knowing about the legal process of MAR while in Germany gathering witness evidence and that she knew that the witness affidavits were not admissible documents. She signed as a witness to the affidavit herself despite being aware of the domestic German law and being advised by the Australian Consular-General of the proper processes.

Both Bridge and Baker had received legal advice from the ICAC solicitors Helen Liu and Greenslade about these matters, when entirely it would seem it was ignored. Baker said he formed a different interpretation of that legal advice whereby he was obtaining witness statements himself and not requiring the need for Germany assistance to do so, so that they did not need a MAR.

On 4 November 2022, there is a letter from the defence to the DPP outlining a request for the DPP to discontinue the prosecution, but late on this date, as part of disclosing evidence to be compliant with the subpoena, the original copy of the raw CCR or cell phone data which supports Mr Hanlon's version of events was finally produced. It materialises and shows that the data tracking Mr Hanlon's mobile phone and his wife Jenny's mobile phone was removed from the copy of this evidence that was sent to the DPP in the brief in 2020.

The DPP's case was now in its death throes. Not getting the MAR is serious, but the failure to disclose the original document, the phone data, that we now know had been doctored and put in another affidavit to suit ICAC's agenda, is in my view their biggest sin. It is a grave departure from the rule of law, the rules of evidence, and could constitute a serious abuse of office—an act of criminality that needs to be investigated. It must be referred to the police commissioner as a matter of urgency.

Again, I will refer the honourable members to the affidavit by Ms Bridge dated 28 November 2019, where she makes reference to a matrix of text messages but leaves out that important GPS data that is only found out on 4 November this year. We know that it does not correspond, in her affidavit—what was presented—with the original matrix that had been produced from the raw data, which I have seen.

On 8 November 2022, there is a defence letter to the DPP requesting the case be dropped. This is directly related to the matrix which was put together by Ms Bridge resulting from the cell phone data, which captures both the movements of Mr Hanlon and his wife in Germany in September 2017. This data in its original, raw form supported Mr Hanlon's statement and evidence of his movements, given on record in June 2018.

This data was reviewed by Ms Bridge on 6 August 2019, one month before travelling to Germany. At this time she must have known and understood that the evidence of movement, which was consistent with John Hanlon's statement, would provide reasonable doubt to Mr Hanlon's case. Despite this, a memo was forwarded to Mr Baker, the head of investigations, and the commission, compelling him to allow them to travel to Germany to carry out inquiries. It was at this time that Mr Baker, in his memo, supporting the suggestion by Ms Bridge, made statements I will quote:

> Having reviewed that memorandum—

Ms Bridge's—

> I agree that inquiries suggested by Amanda are appropriate and required for the successful prosecution of Mr Hanlon. The matter is significant in respect of the position that Mr Hanlon held, and given the media publicity and attention that has been given to this matter in parliament, particularly by Tom Koutsantonis MP, it is important that it result in a successful prosecution.

I mean, what is going on here? What is that suggestion implying? The only way you are going to get a successful prosecution, keeping in mind that Bridge was aware of the data, which did not support such inquiries.

Mr Baker and Ms Bridge then travelled to Germany to the tune of $20,000 to investigate an alleged crime, where $15,000 of public funds was alleged to have been spent by Mr Hanlon. I will point out here that I have seen the schedule of that two-week trip. In the second half there is little work done by the two investigators, and in fact they then asked Mr Lander to approve an excursion

to Hamburg, which was paid for by ICAC. It was a private trip. Why would taxpayers have to pay for private trip? Why would those two investigators not have to pay that out of their own pocket? Here is the utter hypocrisy of what they were doing.

The sheer irony here should not be lost upon us. They call themselves a commission against corruption. So who is going to be accountable for this deplorable travesty of justice, which was done to others as well? Must we tolerate an integrity body caught lacking integrity? I wonder whether people now would really believe that parliament should not have acted to pull up an organisation that had been conducting its operations in such an appalling fashion. As I said earlier, who guards the guards?

Who guards the guards? Well, it is parliament. Parliament guards the guards, which is why the legislation was drawn up, and the new act is one that accords fairness to individuals. So here we have it: another failed, bungled ICAC investigation that has exposed the state yet again to millions of taxpayers' dollars wasted in legal costs and on likely and totally justified compensation.

I want to compare what happened to Mr Hanlon with what happened to another reputable and distinguished public servant, Dr Jurgen Michaelis, who ran a successful investment agency, BioSA, that was approved by the Weatherill government. The comparisons are eerily similar, including the fact that both were led by ICAC's bumbling director of investigations, Andrew Baker—some of his own SAPOL colleagues may well have questioned his investigative skills, experience and ability.

Here are some examples between Mr Hanlon and Mr Michaelis. Disgruntled former employees made an unsubstantiated allegation to ICAC, and ICAC took them as is, without probing whether they were correct or valid. In Michaelis, whistleblower former employees interviewed by Commissioner Lander personally were granted immunity from future prosecution. In Hanlon and Michaelis, ICAC raids the home and seizes random items, including computers and storage drives, with no explanation given for raiding the home and for personal items taken.

In Michaelis, simultaneously offices of BioSA were raided, as well as other premises—lawyers, accountants. With few exceptions, items, including personal items, were never returned to Michaelis, even after the not-guilty verdict. Mr Michaelis was arrested and on bail for three years and four months, Mr Hanlon over three years. Hanlon and Michaelis both lost their jobs. Technically, the contract expired, but they obviously had no chance of reapplying.

For Mr Hanlon, investigators travelled to Germany as part of collecting evidence. In Mr Michaelis's case, investigators travel all over Australia to interview people—Sydney, Melbourne, Brisbane, Canberra and likely Perth—and obtain tens of thousands of pages of account statements for at least 10 companies. All information gathering was irrelevant to the initial accusations by the whistleblowers, and all information contained no information that was ever presented as part of the prosecution. It was a fishing expedition, starting an investigation without a relevant basis, simply to probe into Mr Michaelis's transactions.

ICAC's forensic accountants were looking through all aspects of Michaelis's life—income and expenditure, 10 years of tax returns, all his accounts, all 100 or so grants that BioSA provided to companies, the $100 million that Terra Rossa Capital invested or facilitated investment in 11 companies, all travel claims, entertainment, parking targets, stationery usage—and they could not find any funds being misappropriated, not one single cent.

In Mr Michaelis's case, he was charged with attempting to gain a benefit, as ICAC and the DPP stated in court that Michaelis never gained a benefit. Mr Hanlon is accused of gaining a benefit to the value of $15,000. In Michaelis's case, ICAC interviewed over 50 witnesses all over Australia and, in almost all cases, ICAC drafted the witness statements for the witnesses. ICAC edited and twisted the statements in various revisions to strengthen the language towards a suspicion of wrongdoing. No witness made a substantial accusation or the statement was proven to be false in cross-examination in court.

To Mr Hanlon's case: ICAC had evidence, phone data, that he was not in the place where they accused him to be, that in fact he was where he said he was. Mr Michaelis faced the Magistrates Court for the first time more than three months after his arrest, only to be told by the DPP in court

that his office was not across the file as it had only been received the day before the court appearance.

There is a common thread here. The files have not been made available—all the files have not been made available to the DPP. He cannot prepare himself or themselves for the first court appearance. In the meantime, Mr Michaelis's life has been on hold for years. He has lost his job, his income. All that is taken away from him, and yet they go to court bare.

The DPP, as I said, apparently had not even read the file. They did not know the charges or why he was arrested. The DPP requested an extended period to the next court hearing, as it appears there was a vast amount of material to go through. Michaelis was charged by the DPP even though the DPP did not know or had not reviewed any of the allegations made by ICAC.

I just want to go back to why we changed the legislation to refer these matters to the South Australian police because clearly in Mr Michaelis's case, and as we have seen in Mr Hanlon's case, the files, the investigation by ICAC was so appallingly bad that incomplete material was being made available to the DPP, and it happened in Mr Michaelis's case. The DPP did not know or had reviewed any allegations made by ICAC. That is why we have now put the police in place, because I would not believe that the police would act in such a manner if they were responsible for preparing the brief.

It indicates to me that, with what we have seen in Mr Hanlon's case, the shoddy conduct there in trying to bring him to trial and then the farce that ensued over the last days of it, there must be something wrong within the Office of the DPP itself—there must be. There must be issues in there. I know the DPP has been complaining that his resources are being stretched to the limit because of other high-profile cases and complex cases that are currently before the courts, but that is no excuse. That is no excuse to sacrifice the legal rights of people coming before the courts. It is as simple as that.

Mr Michaelis had to sell his house to fund his defence, while Mr Hanlon had to mortgage his house to fund his defence. In Mr Michaelis's case, the charge had two counts. The first count was dismissed during committal, as it was clear that on the day of the alleged offence Mr Michaelis was not in Adelaide, hence it could not have happened.

ICAC had that evidence and withheld it from the defence team and the DPP. It needed to be subpoenaed in court to obtain it from the ICAC. So again, this common thread is going through here of evidence being withheld from either the DPP or the defence. This is an ongoing concern that I am sure the DPP has probably had but also defence counsel when they are handling ICAC matters. Are they going to get files and evidence discovered in a timely manner?

Again in Mr Michaelis's case, ICAC did not comply with subpoenas to provide information to the DPP and the defence until the magistrate stepped in with warnings to hand over the information. Even then, the information provided were not the copies of originals. They were images of documents that could not be electronically searched. I just want to remind you of what the current commissioner said, that they do not behave like cowboys.

The courts granted Mr Michaelis permission to travel overseas to visit his gravely ill sister and ordered that ICAC hand over his passports to him. ICAC refused to hand over the passports until Commissioner Lander had personally approved them, so in the following days. The commissioner had no jurisdiction over Mr Michaelis and ignored court orders. He ignored court orders. How can you explain that type of arrogance? How can you explain not abiding by court orders?

In the days leading up to Mr Michaelis's trial, the prosecutor attempted to tender no evidence in the District Court. However, he was overruled by the DPP at the time. In court, the judge asked the prosecutor, 'Why do you charge the defendant?' The answer, 'Because I am instructed to do so.' Because they were instructed to do so. You would think you would charge the defendant because you have compelling evidence for him to stand trial, that perhaps there is a prima facie case. You do not go telling a judge that you are charging the defendant because you are instructed to charge him. What kind of a legal system have we got here?

Mr Michaelis was in court 28 times and was found not guilty on the one count of attempting to gain a benefit. When his Australian passport expired more than a year after he was found not

guilty, he was informed by the Australian federal government that he was not entitled to an Australian passport as the South Australian DPP had put a stop notice in the system. It took months to get the stop notice revoked. Mr Michaelis is also barred from travelling to the US under the visa waiver system as a result of having been charged with a criminal offence even though he was found to be not guilty. But, again, as we heard from the current commissioner, just being found not guilty does not mean you have not done anything.

With Mr Michaelis, South Australia missed out on a new investment fund, all private money, which he was about to secure—approximately $400 million for investment in high-tech companies. Apart from all the other reputational damage, the costs incurred in Mr Michaelis's case being dragged through the court system for so long, they had no evidence—nothing—the costs would have mounted up for him significantly, in the hundreds of thousands of dollars, who knows how much ICAC spent on their wild goose chase of Mr Michaelis around the country and then dragging the matter to court to justify what they had done?

We now know that on top of that it cost South Australian taxpayers $400 million in investment in high-tech companies. That is the sum of just that failed case. That is how much it has cost South Australians—close to half a billion dollars from another failed, bungled case—and we get criticised for trying to pull them in line, for what we did.

Of course, sections of the media have not bothered to look at these serious matters that would vindicate our actions last year. They just would not, but this gives you an indication of the rogue nature of some of these investigations that were going on. We would not have known, had people not come forward with their stories. It would have just kept going on.

I did a check of Wikipedia on Sunday 30 November on the Independent Commission Against Corruption (South Australia), which gives an outline of their investigations. It looks like nobody has bothered to edit it or bring it up to date with relevant outcomes, particularly 'not guilty' verdicts, in cases like Operation Bandicoot, which is incorrectly referred to as Operation Mantle, and also in Dr Michaelis's matter. Dr Michaelis's matter reads like this:

> In August 2015, an unnamed Chief Executive from a South Australian government agency was charged with two counts of abuse of public office. Attorney-General John Rau told the media that 'the commissioner has made it clear on many occasions that he has not encountered in his investigations any evidence of systemic or institutional corruption in South Australia.' In October 2015, it was revealed to be BioSA chief executive, Dr Jurgen Michaelis. In April 2016 it was announced that he would face corruption charges. It was alleged that he 'improperly exercised a power of influence' on two occasions in 2012 while working on the development of the biotechnology sector within South Australia. No proof or charges had been made public at that time. In December 2016, Dr Michaelis pleaded 'not guilty' to the charges.

What happened to the 'not guilty' verdict? ICAC have a media person in there. They have people who trawl through all the media files, *Hansards* and whatever. Why would they not go into Wikipedia and try to edit it and update it to give us a more accurate picture of the outcome of Dr Michaelis's case?

It goes without saying that Dr Michaelis is still trying to restore his reputation and land a job that is commensurate with what he had in South Australia, four years after being cleared. Of course, the state is out of pocket for that $400 million he was ready to bring in. In the meantime, as I said, Wikipedia has failed to update the Michaelis case or that of others. You would have thought, in the interests of justice and fairness, that someone from ICAC would have made the appropriate edits.

In 2021, the DPP, Mr Hinton, gave undertakings to the High Court about following the intentions of parliament whereby ICAC must refer to SAPOL to consider preparing briefs to the DPP for prosecution. It appears that ICAC has been attempting to find ways to get around that. It does have police officers who are on secondment.

Jurists by the nature of their work and legal responsibilities cannot say anything publicly, but privately they are supportive of my calls for a special commission of inquiry into ICAC's chequered history that has wide ranging powers. That may well require special legislation, much like the legislation introduced in Victoria for a special investigator looking into the lawyer X matter, with powers, strong coercive powers, that enable the special investigator to access documents, to seize equipment, all sorts of powers that can be done in order to satisfy their requirements, as well as give notice for the disclosure of notices, documents.

The cover-ups must stop. Heads must roll. Commissioner Vanstone's position is now untenable, along with that of the ICAC Director of Investigations, Andrew Baker, who, incredibly, was promoted during this fiasco.

There are serious questions for the Director of Public Prosecutions, Martin Hinton KC; former ICAC Commissioner, Bruce Lander KC; and his former deputy Michael Riches, now the head of the Northern Territory ICAC. There are questions for now Supreme Court Judge Sandi McDonald, who as acting DPP Director had Mr Hanlon charged ex officio, and that was under Ms Vanstone's and former Attorney-General Vickie Chapman's watch, after Judge McDonald had earlier endorsed a no case to answer in the Magistrate's Court. So an inquiry also needs to examine Ms Chapman's role, if any, in this.

Any investigation has to follow the trail of misconduct, wherever it may lead. Why and how did all this happen? That is what the special investigator, the special commissioner, will need to interrogate. What roles did all the players have in this witch-hunt? I will just point out that I have seen a statement made by the Hon. Ann Vanstone after all this emerged last week. There were many comments in there that can be challenged, in particular that she indicated all of this was happening before she came in as commissioner. It appears others are about to be thrown under the bus. The ex officio happened under her watch.

I would have thought that Ms Vanstone at that time would have certainly had a look at the file that had been prepared for the DPP, such was the high-profile nature of this matter. It was talked about in parliament and it was all over the media. Surely, Ms Vanstone had to be across what was in that file?

In June 2021, as a member of the Crime and Public Integrity Policy Committee, myself and my fellow members were hosted by Ms Vanstone at the ICAC and she gave us a tour, gave us an explanation of what was going on. We saw the operations room where at the time there were about 30 staff in there that took all the calls. We met the person who is involved in the surveillance operations of ICAC, and then Ms Vanstone sat us in her office and spoke to us about what she intended to do and it seemed to me that it was going to be a breath of fresh air from what we had heard before.

She made it quite clear, and this still resonates with me, she said that there were still eight matters that were going through the prosecution process. Those matters of course would have included Mr Hanlon's case and that of Ms Vasilevski. Ms Vanstone then said that because of her experience as a prosecutor in the Office of the DPP and also that she had been a judge, she would now take oversight and she would look over those files and briefs and hand them to the DPP.

My interpretation of that comment was that she had just come into the new job, there were eight matters that ICAC had handled, that they were about to be handed to the DPP, but she was going to look over them, look over the files. Surely, if she did that she would have seen the alarm bells go off in the evidence that had been collected in Mr Hanlon's case, so why not? So that needs to be answered. With that, I intend to conclude my remarks this evening and I will endorse this motion to the chamber.

The PRESIDENT: The Hon. Mr Pangallo, at the start of your contribution you talked about tabling documents.

The Hon. F. PANGALLO: Yes; can I do that now?

The PRESIDENT: You can seek leave.

The Hon. F. PANGALLO: I seek leave to table the documents I referred to in my speech.

The PRESIDENT: The Hon. Mr Pangallo, can you identify them as you are tabling them?

The Hon. F. PANGALLO: Absolutely I can do that.

The PRESIDENT: I think you were assuring us that they are on the public record, these particular documents, so we do not need to be concerned about privilege.

The Hon. F. PANGALLO: Yes, they are on the public record.

The PRESIDENT: Okay; please move through that.

The Hon. F. PANGALLO: I seek leave to table the article I referred to in the *Australian Financial Review* that was published on 21 April 2022.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH1, which is a statement by Mr Hanlon dated 28 June 2019.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH2, Amanda Bridge affidavit AFP notation from 23 July 2019. The affidavit is dated 2 November 2022.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH4, Bridge memo to the commissioner to travel to Germany, dated 13 August 2019, and Baker memo to commissioner to travel to Germany, dated 15 August 2019.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH5 and this is Alice Grindhammer, witness correspondence to ICAC, dated 31 August 2019.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table JH7, Andrew Baker affidavit on the Germany trip, taken on 2 November 2022 relating to Germany dates 7 to 19 September 2019.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table JH3. This relates to Hanlon cell phone data CCR, phone tracking, Germany, 7 August 2019.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH8. This is ICAC's Germany itinerary and German witness statements, the German dates from 7 to 19 September 2019.

Leave granted.

The PRESIDENT: The Hon. Mr Pangallo, when you were making your speech, did you refer to those documents as J1, J2, etc.?

The Hon. F. PANGALLO: I do in some cases.

The PRESIDENT: Perhaps you might just like to document J1, J2, and we can seek leave to table them rather than going through the—

The Hon. F. PANGALLO: In some cases, if I have not referred to the code—

The PRESIDENT: And if you have not, that is fine.

The Hon. F. PANGALLO: —at least people will know that I have referred to that document and it will be easy to find. I seek leave to table JH9, ICAC's request for ICCCA legal advice on mutual legal request, MAR, dated 27 September 2019.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table JH10, R v Hanlon No. 3, 8 November 2022. This is the reasons for rulings of His Honour Judge Heffernan.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table JH11, R v Bell 2020 SADC 107, judgement on application for a stay of proceedings, 7 August 2020.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table JH12, the second reading speech of the ICAC bill, 2012, on 2 May 2012.

Leave granted.

The Hon. F. PANGALLO: I have made references to that. I seek leave to table JH13. This is Bell v The Queen, ICAC v Bell, the Full Court of the Supreme Court of South Australia, 2020, the court's judgement dated 3 December 2020, which I have referred to.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH14, the Crime and Public Integrity Policy Committee, the transcript from 10 December 2020.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document marked JH15, the Magistrate's Court charge of John Hanlon and the outline of the prosecution case, dated 5 February 2021.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table the document noted as JH16. These are news articles relating to Mr Hanlon and the current Treasurer, the Hon. Stephen Mullighan, in giving evidence in support of Mr Hanlon on his trip to Germany in 2017, dated 5 February 2021. It is the ABC news article.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table the document noted JH17. These are news articles again on Mr Mullighan and evidence in support of Mr Hanlon's trip to Germany in 2017. It was published on 5 February 2021 in InDaily.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH18. This is the ex officio filing against Mr Hanlon in the District Court of South Australia on 7 September 2021.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH19. These are DPP prosecution guidelines. One is a decision to prosecute and the other is the ex officio considerations, which I referred to in my speech.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table the document noted as JH20, Bell v The Queen, High Court of Australia transcript, 23 March 2022.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH21, R v Hanlon No. 1, application to subpoena the DPP, 26 July 2022.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table document JH23, R v Hanlon No. 2. These are the reasons for the ruling of His Honour Judge Heffernan, on 24 October 2022, for a stay of proceedings.

Leave granted.

The Hon. F. PANGALLO: I seek leave to table the document noted as JH25, the affidavit of Kirby Draper from the Office of the DPP, dated 27 October 2022.

Leave granted.

The Hon. F. PANGALLO: I commend the motion to the chamber.

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

INDEPENDENT COMMISSION AGAINST CORRUPTION INVESTIGATIONS

The Hon. F. PANGALLO (21:47): I move:

1. That a select committee of the Legislative Council be established to inquire into and report on—

   (a) any damage, harm, or adverse outcomes to any party/ies resulting from investigations undertaken pursuant to the ICAC Act (other than adverse findings resulting from the conduct of persons investigated);

   (b) any damage, harm or adverse outcomes to any party/ies resulting from prosecutions which follow investigations undertaken pursuant to the ICAC Act (other than adverse findings resulting from the conduct of persons prosecuted);

   (c) options that may prevent or reduce the likelihood of, or any harm or damage resulting from, such outcomes and whether exoneration protocols need to be developed; and

   (d) any other related matter; however, the committee shall not receive submissions or evidence in relation to any current investigation, or current prosecution arising from such an investigation, or any matter that is currently the subject of referral by the ICAC for further investigation and potential prosecution.

2. That the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members.

3. That the minutes of evidence presented to the select committee of the Fifty-Fourth Parliament on damage, harm or adverse outcomes resulting from ICAC investigations, tabled in the council on 30 November 2021, together with minutes of evidence received in camera and documents received by that committee but not tabled nor resolved to be published, be referred to this select committee.

4. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

Continuing members of this council will be most familiar with the topic and terms of reference of the committee, the select committee into damage, harm or adverse outcomes resulting from ICAC investigations. The proposal is that the select committee, in effect, be a reinstatement of the committee that sat in the Fifty-Fourth Parliament, on damage, harm or adverse outcomes resulting from ICAC investigations.

The purpose of that reinstatement is to allow for minutes of evidence received in camera and documents received by the committee, but not tabled or resolved to be published, to be referred to this new select committee. It would be anticipated, given the passage of time and recent events, that the further publication of some evidence that was not made public previously may now be appropriately published. That, of course, will be a matter for the new select committee as it is reconstituted to resolve.

I note also that while I chaired the previous committee all who served on it to its conclusion are still in the chamber, and I hope that they will welcome this opportunity to conclude some unfinished business of that committee. I also anticipate that this will be welcome news for some, including the current and previous ICAC commissioners, who both have been critical in media forums, such as the *Australian Financial Review* earlier this year, of some correspondence and evidence not previously made public. I have already tabled the document from the *Australian Financial Review* in my previous address and motion, but should I seek leave to table one of the news reports?

The PRESIDENT: The Hon. Mr Pangallo, that report has already been tabled. You can refer to it, but it has already been tabled, I believe.

The Hon. F. PANGALLO: I also wish to table the *Hansard* of the Senate committee looking into the national crime commission, in which the Independent Commissioner Against Corruption in South Australia, Ms Ann Vanstone QC, gave evidence. I wish to table the evidence that was given to that committee by the current ICAC commissioner.

Leave granted.

The Hon. F. PANGALLO: That will conclude that, and I commend the motion to the chamber.

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

ITALIAN COMMUNITY IN SOUTH AUSTRALIA

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (21:50): I move:

That this council—

1. Recognises the contribution of the Italian community to South Australia and the role of the South Australian Italian Association which has served the Italian community in South Australia for more than 70 years;

2. Congratulates the recipients of the inaugural SAIA Awards on 12 November, including Rosa Matto (Culture and Art Award), Enzo Lombi (Research & Development and Innovation Award), the Romeo family (Business Award), Joyce and Joseph Ceravolo (Young Achiever Award); and

3. Congratulates Antonietta Cocchiaro on receiving the Italian Honour of Cavalier of the Italian Republic and acknowledges her contribution to Italian radio and her role with the South Australian Multicultural Commission.

The Italian community continues to go from strength to strength in South Australia. The state government is proud to support them in a variety of ways. With more than 17,000 Italian-born people living in South Australia and a massive number of more than 100,000 people in South Australia acknowledging Italian ancestry, our Italian community is an integral part of our state's fabric and history. Australian culture has been enriched by our Italian migrants, who have brought their traditions, their arts and of course their food and wine to our shores.

I am pleased to inform the council that over the weekend the South Australian Italian Association commenced their very first annual awards. This important initiative acknowledges the enduring and significant contributions made by Italian migrants and the community. Nominees were awarded and identified across four categories: culture and art, research development and innovation; business; and young achiever. These awards neatly capture the significance of our Italian community's input into so many areas of our society, whether it be in commerce and trade or in the sphere of our culture and heritage.

I particularly wish to congratulate the inaugural winners, including Rosa Matto, who won the Culture and Art Award; Enzo Lombi, who won the Research & Development and Innovation Award; the Romeo family, who won the Business Award; and Joseph Ceravolo, who won the Young Achiever Award.

I would also like to congratulate Antonietta Cocchiaro on recently receiving the Italian honour of Cavalier of the Italian Republic. Her ongoing role in Italian radio, which continues to thrive in South Australia, as well as her contribution to the state government through the Multicultural Commission, and indeed many other contributions to our state, is a shining example of our many Italian community members who give so much in support of South Australia and retaining our Italian community's heritage and culture.

The Malinauskas Labor government has been proud to engage and deliver for the Italian community in South Australia, including through support for this awards program. We are also delivering on several election commitments that support Italian organisations in South Australia, whether through support for the promotion of the Italian language or through support for Italian festivals. We will continue to engage with the community to identify and respond to their needs. I commend the motion and look forward to its passage through this chamber.

Debate adjourned on motion of Hon. N.J. Centofanti.

STUDENT ABSENTEEISM

The Hon. S.L. GAME (21:55): I move:

1. That a select committee of the Legislative Council be established to inquire into and report on government and non-government school student attendance with reference to:

   (a) the causes and solutions of student absenteeism from schools across aspects of the school community, such as:

(i) the identification of causes of absenteeism from school;

(ii) the effectiveness of programs, policies, or systems responsible for reversing persistent absence from school;

(iii) the impact on educational outcomes for children persistently absent from school;

(iv) the impact on teachers, school and teaching of those persistently absent students;

(v) the effectiveness of breakfast and lunch programs on attendance at school;

(vi) the capacity of teachers to get children assessed for disabilities and disorders; and

(vii) the effectiveness of schools to deal with bullying of students by others in the school community.

(b) the social issues impacting on children and families which may be adding to absenteeism, including those issues which cannot be impacted by intra-school programs or policies, such as:

(i) the identification of 'ghost children' who disappear from the education system, especially during the COVID-19 pandemic;

(ii) the oversight of children being home schooled;

(iii) the mental health and physical wellbeing of children who are persistently absent from school; including impacts from social media; and

(iv) the relationship between sexual or physical abuse and neglect on persistent absence from school.

2. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

I move this motion with the utmost urgency. There has never before been a thorough investigative committee to look at the causes of and solutions to student absenteeism. I am alarmed and distressed that there are schools with an ongoing 40 per cent absenteeism problem. I am concerned that there is not enough support for schools to deal with this chronic absenteeism. The only support education leaders are telling me about is mandated reporting measures, which is actually creating more work for teachers.

I am concerned that this lack of support is helping to fuel the teacher shortage. It is turning teachers into social workers and putting them at physical risk by them seeing no alternative than visiting students' houses to find out what is going on. Most importantly, I am absolutely alarmed about the welfare of these missing children. This is a child protection and welfare issue. It is a consequence of bullying and the toxic influence of social media on our children's lives.

Only last week, I read that South Australian schools had 411 serious bullying cases in 2021. We are throwing money at mental health and resilience and yet the situation continues to decline. There is a lagging legacy of absenteeism in our state schools, exacerbated by the COVID-19 pandemic. As stated, some schools have reported to me that they have consistent absenteeism levels of over 40 per cent. A blanket pay rise to teachers will not solve this problem.

School leaders have indicated that more truancy officers would instead be more helpful. I advocated this directly to the Minister for Education and I was glad to read over the weekend that three more truancy officers will now be hired by the department, but for the government to state that there are currently 34 full-time truancy officers is misleading. These workers do double duty: most of them are social workers, not dedicated to dealing solely with truancy. There are over 600 state schools in South Australia, and the government must be transparent as to how many full-time equivalent workers are dedicated to truancy, not social work, not other areas of school support, just absenteeism.

Importantly, we must investigate whether or not this is the best avenue for reporting absenteeism to the department. Is the truancy hotline an effective tool? Does it cause any actionable outcome for teachers and students? How can it bring better support for school leaders concerned

about student welfare? I want teachers' feedback on their interaction with the truancy hotline. A select committee would be an ideal opportunity for this to occur.

The government is also spending an untold amount on Crown solicitors to prosecute three parents for $5,000 each for withholding their children from school. This does not add up. If it has reached the stage of court proceedings and the parents are still not complying, different tactics are required.

In the United Kingdom, steps have been taken to identify and reconnect with the hundreds of thousands of 'ghost children' who disappeared from the schooling system completely during the pandemic, told to study from home yet they have never returned. We need similar measures here to ensure that children are alive, safe and accounted for. It involves a registry to track attendance and provide a safety net for vulnerable pupils at risk of disappearing from school roll calls.

My office has applied under freedom of information regulations to understand the exact picture of student absenteeism. There needs to be clear data regarding absenteeism, exclusion and suspension of students, especially as it pertains to children at risk, like those under the guardianship of the Department for Child Protection. Principals are telling me this needs to occur urgently. Calls to the child reporting line are logged, but there is no notification returning to the school. The student just remains absent without explanation or advice as to their whereabouts or wellbeing.

Need I remind this parliament of the recent deaths of six-year-old Charlie and seven-year-old Makai? Both these children had multiple absentee alerts raised by their respective schools. Were these reports investigated by the education department's truancy hotline or by the Department for Child Protection thoroughly? We shall see after the investigation into these deaths concludes.

Thirteen-year-old Zhane Chilcott, who died by suicide while in residential care, had chronic school absenteeism recorded during his time in that care home. These alerts made up a long list of missed interventions for Zhane, as noted in the investigation into his death. The school reported it persistently. Why are there no mechanisms triggered in response?

What is clear is that schools are a daily checkpoint—an opportunity to check on the welfare and wellbeing of children and young people, both by staff and their student peers. When there is chronic absenteeism, behavioural, emotional or physical declines in a child go unnoticed. Intervention is unable to happen. There is no doubt a complex range of issues as to why some students are habitually not attending or not able to attend their studies.

What we must ensure is students are getting appropriate hours of curriculum-led education, teachers are able to focus on their classroom and teach without worrying about the wellbeing and safety of missing students, and parents and guardians are equipped with sufficient basic resources to ensure their child can attend school safely. There is no point in worrying about a child's NAPLAN scores if the school is not even sure that the child is safe. A teacher is not going to stress a child with tests and training if that child has spent the last month sleeping in a car and living on one meal a day. Parent-teacher interviews are not going to occur if the parent has deliberately hindered that child from attending for months on end.

There has not been a parliamentary review on the issues affecting absenteeism, yet regular attendance at school is crucial to educational outcomes. There is an obvious intersection between the Department for Education and the Department for Child Protection and the division of Human Services. This must be investigated openly and with full cross-departmental consultation. Interdepartmental communication, correlation and responsibility is exactly why a parliamentary select committee is required. It cannot be addressed just by the Department for Education alone. It requires a broader scope, and I press everyone here to consider this as a priority. I commend the motion to the house.

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

RENEWABLE ENERGY

The Hon. S.L. GAME (22:01): I move:

That this council acknowledges that—

1. Green renewables are unreliable and inconsistent;

2. Green renewables are expensive;

3. Green renewables take up too much space;

4. Green renewables increase landfill and recycling;

5. Green renewables cause harm to wildlife;

6. Green renewable technologies, such as green hydrogen, is a series of ever-changing guesswork; and

7. The green renewable industry serves to support particular business interests whilst leaving everyday South Australians behind.

We have been sold a lie. We were promised that renewables were cheap—free energy from the sky. This is untrue. They are incredibly expensive and inefficient, which is borne out by a 56 per cent increase in energy costs over the next 18 months or so. We were promised renewables were environmentally friendly, yet they continue to cause vast masses of land to be cleared and the mining of myriad toxic materials. Significant deposits of copper, lithium and cobalt must be sourced to meet the insatiable demand for wind and solar farms.

We were told batteries would bring us the reliable base load power our industry and society needs to operate around the clock. They cannot. We would need 80 additional big batteries like the one near Jamestown to power our state for only half a day. We were told we would all benefit from the rise of renewables, yet we know there is a huge discrepancy. Certain businesses, frequently foreign-owned corporations, are raking in millions while the average South Australian is suffering from the rising cost of this important utility. I will not sit back and watch this occur without speaking to the concerns of my constituents.

Green renewable energy is sourced from the forces of nature and is consequentially as variable as the weather. Even dams are reliant on the consistent water supply. Capacity factors that measure the percentage of an electricity generator's theoretical maximum output are as low as you can get for renewables. Solar starts at the bottom, with 25 per cent, wind is around 35 per cent and hydro operates at about 40 per cent. Compare this with gas, which operates at about 60 per cent of its theoretical maximum and coal, which traditionally averages around 70 per cent. However, due to their age, our plants are now estimated to be at 40 per cent and nuclear is able to achieve a consistent 90 per cent maximum output.

To put this into context, some figures I have mentioned to this chamber before might be helpful. In 2016, US hydroelectric systems were only operable for 138 days of that year; wind turbines, only 127 days; and solar electric arrays, only operable for 92 days. Our industries and households cannot rely on such inconsistent power sources. This uncertainty is a huge drawback of green renewable technologies.

There is another high cost of producing energy from green renewables and it comes from the short operation life of the equipment. Solar panels and wind turbines, at best, operate efficiently for less than two decades according to the CSIRO. It costs more to produce, and you have to keep rebuilding the equipment to support that production. That is not even considering the storage and transmission costs of intermittent green renewables. The cost of renewables is effectively unaffordable to Australian households. The industry is totally reliant on government subsidies and, perhaps unsurprisingly, we are experiencing the highest energy prices in our history.

Countries that have converted to a predominantly green energy grid are paying up to three times as much for power per user than countries that employ a more diverse energy grid, especially those utilising modern nuclear power. And forget about our current technological capability to store renewables. Batteries and pump storage hydroelectric stations cost around three or four times more to store a unit of electricity than it does to generate it in the first place. We are presently lucky if we are able to store a mere hour's worth of the country's electricity demand.

I question how much our already exorbitant energy prices are propped up by the rebates and incentives further adding to this false economy. In comparison with traditional power stations, we have to use more land for establishing solar and wind farms. Some estimates state that solar farms require 450 times the amount of land as the equivalent nuclear reactor, for example. Solar panels

also require 17 times more material to make than nuclear plants require. The land and resources needed for solar is unreasonable.

The impact of mining for these materials is important and there are real environmental consequences, which are not being talked about. Storing energy from intermittent sources is not a cost or space-effective solution. The Manhattan Institute states that it would take 80 additional Hornsdale Power Reserve-sized batteries to keep South Australia operational for just half a day.

Vast land expanses need to be cleared for solar and wind farms. Of the half a dozen large solar farms announced for South Australia, Bungama, Pallamana, Snowtown and Robertstown will have battery farms built alongside, again requiring further land clearance. They also tend to be distributed in more remote locations and the government has allocated $20 billion in the recent budget to upgrade our poles and wires.

The manufacture of equipment used to produce renewable energy is far from clean and green. The aforementioned battery storage required for intermittent renewables is a heavily researched area, propped up with millions of investment dollars, but solutions are yet to be found to make them from anything other than harmful substances. The equipment is also difficult to recycle.

Solar cells have a short life cycle compared to other energy production sources and performance diminishes far more quickly than other alternatives. They are thrown away, with toxins leaking into landfill. A single solar farm in California is responsible for the death of over 6,000 birds every year, which distressingly burn alive and drop out of the sky. It was also responsible for pulling hundreds of desert tortoise hatchlings and eggs out of burrows prior to construction. They were put in captivity where the bulk of them died en masse. Internationally, eagles, kites, hawks and owls are tallied as dying daily from wind turbines. This is clearly counterintuitive to the pro environmental narrative of green energy.

There is an obvious lack of political will to seriously discussing nuclear as a solution to our energy woes. While I am buoyed by the federal opposition leader's budget reply speech flagging his party's intention to relitigate this debate, I am disheartened by the Liberals' lack of action on this issue whilst in government for the previous nine years.

The prohibition on nuclear energy, which was brought about by the Howard government in 1998, is long overdue to be reviewed. Our country hospitals and their patients rely on nuclear technology for the multitude of medical supplies and research that is brought about by our very own sole nuclear reactor at Lucas Heights. I wonder how many Australians are even aware of this fact. I am glad to see that National's Senator Matt Canavan is pursuing his own private member's bill that seeks to remove this prohibition and provide the opportunity for sensible debate on small modular reactors, which are being pursued globally.

Green renewables are emerging technologies and current policies are pushing us towards adoption before rigorous testing. Several experts have reached out to me worried that Labor's fixation on green hydrogen is an impending disastrous experiment at the taxpayer's expense. We have had good headlines: 'Zero emissions', 'Limitless in production', 'Storable and transportable'. What we do not hear are the questions which are yet to be answered about hydrogen, such as: where are they getting the water from? Is it desalinated? Is it from sewerage? Is it going to be piped from the River Murray?

Other questions yet to be answered include: what is the hardness of that water and how much will be required given its properties? Where is the investment coming from? What are the contracts and who has interests in these companies? How exactly will hydrogen lower the cost of the average South Australian energy bill, and will it? What are the technical solutions to improve efficiency performance and deployment of hydrogen energy?

Green hydrogen is going to be an expensive energy storage trial. We were told before the federal election in the Powering Australia Plan that renewables would cut the average family power bill by $275 by 2025. We were told that 604,000 new jobs and a 43 per cent reduction in greenhouse gas emissions would result from Labor crowbarring us towards 82 per cent renewable electricity production. What have we seen? A promise of electricity price rises of 56 per cent over the next 18 months; a trickle of jobs, led by industry, propped up by government grants and subsidies; and

800,000 Australian current jobs at risk, warned by their own unions that the energy industry is at breaking point. And we have seen state Labor governments, including our own, further committing their constituents to this path of expensive power blackouts.

The plan was a fable; a betrayal of faith to voters, as Labor appealed to the 'Teals' in their inner-city electorates. As Dr Michael Green wrote in *The Spectator* last week, Labor wanted 'renewables to be the magic pudding of 21st century Australia', and that 'the fairy tale promises of renewables-only ideology and the reality of our [dependency on alternative fuels will result in ongoing energy policy chaos]'.

We need real solutions and our businesses need reliable power. Our households need cheaper power, and I have heard loud and clear from my constituents that South Australians do not want more empty promises. They do not want a future filled with debt. Let us dispense with the idea that our poorest residents should be slugged with disproportionately higher energy costs just so that our politically elite can bask in their moral superiority. Green renewables are not the solution we have been promised.

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

Bills

PUBLIC FINANCE AND AUDIT (AUDITOR-GENERAL ACCESS TO CABINET SUBMISSIONS) AMENDMENT BILL

Introduction and First Reading

The Hon. H.M. GIROLAMO (22:12): Obtained leave and introduced a bill for an act to amend the Public Finance and Audit Act 1987. Read a first time.

Second Reading

The Hon. H.M. GIROLAMO (22:13): I move:

That this bill be now read a second time.

The Public Finance and Audit (Auditor-General Access to Cabinet Submission) Amendment Bill 2022 provides additional powers for the Auditor-General to access cabinet submissions. The purpose of the bill is to immediately rectify a specific issue that was raised by the Auditor-General in his 2022 annual report, which is that the Premier refused to provide any and all of his government's cabinet submissions that the Auditor-General requested in order to complete his audit and fulfil his legislative obligations.

To be clear, the Premier has refused to provide the Auditor-General with any of his government's cabinet submissions that he has requested since the election. The Premier's argument is that this is the same policy that was followed by the former government, but the truth is that his approach to veto all requests by the Auditor-General is a reversal of decisions made under the former government.

This is a massive blow for transparent and accountable government. Do not just take my word for it, the Auditor-General himself has said, and I quote, 'the change of government has certainly changed the scenario for access'. He confirmed that all cabinet submissions that were requested by the Auditor-General during the last four years of the former Liberal government were provided in full.

Even since the election the opposition has provided all eight cabinet submissions that the Auditor-General has requested in full. The Premier has provided zero. Worryingly, the Premier has confirmed during parliamentary questions that he does not intend to give the Auditor-General any cabinet submissions he requests in the future.

What is the Premier trying to hide? Why does he continue to refuse to provide the cabinet submissions to the Auditor-General? Why does the Premier refuse to respond to questions on notice within 30 days in the house, a disgraceful and brazen reversal of the transparency arrangement under the former government? Why is he cutting the Auditor-General's budget by $1.49 million, of which the Auditor-General said, 'This is the first ever I am aware of being imposed.'

When asked in a recent Budget and Finance Committee hearing whether powers to access cabinet submissions would help him undertake his functions he replied, 'Yes.' The Auditor-General serves a crucial role to ensure transparency, accountability and integrity, and he does so in the public interest. We do not accept that South Australia should become a secret state, neither should this council and neither should this parliament. South Australians deserve better.

Ultimately, it is crystal clear that legislative provisions are required to remove the Premier's veto for these requests. Key provisions include new section 34A—Provision, production and use of Cabinet submissions, which protects individuals from penalties for providing or producing cabinet submissions. Specifically, this bill ensures that individuals will incur no civil or criminal liability when providing or producing cabinet submissions to the Auditor-General, including that this action is not to be regarded as a breach of any duty of secrecy or confidentiality imposed on a person by law.

The bill also provides important measures for the management of documents, including that documents must be stored securely and distributed only to members of the Auditor-General's staff who require access to the document in order to assist the Auditor-General or in the exercise of the Auditor-General's function. Further, schedule 1—Transitional provisions, are also important, because this bill provides that the bill applies retrospectively. This means the bill will capture and rectify the discrete problem that the Auditor-General has raised in his annual report.

Moreover, we also know that it has been widely reported that the Auditor-General has provided scathing commentary relating to the administration of payments totalling at least $133 million for local sporting clubs and infrastructure grants. Our view is that these are broader concerns that require further detailed consideration over the coming months to specify whether additional measures, legislative or otherwise, are required to broaden and strengthen the Auditor-General's powers. We think that any further measures require significant additional consultation, especially to ensure consistency wherever possible with recent introduced legislation in Western Australia and New South Wales.

This bill will ensure that the Auditor-General is not prevented from accessing cabinet submissions and is consistent with approaches in other jurisdictions federally and interstate. This is consistent with our approach to transparency when in government. It is important to acknowledge that in 2019 the former government struck an agreement with the Auditor-General to improve transparency and accountability and reverse the previous approach under Labor that blanketed secrecy right across government decision-making.

This agreement is reflected in Premier and Cabinet Circular PC047, and it is this agreement that we base this legislation on. The key difference between the circular and this bill is that we have removed the power of the Premier to veto requests for cabinet submissions made by the Auditor-General due to the unprecedented and perverse interpretation of the veto clause by the current Premier.

Whilst we acknowledge that this bill does not intend to rectify all of the issues raised in the Auditor-General's report, we do think that immediate urgent action is required to enable the Auditor-General to complete his audit and fulfil his statutory obligations.

I would also like to reflect on my time as an external auditor prior to entering this place. I find the lack of access to documentation, including evidence of approvals and declarations of conflicts to be very concerning. If the South Australian government were a corporate organisation they would be in breach of the Corporations Act for not providing access to sufficient records. This would result in a disclaimer of opinion. Access to all relevant information by an auditor is vital to ensure material issues and errors are identified and rectified where appropriate. Transparency is key.

In closing, it is also important to acknowledge that the Auditor-General is an independent authority who is responsible to this parliament and not to a department. All of us here today, including the government, crossbenchers and opposition, have a responsibility to ensure that the Auditor-General has all the tools necessary to undertake his function for the good of the state. I commend the bill to the council.

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

Motions

LIMESTONE COAST TIMBER INDUSTRY

Adjourned debate on motion of Hon. N.J. Centofanti:

1. That a select committee of the Legislative Council be established to inquire into and report on the exporting of wood fibre and other matters regarding the timber industry in the Limestone Coast of South Australia, with particular reference to—

    (a) whether the exporting of wood fibre is in compliance with the conditions of sale of the radiata pine forests in the Limestone Coast, sold by the previous state Labor government;

    (b) the volume of radiata pine log being exported from the Limestone Coast area by all growers;

    (c) the economic benefit and employment opportunities that could be gained through additional wood fibre based industries should the current exported logs be made available for processing in South Australia;

    (d) options for increasing the availability of logs to South Australian processors;

    (e) a review of water licensing laws applying to forest estates;

    (f) opportunities to strengthen the forest and timber products industries in the Limestone Coast of South Australia, and in particular:

        (i) barriers to investment in timber resource and processing capacity;

        (ii) opportunities to expand the plantation estate, including greater utilisation of farm forestry;

        (iii) strategies available to timber processing businesses to secure long-term timber supply;

        (iv) strategies to grow domestic manufacturing; and

        (v) opportunities to maximise returns for timber processors from forest and timber residues;

    (g) policies in other states to constrain resource for specified markets;

    (h) the promotion of the economic contribution of the forest and timber products industry to the South Australian community; and

    (i) any other related matters.

2. That the minutes of evidence presented to the Select Committee of the Fifty-Fourth Parliament on Matters Relating to the Timber Industry in the Limestone Coast, tabled in the council on 8 February 2022, be referred to this select committee.

3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

(Continued from 2 November 2022.)

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (22:21): I rise in regard to the motion to establish a select committee into the timber industry and advise that the government will be supporting this motion and proposal. I established a similar committee in the previous parliament, and I was pleased that so many within the industry in the region participated in that committee. The submissions that I received as part of that committee greatly assisted myself and the then opposition in identifying a number of matters that fed into our policy development process. It led to a large number of election commitments for the forestry industry.

We know, of course, that there was very little in the way of election commitments by the former Liberal government, now opposition, in terms of commitments for the forest industry, so if establishing this committee will assist them in being a constructive opposition then that is something we will support. However, it is somewhat ironic that the now Liberal opposition is proposing the re-establishment of this committee, given their fierce opposition to setting up such a committee when they were in government.

The member for Mount Gambier in the other place attempted to set up a similar committee during the last term, only for the then Marshall Liberal government to use their numbers to vote it down in the lower house. They did not want such a committee then. I moved to establish the committee in the Legislative Council and because the Liberal Party did not have the numbers to quash it the committee was established. It is certainly a remarkable change of heart, their sudden support, but that change of heart is welcome.

Some of the irony, though, is perhaps magnified when one reflects on the sorts of things that were said at the time when I established the committee in this place. In fact, a government minister at the time described establishing such a committee as being meddling and playing political games at the expense of the industry. Clearly, my chairing of the committee and the enthusiastic involvement of the industry and of stakeholders has changed the minds of the Liberals. It is certainly very welcome that that change of heart has occurred.

There has been an amendment flagged by the Hon. Mr Simms, which is an amendment that we also will be happy to support. It includes reference to the environmental impacts of the timber industry. I welcome this inclusion as it has the potential to raise awareness of the carbon benefits of plantation forestry, being that it does draw carbon dioxide from the atmosphere, locks carbon into the trees and then continues to keep it locked in the timber products that are then produced.

That is certainly a welcome addition, because some of those benefits may well be raised in terms of awareness of members of the committee and also perhaps the general public. I look forward to this committee achieving, hopefully, some constructive and non-party-political outcomes. Certainly, I approached the committee as something that would be useful for gaining information and better engagement with the industry. I hope that there will be the opportunity for it to be non-political as it goes forward.

The Hon. R.A. SIMMS (22:25): I rise to speak in favour of the committee on behalf of the Greens. As the Hon. Clare Scriven indicated, I do have an amendment, and I will move that now:

At paragraph 1, after subparagraph (g), insert a new subparagraph as follows:

(ga) environmental impacts of the timber industry;

I circulated the amendment earlier, and I have spoken to the mover and also the government in relation to this. I understand that both are supportive of the amendment. The reason for putting this forward is it is important, when one is constituting a committee such as this that looks at broader economic contributions of a particular industry, that there is also due consideration of the environment, and hence that has been included.

I note the minister's comments regarding the need for non-partisan contributions on committees such as this and look forward to the government supporting other committees that I put forward in the future in a very similar spirit.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:26): I would like to thank the Hon. Mr Simms for his constructive contribution. I also note the contribution of the minister was perhaps a little less constructive and I suggest perhaps her contribution was more party political. I would like to place on the record that the opposition are happy to support the Greens' amendment. I look forward to continuing the good work of this committee into the future. I commend the motion to the house.

Amendment carried; motion as amended carried.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:27): I move:

That the select committee consist of the Hon. H.M. Girolamo, the Hon. T.T. Ngo, the Hon. F. Pangallo, the Hon. R.P. Wortley and the mover.

Motion carried.

The Hon. N.J. CENTOFANTI: I move:

That the select committee have power to send for persons, papers and records, to adjourn from place to place and to report on 30 November 2022.

Motion carried.

AUSTRALIAN RED CROSS

The Hon. J.S. LEE (Deputy Leader of the Opposition) (22:09): I move:

That this council—

1. Recognises that the Australian Red Cross has been supporting communities in need through its humanitarian work and community support services since 1914;

2. Acknowledges the significant contributions that the Australian Red Cross makes in providing a wide range of programs and support to refugees, asylum seekers, immigration detainees, and migrant communities; and

3. Notes the success of the Australian Red Cross' partnership with the Multicultural Centre for Women's Health in delivering the Health in My Language program to support bilingual health education for vulnerable women from culturally and linguistically diverse communities in South Australia.

It is a great honour to rise today to move this motion in my name to acknowledge the significant contributions made by Australian Red Cross since 1914. For more than a century, the Red Cross has been one of the leading humanitarian organisations in Australia, bringing people and communities together in times of need and collectively strengthening the human capacity to rebuild communities.

The Australian Red Cross is part of the International Red Cross and Red Crescent Movement, with millions of members and volunteers operating in over 190 countries around the world. The Australian Red Cross was first formed in August 1914 at the outbreak of the First World War by Lady Helen Munro Ferguson as a branch of the British Red Cross Society. Even before that, its roots stretched back even further to the formation of the International Committee of the Red Cross, which was formed in Geneva, Switzerland in 1863.

The idea of the Red Cross was a simple one: to create a worldwide organisation of volunteers to assist, firstly, those on the battlefield and, later, civilians, through the Geneva Conventions. Within months of its formation in the turbulence of World War I, the Australian Red Cross became a household name and the leading wartime charity. Focusing on assisting the sick and wounded in war, including soldiers, their dependents and Allied civilians overseas, the Australian Red Cross played a vital role both in Australia and overseas.

By the Second World War, the Australian Red Cross had become the largest voluntary organisation in Australia, made up of over 450,000 members, 95 per cent of whom were women. The period after the Second World War saw reconstruction and regeneration that focused on social welfare, national emergencies, national disasters such as floods and bushfires, and the development of a world-class blood donation and transfusion service. Today, a network of around 25,000 staff members and volunteers across the country provides support for Australians through a wide range of community services, disaster relief and help in emergencies, and support programs for migrants in transition.

Out of the thousands of staff who work for the Red Cross, I would like to mention that my husband's brother, Dr Yew-Wah Liew, is a proud member of this dedicated workforce. My brother-in-law has worked for the Australian Red Cross for over 32 years. He started on 1 June 1990 and he has held many high-level management positions within the Australian Red Cross over three decades of his career. He currently manages the Red Cell Reference Laboratory unit in Brisbane. He is always very passionate about increasing the blood bank of Australia to ensure there is enough blood, and different types of blood, available to save lives.

He noted that I often praised multicultural organisations in South Australia about their active involvement in the Red Cross. He said he was very impressed by the blood donation drives by so many multicultural individuals and community groups on an annual basis. I place on the record my special thanks to everyone who participates in blood donations on a regular basis.

As shadow minister for communities I am passionate about supporting the most vulnerable members of our community and ensuring that everyone has the right to feel safe, to have a place to live, food on the table, access to health, education and jobs, and is given equal opportunity to participate in our society. The Australian Red Cross is a vital component within the non-government

community service sector, and its motto of the 'power of humanity' encourages small acts of kindness when times are tough.

I had the great honour of joining the Leader of the Opposition, the Hon. David Speirs, for a meeting with Jai O'Toole earlier this year. I want to commend Jai for doing a great job as the South Australian director for Australian Red Cross, who is responsible for leading Red Cross operations across the state.

In addition to Jai O'Toole, I would like to make very special mention of the dedicated team whom I have had the pleasure of working with over the years. Some of the team members include Migration Support Programs team leader Sue McNamara, Catherine Maynard and the Health in My Language project coordinator, Ms Dulce Diaz-Llanos Montes.

The best way to illustrate the type of work done by the Red Cross is for me to provide some snapshots from the 2021-22 annual report. The report highlights the scale of the Red Cross's impact across Australia. The COVID pandemic plus natural disasters have certainly placed intense pressures on emergency services and community sectors over the last couple of years. The Australian Red Cross supported 131,000 people during 42 emergency activities, including bushfires and devastating floods across Australia.

As the shadow minister for multicultural South Australia, I would like to take this opportunity to also highlight the important work done by Red Cross to assist multicultural communities. The Red Cross provides a wide range of support services to refugees, people seeking asylum, people in immigration detention and other people who are vulnerable as a result of migration. As we watch the terrible conflicts and war events unfolding in Ukraine and the humanitarian crises in Afghanistan, in Myanmar and in other parts of the world, the services of Red Cross include tracing and reconnecting families who have lost contacts as a result of international or internal conflict, war and disaster, and providing emergency financial support to temporary visa holders and those who have an uncertain visa status.

The Red Cross is also involved in helping migrants and refugees to overcome employment barriers through programs such as Connect. Match. Support, which provides detailed client support to jobseekers and employees. Connect. Match. Support builds capacity by connecting migrants with an English language course, training and education, and digital literacy training, while supporting business during and after the recruitment process to increase the chance of sustainable employment outcomes.

Another fantastic program Red Cross that runs in partnership with the Muslim Women's Association of South Australia is a wonderful Learning English Through Food Project. Women from Sri Lanka, Nepal, Ethiopia, Jordan and Egypt learn conversational English while they cook and have an opportunity to share their personal migration stories, recipes and cultural customs in a warm and welcoming environment. The participants have undertaken food safety training and are developing a recipe book as part of the program and have the opportunity to put their skills on display at the Adelaide Central Markets during Refugee Week each year. I have had the honour to be invited as a special guest speaker to this event and it is always very enjoyable.

Another program I would like to highlight to honourable members today is the Health in My Language Program that was launched in South Australia earlier this year. The Australian Red Cross received commonwealth government funding to partner with the Multicultural Centre for Women's Health to deliver this important health project to improve COVID-19 vaccine literacy and decrease barriers to vaccination for migrant and refugee communities.

Through the Health in My Language Program, a team of bilingual health educators were trained to deliver in-language education sessions about the COVID vaccine to community groups and multicultural organisations in South Australia. In multicultural health education in South Australia, educators are all women and are delivering education sessions across a range of health topics, including healthy relationships, wellbeing, parenting skills, healthy eating and managing anxiety.

I was honoured to attend the launch of Health in My Language in August 2022 and meet the incredible women who are undertaking these important health education sessions. It was a fabulous

event, highlighting the importance of inclusivity and accessibility to health information, and it was really a wonderful opportunity to meet all the contributors.

Congratulations to the Red Cross SA team and volunteers for their amazing work every day to mobilise the power of humanity and make significant differences in the lives of disadvantaged and vulnerable South Australians. It is a great honour to move this motion today, and I encourage all honourable members to support this motion to recognise Red Cross in parliament. I commend the motion to the chamber.

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

PHILANTHROPY

Adjourned debate on motion of Hon. S.L. Game:

That this council acknowledges the importance of philanthropy and community service to our society, and recognises the philanthropic and charitable endeavours of Her late Majesty Queen Elizabeth II.

(Continued from 2 November 2022.)

The Hon. J.S. LEE (Deputy Leader of the Opposition) (22:39): It is with great sadness that I rise today to support this motion. I wish to personally add my deepest sympathy and condolences to the royal family on the passing of Her Majesty Queen Elizabeth II and pay tribute to Her late Majesty for her lifetime of distinguished service and her legacy of philanthropic endeavours that have had lasting impact on the world.

On 8 September 2022, the oldest living and the longest reigning British monarch, the beloved Queen of the United Kingdom and the other commonwealth realms, passed away peacefully at the age of 96 at Balmoral Castle in Scotland. After 17 months apart, Queen Elizabeth II and her husband, Prince Philip, were reunited following Her Majesty's funeral, which took place on Monday 19 September at Westminster Abbey.

Queen Elizabeth was the first British monarch to celebrate her 60th diamond wedding anniversary in 2007. They had a long and wonderful marriage that lasted 73 years in total. Their long and strong partnership was most admirable. Her Majesty dedicated her life to people of her nation and commonwealth and today I join my parliamentary colleagues to honour her remarkable life and her outstanding service to the community.

The late Queen had an incredible reign that spanned more than seven decades, after ascending to the throne at the age of 25 in 1952. Her Majesty served with grace, dignity, intelligence, compassion, a wonderful sense of humour and an unwavering sense of duty and purpose from the moment she became Queen. She was a champion of humanity and a magnificent monarch.

As we reflect on the Queen's extensive philanthropic work during her reign, Her Majesty was associated with more than 600 charities spanning everything from dedication to armed forces, fencing and to bereavement care and women's issues. Charities have paid tribute to the Queen for her sense of service, resilience and fortitude. World leaders have repeatedly made remarks that no-one has made a greater contribution to the commonwealth over the seven decades than the Queen.

The late Queen was head of state to the commonwealth. Queen Elizabeth II visited at least 117 countries in her lifetime. This incredible feat makes her by far the most travelled monarch in Britain's history. During her 70 years on the throne, the late Queen appointed 15 UK prime ministers, from Winston Churchill to Liz Truss. British Prime Minister Liz Truss was appointed by the late Queen just 48 hours before her passing. It was another testament to the Queen's true sense of duty. Regardless of what personal condition she was in, Her Majesty carried her obligations with grace and dignity until almost the last days of her long life.

Australians, of course, had a special relationship with our late Queen. Her Majesty visited Australia on 16 occasions, the first time being in 1954 and the last time being in 2011. Her Majesty was the first reigning British monarch to visit Australia in 1954 and she received a jubilant welcome in South Australia on her first tour and on another six occasions thereafter.

In 1954, South Australians welcomed the beautiful young Queen and her handsome Prince to Adelaide for the first time. Reports from *The Advertiser* on that day, 18 March 1954, estimated a crowd of some 200,000 people turning out for the start of her eight-day visit. Later that week, at the Wayville Showground, more than 100,000 children from schools all over the city gathered for a royal music festival.

The people of South Australia were so delighted to see the young beautiful queen on that first visit that South Australia presented her with a special gift, the Andamooka opal necklace and earring set. On 23 March 1954, Her Majesty the late Queen Elizabeth II opened a special session of the Parliament of South Australia right here in this place, the Legislative Council. This was the first occasion in which a reigning monarch had performed this function, and therefore a day of singular significance in the state's constitutional history.

Her Majesty has been the only sovereign that most South Australians have ever known, and has been a constant beacon of hope throughout some of the darkest days of the 20th and the 21st centuries. From World War II to the present conflict in Ukraine, the late Queen had seen six of the biggest wars and disputes that have taken place during her lifetime. She witnessed World War II as a teenager under the reign of her father, King George VI. She is best known for her moral support to the British people during World War II, and her longevity.

With the world keeping on changing around us and around her, the Queen was the true constant. Her Majesty's optimism about our future and her fortitude in the face of adversity was an example to us all. She remained steadfast throughout the turbulent postwar period and comforted millions around the world with her thoughtful and earnest worlds of resilience and encouragement.

The Queen committed her whole life to serving people, communities and charitable organisations around the world. She served her commonwealth with grace, dignity, intelligence, compassion, and a wonderful sense of humour. As we reflected on Her Majesty's incredible reign, I have been reminded of her wisdom and unique insights that she shared with the world.

In particular, I have been reflecting on the Queen as the head of the commonwealth, spread across the entire globe. This 'family of nations' is made up of people and communities from hundreds of ethnicities, cultures, religions and languages. It is important I take a moment to acknowledge the Queen's great understanding of the importance of tolerance, acceptance and inclusion. These qualities are foundation blocks of building a more inclusive multicultural and multifaith society; to building a better, more peaceful and intercultural global world.

Queen Elizabeth II had a strong Christian faith that has been evident throughout her life and in her words and actions. In the Queen's Christmas broadcast in 2014, Her Majesty said:

> For me the life of Jesus Christ, the Prince of Peace, whose birth we celebrate today, is an inspiration and an anchor in my life. A role model of reconciliation and forgiveness, he stretched out his hands in love, acceptance and healing. Christ's example has taught me to seek to respect and value all people of whatever faith or none.

On 14 March 2016, in the Queen's Commonwealth Day message, she said:

> Being inclusive and accepting diversity goes far deeper than accepting differences at face value and being tolerant…True celebration of the dignity of each person and the value of their uniqueness and contribution involves reaching out, recognising and embracing their individual identity.

As we live in a world of diversity, as we live in a multicultural South Australia, the late Her Majesty's wise words reminded us all about the values of accepting differences, and embracing inclusivity. As there are conflicts happening in many parts of our world, more than ever we must work together towards a common goal to build a sustainable future for everyone.

It has been a humbling experience to listen to so many contributions made by honourable members in this place in which Her Majesty has had a special presence in their lives. It seems that almost everyone has a memory, a story, or a special recollection about the late Queen Elizabeth II of how she touched people's lives around the world in some way, great or small.

I would like to share a story of my husband and his encounter with our beloved Queen. It was in April 1979. My husband, Eddie (his full name is Yew Peng Liew) was completing his hotel management studies in England. He was one of the few, very fortunate international students to be selected to serve Her Majesty at a special luncheon. Eddie recalled that it was one of the most

memorable, proud and honourable moments for him and his classmates. As one would expect when the Queen was invited as an honoured guest everything had to be so precise and perfect on the day. The students who participated in the event received a formal certificate. My husband retained his certificate, of course, and I would like to quote the words printed on it:

> The Visit of Her Majesty the Queen & His Royal Highness the Duke of Edinburgh to Winchester
>
> This is to certify that Yew Peng Liew assisted with the catering at a luncheon given by Hampshire County Council in the great Hall of Winchester Castle on Maundy, Thursday, 12th April 1979 in honour of Her Majesty the Queen and His Royal Highness the Duke of Edinburgh at which the catering was undertaken by staff and students of Highbury College of Technology.

My dear husband often reminded me that it was truly an honour to serve the Queen, and the news of her passing was a very sad occasion for us. Not surprisingly, we were one of those millions of people who diligently sat in front of the TV and watched the Queen's funeral and procession from start to finish.

In 2016 I had the privilege of hosting a special afternoon tea in Parliament House on 9 September 2016 to honour and celebrate Her Majesty's 90th birthday. It was a wonderful event made even more special with the help of Dr John Weste, the Parliamentary Librarian, who presented a number of key memorabilia pieces of the Queen's historical visit in 1954 and displayed them at the Old Chamber for viewing.

Dr John Weste's research work and contributions to the Queen's 90th birthday celebration were greatly appreciated. John has an impeccable eye for details and, through good fortune and serendipity, he discovered some rare one-of-a-kind items tucked away in the library. Those items included the restoration of original architectural designs of Parliament House to mark the Queen's royal visit.

My guests, including recipients of the Order of Australia from the Queen's Birthday Honours, wrote heartfelt notes and birthday messages in a special souvenir book which I had the pleasure of compiling and sent to Buckingham Palace. I was delighted to receive a letter of acknowledgement and thanks from Her Majesty, something that I treasure now more than ever.

Many women here in Australia and across the world, including my late mother, absolutely adored the Queen and her sense of fashion and her timeless elegance. Indirectly, I believe the Queen had a major influence over my late mother's love for fashion and brightly coloured clothing.

Over the seven decades of her reign, Her Majesty became a style icon. Inheriting the Crown from her father in the still very patriarchal landscape of the 1950s, one would forgive her for somehow quashing her femininity. Instead, she did quite the opposite. From her earliest ruling years to the final pictures we have of Her Majesty, as always, she was unapologetically feminine. It was a subtle yet empowering statement.

The style legacy of the Queen is a simple lesson in the power of fashion. She was a woman who knew she was herself a symbol of authority and adopted a classic yet iconic uniform to communicate this: pearls, hats, block colours.

From the moment she made that famous address that she would devote her life, whether it was long or short, to offering stability and reassurance to Great Britain and the commonwealth, she dressed specifically to carry out her duties from day one. Her Majesty was always aware of the power of what she wore to convey the right message. She was not just a style icon. She was the embodiment of a female leader who dominated the world stage. She would incorporate the colours of the event she was attending, the head of state she was meeting or the nation she was visiting.

Her use of colour allowed her to stand out, not only bringing joy to those who met her but making it easier for those who had often travelled far to pick her out of the crowd. She would be bold when required, she would be subdued when reflecting a national mood or she would be practical when the occasion called for it. She was stylish, polished and elegant.

The Queen wore nothing by accident. 'If I wore beige no-one would know who I was,' Queen Elizabeth famously said. They were the words of a woman with a keen awareness of what clothes meant. Fashion to the late Queen was not superficial. Quite the contrary, the monarch knew that what you wear matters, and when you are a public figure of such magnitude it matters a great deal.

There was sadness, deep reflection, utmost respect and gratitude on full display when South Australians gathered at St Peters Cathedral on 20 September to farewell Her Majesty The Queen in Adelaide. It was truly a great honour to be part of the moving service, joining many of my parliamentary colleagues and hundreds of South Australians to pay our respects and bid farewell to the longest serving and remarkable Queen. The Archbishop of Adelaide, His Excellency Geoffrey Smith, said to the hundreds of South Australians at the church service:

> …many mourning Her Majesty grew to think of her as a grandmother or great-grandmother.
>
> Queen Elizabeth may have lived a long way away but she was always there.

It is a sentiment shared by many, including me. Queen Elizabeth was the only Queen most of us have ever known.

It was an honour to attend the historic state ceremony for the proclamation of the accession of His Majesty King Charles III on Sunday 11 September in front of the Parliament House of South Australia. Her Excellency the Hon. Frances Adamson AC read the formal proclamation on the front step of Parliament House, declaring:

> …Prince Charles Philip Arthur George to be King Charles III, by grace of God, King of Australia and his realms and territories.
>
> And with hearty and humble affection we promise him faith and obedience. May King Charles III have long and happy years to reign over us. God save the King.

I commend the motion.

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

WORLD FISHERIES DAY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:57): I move:

That this council—

1. Acknowledges that 21 November is World Fisheries Day, which is dedicated to highlighting the critical importance of healthy ocean ecosystems and to ensuring sustainable stocks of fisheries in the world;
2. Recognises the need to protect South Australia's aquatic resources;
3. Notes the importance of scientific research and innovation in the management of fishing stocks in South Australia; and
4. Encourages South Australians to take a moment to consider the people behind the fish and support our fishers by enjoying seafood caught locally.

On 21 November, we mark World Fisheries Day, a day dedicated to highlighting the critical importance of healthy ocean ecosystems and to ensuring sustainable stocks of fisheries in the world. As a country island with around 34,000 kilometres of coastline, Australia has always had a strong connection to fishing. Whether it is deep sea fishing, estuary fishing, fresh water fishing, reef fishing or fly fishing, Australia has it all.

Fishing is an important leisure activity in Australia. Recreational fishing provides economic and social benefits to the Australian community for all ages and socio-economic backgrounds. It has been estimated that over three million people fish recreationally each year, making it one of the most significant outdoor activities undertaken by Australians.

Fishing is also of strong commercial importance to Australia. The Australian Bureau of Agricultural and Resource Economics and Sciences estimates that there are around 17,000 people employed in the fisheries and agriculture sector but only 2,000 of those in South Australia. The sector generates $3.15 billion to the economy annually and about half of the value of caught fish is exported.

Australians love their red meat and poultry but seafood is fast catching up in popularity. Seafood comes in at No. 4, behind beef, pork and poultry, but higher than sheep and lamb. It is therefore critical that we do what we can to protect our fisheries, for us and for future generations. This requires maintaining healthy ocean ecosystems to support fishing stock.

It also requires scientific research and innovation in the management of fishing stocks in South Australia and ensuring that decisions relating to fishing practices are underpinned by sound science, not political pointscoring or pandering to self-interest groups. A fishing sector underpinned by sound, scientifically-informed decisions will maximise the economic value of our fisheries while protecting our precious fish stocks.

The previous Liberal government recognised the importance of the fishing sector to the state and undertook an ambitious fishing reform program early in its term. Many significant achievements were made, with benefits still being felt in the industry today. For example, that government reformed the marine scalefish fishery, making it more sustainable over the long term and therefore more profitable by imposing science-based total catch limits on priority species. This included a $25.6 million commercial net and longline licence buyback to address overfishing. This reform was achieved at the request of the fishing sector, which Labor had failed to address for 16 years.

The Liberal government also set a precedent for fishing sectors through fishery management advisory committees to advise on fishing limits for all sectors, not just the commercial but also recreational and charter boat, including the Snapper Management Advisory Committee and now the new MSF management advisory committee. Previously the MACs focused solely on controls on commercial fishing and created an adversarial environment between recreational and commercial fishers.

The previous Liberal government also assisted the lobster industry by extending the season due to China export barriers. This provided our fishers greater flexibility to market their product. The Liberal government adopted a rolling pilchard quota to address the extension of the tuna season and imposed the long-term closure of the snapper season in the two gulfs in the Western Zone due to overfishing, while providing various support for all sectors impacted by the closure.

However, the sector still needs our support. The impacts of COVID and China trade restrictions have been damaging to certain parts of the fishing sector, and it is important that the fishing industry going forward continues to receive and enjoy the support of our state and our communities. I therefore encourage South Australians to take a moment to consider the people behind the fish and support our fishers by enjoying local seafood caught right here in South Australia.

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

Bills

AUTOMATED EXTERNAL DEFIBRILLATORS (PUBLIC ACCESS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 7 September 2022.)

The Hon. E.S. BOURKE (23:03): I rise to speak on the Hon. Frank Pangallo's Automated External Defibrillators (Public Access) Bill. I will be the lead speaker for the government in this chamber. This bill will require the installation and registration of automated external defibrillators, known as AEDs, in certain buildings, facilities and vehicles. This is an important measure to protect our community, ensuring access to potentially life-saving equipment when it is most in need.

There is substantial evidence that widespread access to AEDs can help to prevent deaths by cardiac arrest. They are user-friendly and help guide users every step of the way to administer use to someone in a life-threatening situation. It is true that an AED cannot actually do any harm to someone who is unconscious. An electric shock is only distributed if it is required.

According to the Heart Foundation, timing is everything in a cardiac arrest. Every minute without defibrillation to restart the heart reduces the chance of surviving by 10 per cent. If the bystanders have not been trained in CPR, that simply means that time is wasted. Public access to AEDs will reduce this risk.

Supermarket giant Coles has recently collaborated with the Heart Foundation in a move to have defibrillators installed in all of their supermarkets and distribution centres. In conjunction with

the installation, a minimum of five employees at each location will be trained to be able to use a defib to assist anyone who suffers from a cardiac arrest.

The importance of access to these machines was proven this September when a young mum was shopping for a sweet treat with her daughter at a Coles supermarket when she suddenly collapsed. The 51-year-old mother, Mary, suddenly went into cardiac arrest in the middle of the Victorian store. Three young Coles workers—Connor, Roy and Emilia—quickly sprang into action, running for the defibrillator and beginning CPR with guidance from the 000 operator. Those three young workers saved Mary's life. Without that access to the defibrillator, Mary's outcome could have been very different.

When we were in opposition, Labor supported this legislation, which was introduced at the time by the Hon. Frank Pangallo. Unfortunately, the former Marshall Liberal government did not prioritise this bill, which saw it lapse in the previous term. The Malinauskas Labor government is pleased to see the legislation reintroduced and to support a vote on this legislation prior to the end of the sitting calendar, within months of securing government, recognising this bill's importance in supporting good and potentially life-saving health outcomes for our community.

Since that time, there have been positive developments in regard to the technology used, and new single-use AEDs are available in the market, which has helped to reduce the implementation costs. The Malinauskas Labor government will be supporting the bill and the subsequent amendments filed by the Hon. Frank Pangallo. The coverage of AEDs across the designated buildings and facilities will ensure that South Australians have access to these easy-to-use devices most of the time. If there is not an AED in the building where it is needed, there will be one close by.

This government has already taken positive steps in installing AEDs in some of the places this bill mandates, including all South Australian Ambulance Service, MFS and SES vehicles. In addition, SA Ambulance is currently developing a register and software, the GoodSAM program, that will allow members of the public to locate AEDs in their vicinity. This will meet the requirements outlined in the legislation.

The Hon. Frank Pangallo has filed further amendments to the bill that provide clarity on the implementation of this legislation. The government supports these amendments. There is a greater benefit of a long lead-in time for the implementation of such a significant reform, allowing time for both the government and non-government agencies to adequately prepare for the commencement of these measures.

The implementation date of 1 January 2026 across non-government sites provides these owners with a reasonable lead-in time to ensure that they can appropriately plan and prepare for the installation of AEDs. In supporting this bill, the Malinauskas Labor government is reaffirming its commitment to the community in ensuring better health outcomes for those, like Mary, in an emergency situation.

The Hon. J.M.A. LENSINK (23:07): I rise to make some remarks in relation to this particular bill. Given the state Labor government's failure to deliver on its promise to fix ramping, it is vital that we positively consider all proposals that provide South Australians with greater assurance that there are measures in place to protect their health.

This bill requires the installation and registration of automated external defibrillators (AEDs) in certain buildings, facilities and vehicles and for other purposes. Currently, there are thousands of defibrillators deployed on private premises and in public places. However, there is no legal requirement for any site, including high-risk sites, to have an AED.

The SafeWork SA code of practice fact sheet advises that an AED is advised and Safe Work Australia's national First Aid in the Workplace Code of Practice states that providing one can reduce the risk of fatality from cardiac arrest. The opposition understands that the cost of AEDs has fallen significantly in recent years. The cost of an AED varies from approximately $2,600 for the large types typically deployed in public areas to smaller cell AED devices approved by the Therapeutic Goods Administration, which cost around $360 for a single-use device.

The South Australian Ambulance Service states that for more people to survive cardiac arrest South Australia needs more AEDs available in communities, workplaces, schools and clubs in

the event of an emergency. As the Hon. Ms Bourke has already stated, for every minute that defibrillation is delayed, the chances of a person surviving a cardiac arrest decrease by 10 per cent.

The bill is supported by healthcare stakeholders such as the AMA and the Heart Foundation of Australia. Business SA, however, have raised concerns with the fines stipulated in the bill, as well as the up-front costs the bill will impose on South Australian businesses in the current challenging economic circumstances. If this bill passes, South Australia will become the first jurisdiction in Australia to mandate the installation and registration of AEDs. While in principle there are clear benefits to having these devices available widely, there are a number of legal and practical issues that arise as a result of the bill and its drafting.

The opposition has placed amendments on file to the penalty scheme of the bill to ensure penalties are reasonable and proportionate, particularly as small businesses may be captured by the bill into the future. It is certainly hoped that this government will follow the former government's lead in ensuring that grants are available to sporting clubs to support them in complying with this legislation. As South Australia continues to endure the worst ramping in this state's history, the opposition recognises the importance of devices such as AEDs in keeping South Australians safe and supports the bill.

I will briefly speak to the opposition amendments, which are all consistent and relate to the penalties. We understand there is no other jurisdiction that has mandated the installation and maintenance of AEDs; therefore, there is no direct comparison with similar legislation in respect of penalties.

Our understanding from SA-Best is that penalties are based on section 157 of the Planning, Development and Infrastructure Act, which applies to an owner of a building failing to comply with a notice relating to the adequacy of the fire safety of that building. It can be argued that these are not particularly comparable. Under the Planning, Development and Infrastructure (General) Regulations 2017, failure to install a smoke alarm in a house or dwelling could attract a maximum penalty of $750, which would be a much more similar comparison.

Business SA has raised concerns with the fines in the bill as well as the up-front costs, so our amendments generally move the penalty provisions to reduce the penalty amounts to a maximum penalty of $2,000 and an expiation of $500. The expiation amount is more than the average cost of an AED and therefore provides an incentive to purchase an AED without being onerous to sporting clubs and other small businesses that may fall under the scheme.

The Hon. S.L. GAME (23:12): I rise in support of this legislation put forward by the honourable member. My understanding is the finalisation of this Automated External Defibrillators (Public Access) Bill has been a long time coming and after many years, so I hope it passes with support today.

Basic equipment that will save the lives of South Australians is practical and a very workable solution. It should not be, as the honourable member has previously mentioned, about dollars and cents but increasing the chance of survival when someone experiences a cardiac arrest in public. It struck me in September when the honourable member said:

> Once upon a time, you could count on an ambulance reaching you within eight minutes. That blew out to 16 minutes, and now it is a frightening lottery.

If the ambulance cannot attend swiftly to save a life, we need backup measures. I support this bill, and I thank the honourable member for his work.

The Hon. R.A. SIMMS (23:13): I rise to speak briefly in favour of the Automated External Defibrillators (Public Access) Bill on behalf of the Greens. In so doing, I want to acknowledge the leadership of the Hon. Frank Pangallo in this regard. I recognise that the honourable member first introduced this bill into this place back in 2020, before my time in the parliament. The Greens were supportive of the bill at that time and we are again supportive of the legislation. I certainly recognise the leadership of the honourable member in keeping this issue on the agenda. It is certainly one that will save lives.

In Australia, approximately 30,000 people experience cardiac arrest outside of hospital, with only 9 per cent of those surviving. Cardiac arrest can happen to anyone, and it is one of the biggest killers of Australians under the age of 50.

According to the Heart Foundation, without chest compressions and the use of a defibrillator, a person in cardiac risk will not survive. Cardiac arrest can take less than 10 minutes to cause death; sometimes an ambulance can take longer than that to arrive. We know that that is the case here in our state, as we continue to deal with the ramping crisis that both major political parties have overseen due to their failure to invest in our health sector.

Access to defibrillators can be the difference between life and death. They are simple to use, do not give a shock unless required, and provide guidance to the user through vocal prompts. They are safe, they are straightforward. Why should we not ensure that they are available for use in the community?

I will say, the Hon. Frank Pangallo did bring into Parliament House recently some of these mobile devices and showed these to me. I was really impressed with the technology and I can see that really has the potential to be used in lots of different settings and also potentially reduces the cost for entities that are going to be required to install these.

The bill will ensure that public buildings are fitted with an automated external defibrillator and I am sure that will result in saving more lives. My office has heard anecdotally of batteries of automated external defibrillators being stolen and I understand that they can have significant resale value. Regular replacement due to theft could be a burden for community-owned organisations if they are required to have a functioning defibrillator available under the legislation.

We do hope that the government will support community-owned buildings, such as local sporting groups, in managing this cost. This is a matter that the Hon. Justin Hanson raised on behalf of the Labor Party in the last parliament and it is an important point and one that I hope Labor will take up now that they are in government.

We note that the Hon. Frank Pangallo has amendments to this bill to remove the South Australia Police from requiring automatic external defibrillators and I understand that this is due to the financial implications of including SAPOL in the legislation. We support the amendments that set the commencement date to 2025 for public buildings and 2026 for private buildings. This allows time for organisations to forecast the expense in budgets and to prepare for the change in legislation. This is a significant change and so the amendment being advanced by the honourable member makes sense.

The bill has been widely supported by organisations, including the Heart Foundation and the Ambulance Employees Association. The Greens are also supportive of having automatic external defibrillators accessible in public spaces. If these devices are readily available in the situation of cardiac arrest, then they will save lives.

I will take this opportunity to just briefly indicate the Greens will not be supporting the amendments foreshadowed by the opposition. The suggestion that there be a very low penalty applied we do not believe would ensure compliance with this new regime. It is important that the penalty provides an adequate disincentive and ensures that there is appropriate compliance. We are concerned that the amendments from the opposition undermine that objective. With that, I conclude my remarks.

The Hon. F. PANGALLO (23:18): I would like to thank all the honourable members in this place for their contributions and their acknowledgements in regard to the benefits of having AEDs in our community. I must say, I am extremely grateful to the Malinauskas government and also the opposition, the Hon. Sarah Game from One Nation, and also the Hon. Robert Simms, for their unanimous support for this measure.

This is Australia-first legislation and also we will be one of the few jurisdictions in the world to mandate the installation of AED machines. On my recent overseas visit to Europe, I went to Spain where I had meetings with the rail manufacturing company Talgo. While I was in Madrid and other parts of Spain on their transport, I was amazed that the Spaniards had adopted this policy of installing

AEDs throughout the country. They were just everywhere. You could not walk 500 metres and not see one with their distinctive green sign.

I was on one of Talgo's trains on a trip to Zamora and they are in their trains. It does not matter where you go, a defibrillator is within easy reach, so therefore I am extremely happy that we are going to see that happen in South Australia, that these devices, these life-saving devices, are going to be available. I am certain that not only will people benefit from their life-saving devices, but they also will provide an assurance within the community that help is nearby, particularly in a situation that we have seen in the past with ambulances unable to get to people who have suffered chest pains.

We saw that pretty sad situation back in August with Andrew Rehn, who called 000 suffering chest pains in his car on Anzac Highway. It took 42 minutes for an ambulance to arrive. Unfortunately, they could not revive him. He was waiting for 30 minutes before help had arrived from a nearby hotel at the Highway Inn, which does have a defibrillator. In that I will mention the great corporate citizens we have in this country and in this state that are rolling them out. The AHA is one of them, and they are in many of their hotels, and I am sure within a short period of time they are going to be everywhere. I congratulate them for that initiative.

We know that the large supermarket operators—Coles and Woolworths—have rolled them out in their stores. We just heard the story about Mary whose life was saved in a Coles store, and I thank the Hon. Emily Bourke for bringing that to our attention. I received a letter from Coles, who were very supportive of what I was doing, and they told me that not a week goes past in this country without a defibrillator saving one of their shoppers. Not a week goes by without a defibrillator in one of their stores saving one of their shoppers, so that gives you an indication of their importance. They are in many other places. You are starting to see them rolled out, but certainly they are going to be a more familiar sight in South Australia now that we have unanimous support for this.

I am extremely grateful for this because I have been a passionate supporter of this. As I think I have mentioned in my previous speeches in this place, I am a heart-attack survivor and I know how close you can come to dying if you do not get immediate treatment or access to life-saving treatment, and this will give that.

The Hon. Robert Simms mentioned the compact AEDs that are now available in Australia. They will cost about $400. They are one-off usage but they are quite portable, slightly larger than a smart phone, and come with all the bells and whistles you would see with a larger one. They tell you what to do performing when CPR, and I will certainly have one in my car, and hopefully people will put them in their cars. We can see them in public transport as this bill also will outline that we hope that they are taken up and used by the community and they do have them in their vehicles.

I will not go through the statistics again, because everyone has mentioned them. We all know that. I will just say that I do have a number of amendments which relate to when the legislation will come into effect after assent and also about which buildings will have to install these devices. I had a meeting with the health minister and SA Ambulance back in September shortly after I wrote to the health minister following the death of Mr Ren and also a situation with a relative who had to wait 2½ hours for an ambulance. Luckily she survived.

The genuine interest in this initiative from the health minister and also from SA Ambulance was quite compelling for me. They certainly saw the benefits of it and also the use of software that can be put on mobile phones and whatever, an app known as GoodSAM is being used in Victoria at the moment which will give locations to people who also have first aid training and where these AEDs are located.

While I am extremely gratified that the opposition has made an about turn from the last time—because they opposed it last time, and I thank them for supporting it this time—I am afraid I cannot support their amendments. The reason for that is you really do not want such low penalties to disincentivise people from taking them up.

It is an important initiative, and I can tell you, Mr President, that I know there are other jurisdictions in this country that are looking at our legislation. Hopefully, with the passage of this bill in the Legislative Council tonight and then in the House of Assembly, it will send a message loud and

clear around the country that South Australia is a heart-safe state. With that, I ask that the bill be read a second time.

Bill read a second time.

Committee Stage

Clause 1.

The Hon. R.A. SIMMS: A brief question through you, Chair, to the government. One of the issues I flagged in my second reading remarks was this issue around community organisations and what could potentially happen if the defibrillator is stolen or if the batteries are stolen. Is this an issue that the government have turned their mind to, and do they have a view on how they might manage that?

The Hon. E.S. BOURKE: I thank the honourable member for his question. I will be honest with you. I am happy to take this question and take that back to the minister's office to look further into that. I do not have the information on that in front of me.

The Hon. F. PANGALLO: Can I just add this? I think I mentioned this in my second reading speech. I have not heard the one about the batteries, but acts of vandalism on these devices are extremely rare. People tend to respect them.

One thing that perhaps we may have to look as well, which I have not mentioned, is ensuring that there is access to them externally or, if they are in a building, that there may be a method of people being able to access a particular building to get to an AED. That may well happen through regs, but I think one of the solutions there is that if somebody does call 000 in relation to that, the devices are registered. There may be avenues for access to those devices.

Clause passed.

Clause 2.

The Hon. F. PANGALLO: I move:

Amendment No 1 [Pangallo–1]—

Page 2, lines 9 and 10 [clause 2(2)]—Delete '12 months after the day on which this Act is assented to by the Governor' and substitute 'on 1 January 2025'

This amendment deletes '12 months after the day on which this act is assented to by the Governor' and substitutes 'on 1 January 2025'. In effect, the compliance date for government-owned buildings and vehicles is 1 January 2025.

The Hon. E.S. BOURKE: For the ease of the chamber, I am happy to highlight that we are supporting all the amendments put forward by the Hon. Frank Pangallo. Also, in relation to this amendment, we are supporting it because it provides a lead-in time for government to ensure coverage across all applicable sites.

The Hon. J.M.A. LENSINK: We are supporting this amendment. I do have some questions at clause 2, though. Would it be appropriate for me to ask them now?

The CHAIR: Yes.

The Hon. J.M.A. LENSINK: A question for the mover of this bill, the Hon. Mr Pangallo: the bill is to commence in two stages, firstly to publicly owned buildings. We note from the honourable member's second reading explanation that there will be a total cost of $3.6 million to the government. Is he aware of whether the government has agreed to and accepted that particular costing?

The Hon. F. PANGALLO: I understand that they would have if they are supporting this bill.

The Hon. J.M.A. LENSINK: I thank the honourable member for his answer. Can he advise whether there are any predicted ongoing costs to business with respect to this scheme?

The Hon. F. PANGALLO: Thank you for the question. As later amendments will show, after having discussions, I have made amendments so the act will not apply to specific smaller businesses and cafes. That will ease the pressure off those businesses. There will be ongoing costs of course,

as there are for anything else, particularly safety requirements, much like you see with fire extinguishers. There would be a cost perhaps in relation to maintenance, and I cannot tell you what it would be, but it is not considerable at all.

The Hon. J.M.A. LENSINK: I thank the honourable member for that response. I think it has been noted that this will be a national first, but is he aware of any other jurisdictions globally that may have implemented a similar scheme?

The Hon. F. PANGALLO: I thank the honourable member for her interest in it and question. As I just mentioned, in Spain—and it was a surprise to me, I was not aware of it—they are certainly placed in locations that I visited in the main city and some of the regional areas, and they are on trains. It is quite clear that they have mandated that.

I know that there are some cities in the United States, in particular Seattle, the home of a manufacturer of AEDs, where they are throughout the city. Tokyo has more than 40,000 AEDs placed right through the city. They are at Chicago O'Hare Airport; you will find one almost every 100 metres there. I have also received, in relation to this legislation, an email from South Africa expressing interest from cardiac specialists there who are following the passage of this bill. They seem to be interested in also following our lead.

Amendment carried; clause as amended passed.

Clause 3.

The Hon. F. PANGALLO: I move:

Amendment No 2 [Pangallo–1]—

Page 3, lines 7 to 9 [clause 3(1), definition of *Building Code*]—Delete the definition of *Building Code*

This relates to the definition of 'building code'. We are deleting the definition of 'building code'. If that is deleted, it is a consequential amendment following the removal of 4K, which is not referred to anywhere else.

Amendment carried.

The Hon. F. PANGALLO: I move:

Amendment No 3 [Pangallo–1]—

Page 3, line 14 [clause 3(1), definition of *emergency services organisation*, (c)]—Delete paragraph (c)

This relates to the definition of 'emergency services organisation'. This deletes South Australia Police from the definition. This has been done after I have had consultations with the Police Association. It does not necessarily relate to additional costs. I think they were more concerned that the addition of these devices in their vehicles could be a distraction from other duties that they undertake.

The Hon. J.M.A. LENSINK: I find this amendment really curious. Some questions we have in relation to this particular amendment the government may wish to respond to as well, given they are the government and have access to these agencies. SAPOL are often first responders and, therefore, they are possibly one of the most logical organisations to continue to be included in this legislation. I think we deserve an explanation from the government as to whether they support this amendment or not and if they can give a more fulsome explanation as to why one of their key first responders would be excluded from this legislation.

The Hon. E.S. BOURKE: As the Hon. Frank Pangallo has provided, we are supporting this amendment because we have consulted with SA Police. While keeping the AEDs in the CFS and MFS and SAAS and SES is part of the scope, the government supports this amendment. We have consulted with SA Police and, after that consultation, it became clear that the police had significant concerns about the practicality of housing AEDs within each of their vehicles—

The Hon. J.M.A. Lensink: Because they take up so much room?

The Hon. E.S. BOURKE: No, but perhaps you just want to hear the answer—and then making vehicles accessible to any member of the public. Whereas it would be more appropriate to have them in an ambulance, CFS and MFS vehicles. That was the reasoning behind that.

The Hon. J.M.A. Lensink: Well, that sort of raises some more questions.

The CHAIR: Order!

The Hon. J.M.A. LENSINK: How do we make a distinction between police having one of these devices in their vehicles and, say, one in a community centre which is accessible to the public?

The Hon. I.K. Hunter interjecting:

The CHAIR: Order!

The Hon. E.S. BOURKE: Because often if the police are involved, it could be a different situation to when there is an ambulance or a CFS or an MFS involved. A police vehicle is rather different to the other vehicles you described.

The Hon. J.M.A. LENSINK: Certainly, if this device was in a police vehicle, the only people who would be accessing it would be the police.

The Hon. E.S. BOURKE: Concern was raised by the police that that would not be the case.

The Hon. F. PANGALLO: I will keep it short. I appreciate where the honourable member is coming from, but in my discussions with the police it was also pointed out to me that, in many of these serious incidents when ambulances are called, police are also in attendance, so you will already have an AED there that is installed in an ambulance.

The Hon. J.M.A. LENSINK: With all due respect, under this government you will get a police car much sooner than you will get an ambulance. Can the honourable member, or indeed the government, advise what the views of the CFS, MFS and SES are in relation to this?

The Hon. E.S. BOURKE: I do not have that information in front of me.

The Hon. F. PANGALLO: What they use? Sorry, I did not—

The Hon. J.M.A. LENSINK: The CFS, MFS and SES: what are their views?

The Hon. F. PANGALLO: They are supportive of it.

The Hon. J.M.A. LENSINK: Being in their vehicles?

The Hon. F. PANGALLO: Yes.

The Hon. J.M.A. LENSINK: What about their views on whether these should be included in SAPOL vehicles or not?

The Hon. F. PANGALLO: What their views are about whether they should be included in SAPOL vehicles?

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

The Hon. F. PANGALLO: I have not got their views. They are not concerned about SAPOL vehicles; they are only concerned about their own.

The Hon. J.M.A. LENSINK: Not a lot of answers forthcoming this evening, are there.

The Hon. R.A. SIMMS: I do have some sympathy with the argument being advanced here by the opposition. I must admit that I did think it was unusual that there was an amendment to remove these devices from police vehicles. That said, I know from the statements made by the government, and also the Hon. Mr Pangallo, that they have consulted with SAPOL and that this is the advice that they have given. So on that basis and in the interest of expediting the bill, the Greens will be supporting the amendment from the Hon. Mr Pangallo.

The Hon. J.M.A. LENSINK: I have two more questions. Can either the mover of this bill or the government advise how many vehicles across the range of state cars in different agencies have AEDs installed already and how many will need to have them installed?

The Hon. F. PANGALLO: I thank the honourable member for her question. I cannot give you the numbers of how many, but I can take it on notice for the honourable member. At this point, I am not even sure how many Country Fire Service or Metropolitan Fire Service do have them, that

have done them voluntarily. I can get those figures for you, but if they do not have them they will have to put them in their vehicles.

The Hon. J.M.A. LENSINK: On what basis was the Hon. Mr Pangallo able to come up with a costing if he has no idea of how many devices will need to be installed?

The Hon. F. PANGALLO: In fact, I initially got a costing from the former Treasurer. But the government is satisfied that he can meet the requirements of installing them in their vehicles.

The Hon. J.M.A. LENSINK: I just need to correct the record. Our advice is that the former Treasurer, Mr Lucas, quoted $18 million in 2019, not $3.6 million.

The Hon. F. PANGALLO: He did quote $18 million, and I did not know where he got that figure from. I think at the time the proposal would have covered a lot more buildings, premises and businesses than this bill does.

Amendment carried.

The Hon. F. PANGALLO: I move:

Amendment No 4 [Pangallo–1]—

Page 3, line 35 [clause 3(1), definition of *relevant authority*, (c)]—Delete paragraph (c)

This relates to the definition of the 'relevant authority'. It removes SAPOL from the definition of relevant authority. It is consequential to the previous amendment.

Amendment carried; clause as amended passed.

Clause 4.

The Hon. F. PANGALLO: I move:

Amendment No 5 [Pangallo–1]—

Page 4, lines 32 to 39 [clause 4(k)]—Delete paragraph (k)

This amendment deletes paragraph (k). New builds may still be covered in future by regulations. This was to prescribe that class 2 buildings are apartment buildings with more than 10 sole occupancy units. They are typically multi-unit residential buildings where people live above and below each other. The NCC describes the space that would be considered the apartment as a sole occupancy unit (SOU). Class 2 buildings may also be single-storey attached dwellings where there is a common space below—for example, dwellings above a common basement or car park.

Class 5 buildings are office buildings that are used for professional and commercial purposes, including class 6, 7, 8 or 9 buildings. Examples of class 5 buildings are offices for lawyers, accountants, general medical practitioners, government agencies and architects. Class 6 buildings are typically shops, restaurants and cafes. They are a place for the sale of retail goods or the supply of services direct to the public. Some examples are a dining room, bar, shop, kiosk, part of a hotel or motel, a hairdresser or a barbershop, public laundry, a market or showroom, a funeral parlour and a shopping centre.

Class 7 buildings include two sub-classifications: class 7A and class 7B. Class 7A buildings are car parks. Class 7B buildings are typically warehouses, storage buildings or buildings for the display of goods or produce that is for sale. A factory is the most common way to describe a class 8 building. It is a building in which a process or handicraft is carried out for trade, sale or gain. The building can be used for production, assembling, altering, repairing, finishing, packing or cleaning of goods and produce. It includes buildings such as a mechanic's workshop. It may also be a building for food manufacture such as an abattoir. A laboratory is also a class 8 building, even though it may be small in size. This is due to the high potential for a fire hazard.

Class 9 buildings are buildings of a public nature. Class 9 buildings include three sub-classifications: class 9A, class 9B and class 9C. Class 9A buildings are generally hospitals, which are referred to in the NCC as healthcare buildings. They are buildings in which occupants or patients are undergoing medical treatment. This includes a clinic or day surgery where the effects of the treatment administered would involve patients becoming unconscious or unable to move.

Class 9B buildings are assembly buildings in which people may gather for social, theatrical, political, religious or civil purposes. They include schools, universities, childcare centres, preschools, sporting facilities, nightclubs or public transport buildings. Class 9C buildings are aged-care buildings. Aged-care buildings are defined as residential accommodation for elderly people, who, due to varying degrees of incapacity associated with the ageing process, are provided with personal care services and 24-hour staff assistance to evacuate the building.

The Hon. J.M.A. LENSINK: I have some questions for the honourable member moving the bill. In relation to clause 4—Meaning of designated building or facility, I appreciate the list that he has just read out, which is actually paragraph (k), which is being excluded from the bill, so set those aside. That is no longer captured within this legislation. What process did the honourable member undertake to form the basis of his list of designated buildings or facilities for paragraphs (a) through to (j)?

The Hon. F. PANGALLO: Can you clarify that question, the honourable member?

The Hon. J.M.A. LENSINK: Yes. Within the bill, there is clause 4—Meaning of designated building or facility. For the purposes of the definition of designated buildings or facilities, there are paragraphs (a) through to (j). My question is: what process did the honourable member undertake to form the basis of that particular list?

The Hon. F. PANGALLO: For that list? The basis for that was our extensive consultation with relevant stakeholders when we were putting together the definitions of the buildings and the ones that we believed we needed for which buildings were required to have these AEDs fitted. That was as a result of negotiations, and that was extensive negotiations over the last three years with stakeholders.

The Hon. J.M.A. LENSINK: Can the honourable member advise whether churches are excluded from the bill or whether they are included in the bill?

The Hon. F. PANGALLO: That would be probably covered in a building or facility, or class of building or facility, prescribed by the regulations.

The Hon. J.M.A. LENSINK: In relation to prescribed sporting facilities, does the honourable member have an understanding of whether the government is going to provide sporting facilities with grants to cover this scheme?

The Hon. F. PANGALLO: I am unclear about the government's intentions of how they intend to roll these out. I imagine that grants will be probably part of the scheme, much as it was when the Marshall government had their own grants for some facilities.

The Hon. J.M.A. LENSINK: Is the government able to advise whether that is the case or not?

The Hon. E.S. BOURKE: I do not have that information in front of me, but we are supporting this amendment, as has been identified. It was taking in a broad section of the small shops that were going to be required to be covered under this. We feel that the amendment that has been put forward does enable us to cover a large range of the community and provide the support where required.

Amendment carried; clause as amended passed.

Clause 5.

The Hon. J.M.A. LENSINK: I have some questions at clause 5. Can the honourable member confirm whether the bill will only apply to private businesses with a premises greater than 600 square metres? Can he advise whether that would, for instance, apply to a large hotel?

The Hon. F. PANGALLO: The definitions of what constitutes a prescribed building are: a prescribed building is a building on land that is used for commercial purposes and has a floor area of more than 600 square metres being constructed, or having major works done to it after the relevant day. A prescribed building is also a building with a floor area of more than 600 square metres if constructed before the relevant day where there is a change of land use to commercial, or a building or class of building prescribed by the regulations.

The Hon. J.M.A. LENSINK: Can the honourable member advise how this particular threshold of 600 square metres was arrived at?

The Hon. F. PANGALLO: Again, it was arrived at with consultation with stakeholders. The stakeholders indicated to us that it needed to be at least in a minimum-sized area like 600 square metres—smaller ones probably would have taken in cafes and smaller businesses, and it would not have been purposeful for them to have that. We felt that that was the appropriate size—that 600 square metres or greater—for a building, rather than a smaller building. That was as a result of discussing it with the stakeholders, which included business and building owners.

Clause passed.

Clause 6 passed.

Clause 7.

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

Amendment No 1 [Lensink–1]—

Page 5, line 33 [clause 7(2), penalty provision]—Delete the penalty provision and substitute:

Maximum penalty: $2,000.

Expiation fee: $500.

I did provide an explanation through my second reading. This particular amendment reduces the maximum penalty from $20,000 to $2,000 and also allows for an expiation fee of $500 which, as I stated, is more in line with smoke alarms, which are a similar life-saving device.

Having an expiation regime is often quite useful in legislation because it enables that to be utilised rather than trying to make the case through the courts. It is a much easier way for governments to ensure compliance with these, so that is why we are moving this particular amendment.

The Hon. F. PANGALLO: As I have indicated, SA-Best will be opposing this amendment. As I also indicated, we do not want a reduction in penalties to be viewed as being an incentive for somebody not to actually take it up. We certainly do not want a disincentive, or what could lead to these lower penalties. I will just point out that we consulted, of course, with parliamentary counsel as well, as to other penalties that applied in areas like fire safety. What we are proposing—that they remain where they are—is similar to what happens in issues with fire safety equipment.

The Hon. R.A. SIMMS: As I indicated previously, the Greens will not be supporting this amendment, for the reasons articulated by the Hon. Mr Pangallo.

The Hon. E.S. BOURKE: As highlighted earlier, the government will not be supporting the amendments put forward by the opposition, for similar reasons to the Hon. Frank Pangallo. I just reiterate that the government does not support this amendment as it creates inconsistency with existing fire safety requirements outlined in the Planning, Development and Infrastructure Act 2016, which was also highlighted by the Hon. Frank Pangallo.

The committee divided on the amendment:

Ayes 7
Noes.....12
Majority 5

AYES

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

NOES

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

PAIRS

Hood, D.G.E.	Pnevmatikos, I.

Amendment thus negatived; clause passed.

Clause 8.

The CHAIR: There is an amendment in the name of the Hon. Ms Lensink.

The Hon. J.M.A. LENSINK: I can read where the numbers lie. This amendment is a similar principle to the previous one in that we believe that expiations are a very effective way to ensure there is compliance at a level that does not need to be taken through the court system. Clearly, we do not have the numbers to have that supported here tonight, but I just place it on the record. In relation to the subsequent amendments—they are not consequential—under similar principles, I am not moving them.

Clause passed.

Clauses 9 to 18 passed.

New schedule.

The Hon. F. PANGALLO: I move:

Amendment No 6 [Pangallo–1]—

Page 10, after line 31—Insert:

Schedule 1—Transitional provision

1—Transitional provision

This Act does not apply in respect of any building, facility or vehicle owned by a person that is not the Crown (or an agency or instrumentality of the Crown) until 1 January 2026.

The Hon. E.S. BOURKE: As highlighted, we are supporting all amendments put forward by the Hon. Frank Pangallo.

The Hon. J.M.A. LENSINK: I would just like to indicate we are supportive of the amendments, but I do have some other questions. I missed the opportunity because we have whipped through a number of clauses, but I do actually have some more questions on the bill.

The CHAIR: Do you want to ask those questions now?

The Hon. J.M.A. LENSINK: Yes, if that is in order, thank you very much. In relation to the register that is proposed, does the honourable member have some feedback about when the government intends to make the register publicly available and operational?

The Hon. F. PANGALLO: I thank the honourable member for her question. In my discussions with the minister and SA Ambulance two or three months ago, I understand that currently they are undertaking a trial of at least one app and I am not sure what stage that is at.

There was an app underway, and I imagine the results of that would be imminent and made available by the minister. We will certainly get an indication before this legislation comes into effect in at least two years in the government. As we have just moved in this transitional provision, that would be in 2026. I expect that we will see the results of that trial, and also the government would no doubt be looking at what apps it intends to adopt. I do know that they are also looking at the GoodSAM App, which is already in operation and working quite successfully in Victoria.

The Hon. J.M.A. LENSINK: Can the honourable member advise us how a business will register through this particular site?

The Hon. F. PANGALLO: The business would need to register once they have taken delivery, and they have purchased a device. I am not sure what device they would purchase, but I can tell you that if they purchase one from St John Ambulance for instance, that would be immediately registered. If they buy the smaller device that I have spoken about, Cell AED, they also come specifically numbered, and they would be registered by the supplier as well as the purchaser.

The Hon. J.M.A. LENSINK: Can the honourable member advise what COTA's advice was on how older South Australians will access this information online?

The Hon. F. PANGALLO: Thank you for the question. I cannot recall what COTA's advice was in relation to elderly residents accessing this information online. Are you referring to the fact that if they suffer a cardiac arrest, how would they—just explain.

The Hon. J.M.A. LENSINK: We are talking about apps. My parents are particularly elderly and not particularly good with technology. With knowing where to access these things on their phones and the like, I know that COTA and SACOSS and number of organisations often have concerns about information that is placed online for elderly people because it can be difficult for them to access. If someone's spouse is having a cardiac arrest and that elderly person wants to access that information, I imagine that would be a particular concern.

The Hon. F. PANGALLO: I thank the member for her question. In actual fact, the way the app will essentially work is if somebody—as the honourable member referred to, an aged person—has a cardiac arrest and somebody calls for an ambulance, they will ring 000, and if it is in relation to assistance that may require an AED, the operator will have instant access to the register. If there are persons there who could render assistance, the operator will tell them where the nearest AED is in the event that an ambulance cannot get there within a specified period of time.

The app essentially also works through the 000 with a register. At the same time, it will also contain a register of people who will then subscribe to that who will have had first-aid training and the technology will then enable the 000 caller to try to locate a first-aid responder who might be in the area that has already subscribed to the app. That is in effect how the app works, rather than having to have it on your phone and thinking that you are going to get the help. The app is all about showing where these are, where there are first-aid responders.

The Hon. E.S. BOURKE: Just to expand on the honourable member's response, I also think the true intent of this bill is about making AEDs more accessible. As was suggested through murmurs over on our side, when you are going through a cardiac arrest, it might not be so much that you are looking for an app, it is just that this will now be available in more public facilities, and we heard about the importance of it now being available in Coles and what that means for their customers. Yes, there will be online information available, but the true intent of this bill is about making AEDs more accessible to people when they are out and about.

The Hon. J.M.A. LENSINK: It seems superfluous to have a clause about it then but, be that as it may, can the honourable member provide some information about what the awareness strategy is going to look like?

The Hon. F. PANGALLO: It will be for the government to determine what that is going to look like—SA Health. I imagine SA Health will have quite a constructive and informative education program that they will put out, in much the same way that they do with many of their other health initiatives, such as COVID warnings and other information. I am sure the government is quite capable of putting together an information package for the community. Not only will it be done online and through printed material but also, I imagine, they may run TV ads, newspaper ads and radio ads. That is really at the discretion of the government.

The Hon. J.M.A. LENSINK: Has the honourable member had any discussions about what that would look like with the minister or officers from his department?

The Hon. F. PANGALLO: I thank the honourable member for her question. No, not quite. My profession is a journalist and not a marketing person, but I have had enough experience in seeing

how you would market particular items or whatever. I really do not think it is that difficult to imagine the type of education program you are going to see.

The Hon. J.M.A. LENSINK: So she'll be right then. Can the honourable member advise how this particular program will be monitored, say, over a five-year period? Does he or the government have any comments on that?

The Hon. F. PANGALLO: I take offence to the remark 'she'll be right'. No, it will not be 'she'll be right'. Let me be quite honest, it is not brain science to actually—

Members interjecting:

The Hon. F. PANGALLO: It is not hard work to actually work out an education and informative program. It is quite easy for a government to be able to do that. They have the expertise to do it. I can envisage what it is likely to look at simply because I know how you would try to sell this thing, but I cannot give you the exact details or whether they will use the yellow Wiggle Greg Page or somebody else. That is at the discretion of the government, not at my discretion at all, but I am sure they will have clever marketing people who they will put to work to produce an effective education campaign for this initiative.

The Hon. E.S. BOURKE: As has been highlighted a number of times throughout the amendments, we extended the start time and the period required so that we can have more time to make sure this a successful program. I know it must be hard for the honourable member because when you were in government you did not want to support this bill, a bill that will enable us to have more access to AEDs across our public buildings. I know the honourable member is supporting this today, but we are willing to sit back. We did put these motions through but have extended the time so that you can continue to ask questions, so I think you should show that respect to the honourable member.

The Hon. J.M.A. LENSINK: I thank the assistant minister for the advice but, with all due respect, I am not the reason why we are here at midnight because I am not the person who has been speaking at length on other matters.

Members interjecting:

The CHAIR: Order!

The Hon. J.M.A. LENSINK: This bill deserves proper scrutiny—

The CHAIR: Order! Let's come back to—

The Hon. J.M.A. LENSINK: —and if I was the minister and this was my bill, I would expect people to ask me questions and someone would have some answers.

The CHAIR: The Hon. Ms Lensink, have you asked a question?

The Hon. J.M.A. LENSINK: I have made a comment.

The Hon. F. PANGALLO: I need to answer that. This is the second time the Hon. Michelle Lensink has had a crack at me.

The CHAIR: No.

The Hon. F. PANGALLO: Well, I am sorry. I—

The CHAIR: The Hon. Mr Pangallo, I am only interested in the bill at hand.

The Hon. F. PANGALLO: I am interested in the bill as well and I am also interested in ensuring that it makes its passage. I am also mindful of the fact that we are elected representatives and this is the work we do; we are not people who look at their watch waiting to get home. This is not what parliament is all about. I am sorry, but I will not take that reference again from the honourable member. She has already had another crack at me previously over the length of my speeches. I am sorry you do not like them.

New schedule inserted.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. F. PANGALLO (00:19): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

POST-TRAUMATIC STRESS DISORDER

Adjourned debate on motion of Hon. L.A. Curran:

That this council—

1. Acknowledges that 27 June is Post-Traumatic Stress Disorder Awareness Day;

2. Notes that PTSD affects around 3 million Australians at some time in their lives including over 10 per cent of military and emergency services workers and volunteers; and

3. Encourages the community to understand the causes of PTSD and support those who suffer from it.

(Continued from 7 July 2022.)

The Hon. R.P. WORTLEY (00:20): Today, I rise to indicate the Labor government's support of the motion put forward by the Hon. Ms Curran MLC. I would like to commence, as advised by the Office of the Chief Psychiatrist, with an acknowledgement that there is a growing body of evidence that emphasises that the word 'disorder' within post-traumatic stress disorder (PTSD) is no longer relevant and I will therefore use the term PTS (post-traumatic stress). This approach confirms that a person may recover from their experiences and it is not a disorder that may potentially be experienced for life.

The statistics regarding PTS are concerning, but the important message is that with greater awareness, positive action can be taken that may prevent the development of PTS or prevent PTS becoming more severe or prolonged. Awareness raising across the population can help to ensure that people who do have PTS reach out for help or that those close to them are aware how to reach out for help on their behalf. This reinforces the approach that reducing and managing the incidence of PTS is not just up to people who may have symptoms, but that their family, friends, close confidants, colleagues, managers and organisations can all assist.

PTS is a set of reactions that follows intense, traumatic events. It is estimated that about 5 to 10 per cent of Australians will suffer from PTS at some point in their lives, where the main symptoms may be marked by the following:

- reliving experiences (nightmares and flashbacks);
- avoidance of things that remind the person of a trauma, such as people, places or feelings that bring back reminders of the trauma;
- hypervigilance or having trouble sleeping or concentrating with agitation, restlessness or poor sleep. They may be easily startled or constantly looking for danger; and
- negative thoughts and feelings like fear, anger, guilt, feeling flat or experiencing emotional numbness.

In some instances, people who experience PTS symptoms may not realise that they have a problem or that it can be treated, and the goal of PTSD Awareness Day is to address this. PTS is more common than generally realised, which is one of the reasons the PTS Awareness Day is promoted.

The aforementioned statistic, which indicates that 5 to 10 per cent of Australians will suffer from PTS at some point in their lives, may actually be higher in some specific groups. Examples of these groups include military veterans, emergency responders, people have been through natural disasters, Aboriginal or Torres Strait Islander people who have experienced trauma and losses,

asylum seekers and refugees, and people who have been the victim of a sexual assault/childhood sexual abuse, or a victim of crime.

Exposure to a potentially traumatic event (PTE) is a common experience. Extensive community surveys in Australia and overseas reveal that 50 to 75 per cent of people report at least one traumatic event in their lives. PTEs include any threat, actual or perceived, to the life or physical safety of a person, their loved ones or those around them. PTEs include but are not limited to events such as war, torture, sexual assault, physical assault, natural disasters, accidents and terrorism.

Offering practical and emotional support to people after trauma can be critical. A sense of community is thus crucial after a natural disaster. The University of Adelaide, Flinders University and the University of South Australia have each contributed to research that has advanced the understanding of PTS and its treatment.

Additionally, our public and private mental health services both offer treatments for PTS and complex PTSD following any traumatic event, such as childhood trauma; exposure to family violence; interpersonal assault, including physical assault, sexual assault and/or domestic violence; and single incidents, such as motor vehicle and workplace accidents. Also, services have developed for those who have been exposed to trauma through their occupation, such as police, ambulance, firefighters, veterans and active service duty personnel.

Therefore, awareness of PTS across the population is crucial. While the number of people who have improved awareness is increasing, there remains a significant number of people who may still be reluctant to come forward. This may be due to several factors, such as shame and stigma, feeling that they will be perceived as weak or having a lack of understanding of their experiences and symptoms. I would therefore encourage people who are unsure, have concerns or acknowledge that they may have PTS but are reluctant to seek help for whatever reason to reach out for support and hopefully commence their journey towards recovery.

Additionally—and a key component of approaches within suicide prevention—if a person feels overwhelmed by their experiences or has thoughts of harming themselves, they should reach out for help wherever it is available and look to contact their general practitioner, mental health professional, non-government organisation or specific telephone support line. Examples of these are Lifeline, Suicide Call Back Service and Men's Helpline.

Nationally, the Australian Blue Knot Foundation is the National Centre of Excellence for Complex Trauma. The foundation advocates for and provides support to people who have experiences of complex trauma and those who support them personally and professionally. Their website is www.blueknot.org.au.

Within South Australia, mental health services have encouraged the use of trauma-informed care across all facets of health. There is a statewide Trauma Informed Practice Working Group and Community of Practice, which reviews and considers practices and procedures that are reinforced within the Chief Psychiatrist Standards to ensure a trauma-informed approach is consistently implemented and supported.

A Train the Trainer trauma-informed practice program for staff across mental health, SAAS and Correctional Services was provided through the Office of the Chief Psychiatrist in 2016 and continues to be strongly promoted across all health. Training is available in all the local health networks and through the SA Mental Health Training Centre. In addition, the OCP liaises with Wellbeing SA to provide consultation on trauma-informed approaches in policy review and development. This has included the incident management and open disclosure policy and the alleged sexual assault policy.

All metropolitan and many country hospital and community mental health services have expertise in evidence-based treatments for PTS. In addition, there are specialist anxiety treatment services, such as the Centre for Anxiety and Related Disorders at Flinders Medical Centre and the Centre for Treatment of Anxiety and Depression at Thebarton. All these services can be accessed via the Mental Health Triage line, 131 465.

The Jamie Larcombe Centre, based at Glenside, provides specialist treatment to current and past members of our Defence Force and has an internationally recognised PTS trauma recovery

program. People in country areas can access the Rural and Remote Mental Health Service by calling 131 465. There is also phone and online counselling available from SA Regional Access. The website is saregionalaccess.org.au.

In addition to these services, the coordination of specialist mental health and wellbeing services is important. For example, the Disaster Management Branch of SA Health and the Office of the Chief Psychiatrist, in partnership with Wellbeing SA and other key stakeholders, have coordinated bushfire mental health recovery programs. Most recently, this has involved providing increased mental health supports in communities impacted by the Cudlee Creek, Adelaide Hills and Kangaroo Island fires in 2019 and 2020. Another example of a coordinated and shared effort is the COVID-19 mental health response virtual support network. It was established by the previous government during April 2020 to support South Australians during the pandemic.

COVID-19 has impacted on the mental health and wellbeing of individual communities and of many in the workforce, particularly frontline workers. The Office of the Commissioner for Public Sector Employment and the Office of the Chief Psychiatrist implemented new strategies for our frontline workers, including increased numbers of peer support programs and an increase in the number of sessions available in the Employee Assistance Program.

To summarise, this is an important matter in private members' business today. Even though the rates of PTS across all areas of the population remain a concern, there are positive messages we can promote. We can take action for the community and for different groups to reduce the impacts of distress, other responses to trauma and disruption of life.

For all South Australians who have experienced PTS, the most protective thing we can do is to create awareness about PTS and overcoming the stigma around it. With greater knowledge and awareness, more people with PTS will be able to access services. With greater knowledge and awareness, the community can become aware of how to get help and support on behalf of someone to aid the person in getting the help that they need as soon as possible.

In closing, I would like to pay the respects of both myself and this council to those who experience PTS, to those who care and live on a daily basis with those who experience PTS and to the wider communities of South Australia for their resilient efforts around the shared experiences and trauma of recurrent natural disasters, including the continuation of COVID-19.

This government is committed to ensuring that the people of South Australia continue to receive the best possible community response and mental health services. I thank the Hon. Ms Curran for bringing such an important matter to the attention of this parliament.

The Hon. S.L. GAME (00:32): I rise in support of the honourable member's motion. I wish to contribute to this excellent motion by moving the amendment standing in my name:

After paragraph 3 insert new paragraph as follows:

4. Recognise the valuable contribution service animals bring to the lives of those recovering from post-traumatic stress disorder.

Service dogs, therapy dogs, assistance dogs and companion dogs: whichever title you use, they are a helpful friend for those living with trauma. These companion animals encourage interpersonal connection, help people regain confidence and can help ease anxiety and other conditions, which encourages participation and rehabilitation back into society.

Over several months, whilst consulting on issues such as mental health, children in care, veteran affairs, the housing crisis and school student absenteeism, I have met numerous assistance dogs. I heard firsthand from owners and handlers about the daily benefit they bring. Dogs not only bring companionship but have a special ability to read emotions and provide stress relief. They may act as a confidant and friendly ear. There is research and evidence that the human-animal bond brings a positive psychological response, increasing oxytocin, improving sleep patterns and promoting serotonin, all of which have a positive impact on the recovery journey.

I am thankful to the honourable member for bringing forth this motion, and I commend her work and interest in this area. I also extend my support to the service dogs and trainers making a genuine impact in the lives of those living with post-traumatic stress.

The Hon. L.A. CURRAN (00:33): I thank the Hon. Mr Wortley and the Hon. Ms Game for their contributions today. From the outset, I would like to indicate that today the opposition will be supporting the Hon. Ms Game's amendment. I would also like to acknowledge that PTS, as the Hon. Mr Wortley and the Hon. Ms Game have noted, comes in all shapes and forms. I welcome the Hon. Ms Game's amendment.

It is an immense privilege to be able to serve in this place, but with it comes great responsibility. The ability to be able to continue to raise awareness about PTSD and break down a stigma around mental health is so important. For those who suffer from PTSD, it can often happen silently and be all-encompassing. It can be incredibly lonely and isolating, despite the prevalence of it throughout our society. We in this place must continue to raise awareness and continue to do all we can to assist those who are impacted both directly and indirectly. It is with this that I commend the motion to this house.

Amendment carried; motion as amended carried.

LEGACY WEEK

Adjourned debate on motion of Hon. L.A. Curran:

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.

(Continued from 3 November.)

The Hon. S.L. GAME (00:36): One Nation recognises the important and vital work performed by Legacy Australia in supporting our military veterans and their families. Legacy Week provides an opportunity for the Australian people to show their appreciation for our veterans and their families' sacrifices. They have kept our borders safe and our treasured values of freedom and democracy intact. The families left behind require financial, social and health support, which Legacy valuably provides.

I have previously highlighted the need for military personnel with high suicide risks to receive prompt support through an earlier motion on veteran mental health. One Nation resonates with Legacy's values of mateship, compassion and fairness. The honourable member has my support for her motion.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (00:37): I rise this morning to speak in support of the motion of the Hon. Laura Curran in recognising the significance of Legacy Week for our Australian veterans and their families. As a legatee myself and as a partner of a former servicemen of Iraq in my husband, David, I am honoured to stand in the Legislative Council today and speak on a motion which resonates with the families of those who gave so much to our country.

During November 1918, a little over 100 years ago, Australia started the repatriation process to help our courageous troops return and resettle back into our communities after a series of serious conflicts in Gallipoli, Palestine, France and Flanders, which were fought by our service men and women to preserve global peace during World War I.

By the concluding stages of World War I, over 416,000 Australians had enlisted to fight, with a staggering 60,000 killed and more than 150,000 wounded, many passing soon after. Whilst the result of Australia's efforts contributed towards Allied victory, thousands of families had sons, fathers, husbands and other family members alike return wounded or not return at all.

It became apparent to Australian Army officer General Sir John Gellibrand upon his return to Australia in 1923 that the lack of support for widows and children of Australian troops was insufficient and thus created the Hobart Remembrance Club. Inspired by Gellibrand, returned Lieutenant General Sir Stanley Savige created his own club in Melbourne named Legacy.

In just under 100 years since Legacy's foundation, the Legacy group has provided service and support to families of veterans who have fought in World War I, World War II, Korea, Vietnam, Afghanistan and Iraq and have consistently recognised the sacrifices made by veterans and their families when they have served our nation.

Today, there are 44 Legacy branches Australia-wide taking on the commitment to provide services to 43,000 veteran families through a greater access to medical and financial support for families doing it tough, battling the detriment of loneliness and isolation by providing social connection services to families, and nurturing the development of children through a strong commitment to education, with an additional boost through grants and scholarships, mentorships and extracurricular activities.

Each year, Legacy holds its annual Legacy Week appeal. The appeal encourages Australians of all walks of life to come together and provide support to widows and children whose loved ones have served to protect our country, by providing the same stability, guidance and assistance that a partner would normally provide to their family.

Sold throughout Legacy Week, the badge behind the Little Badge: Big Impact motto used by Legacy refers to the iconic torch and wreath of laurel. This emblem is used to signify the undying flame of service and sacrifice of those who gave their lives for our country. The timing of this motion could not be more appropriate, with Remembrance Day, a day on which we pause to remember those who died or suffered for Australia's cause in all wars and armed conflict, being last Friday.

I strongly encourage everyone to give back to such a worthy cause that is Legacy Week. It is the kind-hearted nature of Legacy's fundraising donors and the tireless work from Legacy's 3,600 daily volunteers that allow Legacy to provide veteran families with release from financial hardship, social connection services and equal developmental opportunities.

I recognise that no amount of support will be enough to cope with the loss or injury of a loved one. However, Legacy provides an element of reassurance for troops and their families that they will not be alone during the worst possible scenarios. 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.

The Hon. L.A. CURRAN (00:41): I thank the Hon. Ms Game and the Hon. Ms Centofanti for their contributions to my motion and take a moment to recognise the sacrifices that our veterans and their families make every day when they choose to serve in our defence forces and choose to fight to protect our way of life and our freedoms. I would also like to take a moment to acknowledge the important work that Legacy does. With that, I would like to commend this motion to the house.

Motion carried.

Bills

HEALTH CARE (ACQUISITION OF PROPERTY) AMENDMENT BILL

Introduction and First Reading

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

At 00:43 the council adjourned until Thursday 17 November 2022 at 14:15.