

**LEGISLATIVE COUNCIL****Tuesday, 21 March 2023**

**The PRESIDENT (Hon. T.J. Stephens)** took the chair at 14:15 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.

*Bills***LOCAL GOVERNMENT (CASUAL VACANCIES) AMENDMENT BILL***Assent*

Her Excellency the Governor assented to the bill.

*Parliamentary Procedure***ANSWERS TABLED**

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

**PAPERS**

The following papers were laid on the table:

By the President—

Independent Commission Against Corruption Report, Evaluation of the practices, policies and procedures of TAFE SA [Ordered to be published]

Reports of the Auditor-General—

Report 1 of 2023: Update to the Annual Report for the year ended 30 June 2022

Report 2 of 2023: Consolidated Financial Report review

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

Green Adelaide Business Plan 2023-24

Hills and Fleurieu Landscape Board Business Plan 2023-24

Northern and Yorke Landscape Board Business Plan 2023-24

South Australian Arid Lands Landscape Board Business Plan 2023-24

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

District Council By-laws—

Karoonda East Murray—No. 7—Local Government Land (Public Facilities)

*Ministerial Statement***WOMEN'S AND CHILDREN'S HEALTH NETWORK COCHLEAR IMPLANT PROGRAM**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:19):** I table a ministerial statement made in the other place by the Minister for Health, the Hon. Chris Picton MP.

**HOGAN, MS M.**

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:20):** I table a ministerial statement made in the other place by the Minister for Women and the Prevention of Domestic and Family Violence regarding vale Michelle Hogan.

*Parliamentary Procedure***VISITORS**

**The PRESIDENT:** I acknowledge in the gallery young student leaders from Yorke Peninsula, who are guests of the member for Narungga, and those adults who are travelling with them. Welcome to our parliament.

*Question Time***MOUNT GAMBIER SALEYARDS**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31):** I seek leave to provide a brief explanation before asking a question of the Minister for Primary Industries and Regional Development regarding the Mount Gambier saleyards upgrade.

Leave granted.

**The Hon. N.J. CENTOFANTI:** On Wednesday of last week, the minister hosted the federal Minister for Infrastructure, Transport and Regional Development, the Hon. Catherine King, in Mount Gambier for the opening of the Wulanda Recreation Centre, of which the former state and federal Liberal governments invested \$25 million. My question to the minister is: did the minister facilitate a formal meeting between the federal Minister for Infrastructure, Transport and Regional Development and the District Council of Grant regarding the Mount Gambier saleyards upgrade?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:32):** I thank the honourable member for her question. I must say it was an absolute delight to be in Mount Gambier last week, along with the federal minister, to open the Wulanda Recreation Centre. It certainly is a very impressive centre and it was of great interest to all of the local community. It was wonderful to have Mayor Lynette Martin, Minister Catherine King and myself—we were delighted and privileged—able to cut the ribbon on that centre and declare it officially open.

In terms of the saleyards, I have spoken briefly with Minister King about it and, as I have said publicly, I will be raising it in a more formal sense with her at a meeting in Canberra in a few weeks' time. She was also meeting with the Mount Gambier city council, and my understanding is that they were intending to raise it with her, and there has been multiple correspondence from relevant and interested people in regard to this matter.

This is something that the Labor team committed to when in opposition. We put forward that we would support it from a financial perspective, and at the time the proponents, the Grant district council, was going to apply to the Building Better Regions Fund. If I recall correctly, I think the Building Better Regions Fund was open at that time and was to close in either December or January. That was under the former federal Liberal government, but they failed to finalise that round of Building Better Regions funding prior to the federal election. That left the Grant district council somewhat in limbo.

Following the federal election many questions were asked about the appropriateness of the way the funds from the Building Better Regions Fund had been allocated and therefore, as I have advised, the new federal government ended that program and announced a new regional program. My advice is that the guidelines for that are currently out for consultation and will be announced in the near future.

**MOUNT GAMBIER SALEYARDS**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:34):** Supplementary: why did the minister not feel it important enough to spend half an hour with the Grant district council and Minister King at the Mount Gambier saleyards to allow them to share their vision?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:34):** I spent a large amount of time with Grant district council about this matter. I had a briefing, an update, maybe three or four weeks ago; I don't quite recall the exact date. That, of course, is a follow-up to various other meetings and correspondence that I have had with them, both directly and also through my office.

**MOUNT GAMBIER SALEYARDS**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:35):** Further supplementary: as the federal minister was in the region, why didn't you facilitate a meeting in Mount Gambier rather than costing taxpayers for a separate trip over to Canberra?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:35):** I am meeting with the minister in Canberra on a number of matters. I think that's entirely appropriate.

*Members interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Order! Order, the Hon. Ms Girolamo! Minister, please continue, and the Hon. Mr Wortley, you don't need to help.

**The Hon. C.M. SCRIVEN:** I'm meeting with the minister in Canberra in a few weeks' time over a number of very important and different matters.

**EYRE PENINSULA DESALINATION PROJECT**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:35):** My question is to the Minister for Primary Industries and Regional Development. Did the minister know that Billy Lights Point had been chosen as the selected site for the Eyre Peninsula desalination plant when she gave her answer to this chamber on Tuesday 7 March, stating:

I am advised that the SA Water board and the Minister for Climate, Environment and Water will consider the available information, which includes that from the site selection committee and also from the Marine Science Review Panel, to make a final decision regarding a proposed plant location.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:36):** I thank the honourable member for her question. This decision, which the honourable member would understand, I am sure, falls within the portfolio remit of my colleague the Minister for Climate, Environment and Water, was announced publicly after being worked through the appropriate processes within government. Of course, deliberations that occur within cabinet and relevant committees are subject to cabinet-in-confidence. I have answered questions on 7 and 9 March regarding this issue.

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. H.M. Girolamo interjecting:*

**The PRESIDENT:** Order, the Hon. Ms Girolamo!

**The Hon. I.K. HUNTER:** Point of order: we are supposed to be here setting an example to the next generation, and we have members on the opposite side catcalling across the chamber, disrespecting the minister on her feet—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. I.K. HUNTER:** —disrespecting the minister on her feet—

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Girolamo!

**The Hon. I.K. HUNTER:** —disrespecting the minister while she is on her feet trying to answer the question she has been delivered. I ask you to call them to order, sir.

*Members interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Girolamo, enough! Minister, please conclude your answer, and I want to hear it in silence.

**The Hon. C.M. SCRIVEN:** Thank you, Mr President. I'm glad that you, at least, are interested in hearing the answer to the question that those opposite have posed and then failed to listen to. As I said, I've answered questions on 7 and 9 March regarding this issue, and I can confirm that the advice I had at that time and the information I then provided was indeed accurate.

#### **EYRE PENINSULA DESALINATION PROJECT**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:37):** Supplementary: when was the minister first aware of the government's decision to choose Billy Lights Point as the Eyre Peninsula desalination plant? As Minister for Regional Development, was she consulted about the decision?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38):** I refer to my answers on 7 and 9 March, as well as the answer I gave a moment ago.

#### **EYRE PENINSULA DESALINATION PROJECT**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:38):** I seek leave to make a brief explanation before addressing questions to the Minister for Primary Industries and Regional Development on Billy Lights Point desalination site.

Leave granted.

**The Hon. N.J. CENTOFANTI:** The fishing industry commissioned a scientific report into the industry and environmental effects of a desalination site within the Boston Bay and Proper Bay shallow water locations. The report, by Flinders University, calls into question the gross scientific oversight of the government's South Australian Research and Development Institute's report rejecting laboratory modelling. This new report sides with industry concerns, with scientists fearing the inlets will suck up blue mussel larvae and the salty discharge will cause irreparable harm to aquaculture in the bay. My questions to the minister are:

1. Has the minister contacted the fishing and aquaculture industry she is meant to represent in relation to these report findings?
2. Has the minister relayed these industry concerns to her colleague the Minister for Climate, Environment and Water?
3. What proof of industry advocacy can she share with this chamber?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:39):** I thank the honourable member for her question. I have had correspondence from a number of stakeholders, including the seafood industry, about this matter. I certainly respect their advocacy for their sectors and, of course, for the industry in general. Certainly, our government appreciates the contribution to the state's economy that their industries make and also our reputation as a premium seafood destination, much of which is built on the work that happens across Eyre Peninsula, the Spencer Gulf and the West Coast.

Many of those pieces of correspondence have also been addressed to the Minister for Climate, my colleague the Hon. Susan Close in the other place, and some also to the Premier. Those have all—or most—been answered. Those that haven't been answered certainly will be in the very near term.

In terms of the report to which the honourable member refers, I am advised that the SARDI report was fully peer reviewed. It builds on many years of research on behalf of SA Water and they will be making a response to some of the concerns that were raised by the report that the honourable member referred to in the very near future. They do refute the claims that are being made in that report.

**EYRE PENINSULA DESALINATION PROJECT**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:40):** Supplementary: has she, as Minister for Primary Industries, personally contacted the fishing and aquaculture industry she is meant to represent in relation to these report findings?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:41):** I have been in contact with a number within the industry and will continue to have regular meetings, particularly when they are requested.

**EYRE PENINSULA DESALINATION PROJECT**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:41):** Supplementary: who has the minister consulted with in the industry?

**The Hon. I.K. Hunter:** Everyone.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:41):** I have consulted—

*Members interjecting:*

**The PRESIDENT:** Order! I'm just wondering whether the minister will answer, or the Hon. Mr Hunter will answer on her behalf.

*The Hon. H.M. Girolamo interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** I have meetings and correspondence across the industry.

**EYRE PENINSULA DESALINATION PROJECT**

**The Hon. T.A. FRANKS (14:41):** Supplementary: can the minister name which organisations or individuals she has met with on this matter in terms of stakeholders in the industry?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:41):** I have met with a range of industry representatives across the period that I have been minister.

*Members interjecting:*

**The PRESIDENT:** Order!

**EYRE PENINSULA DESALINATION PROJECT**

**The Hon. T.A. FRANKS (14:42):** Supplementary: can the minister name at least two individuals or stakeholders or organisations within the industry that she has actually consulted with on this matter?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42):** I have had correspondence from a range of stakeholders, and I have responded to them.

**EYRE PENINSULA DESALINATION PROJECT**

**The Hon. T.A. FRANKS (14:42):** Supplementary: can the minister name at least one organisation or individual or stakeholder that she has had correspondence or consultation with on this issue?

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42):** I could name a number of organisations and industry stakeholders who have had correspondence with me about this matter. I don't think it's necessarily—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —appropriate to be singling out individuals. People who write to me as minister certainly have the right—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —to expect that they can write to government ministers without necessarily then having their particular details raised in parliament, unless they wish for that to be the case.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Bonaros has joined the conversation, but I want to move on after this supplementary.

#### **EYRE PENINSULA DESALINATION PROJECT**

**The Hon. C. BONAROS (14:43):** Supplementary: can the minister table the correspondence that she has referred to in her answer, please?

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43):** I have had correspondence, as I have said now on multiple occasions, across stakeholders. I don't think it's necessarily appropriate that individual correspondence should be tabled in this place without the consent of those particular people who have written to me.

#### **PREMIER'S EXCELLENCE AWARDS**

**The Hon. I. PNEVMATIKOS (14:43):** My question is to the Minister for Industrial Relations and Public Sector Employment. Will the minister update the council on the Premier's Excellence Awards for the public sector in the category of SA Public Sector Values?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:44):** I thank the honourable member for her question and her interest in this area. It is certainly a privilege to be able to outline the very valuable work that members and individuals and parts of our public sector play in our community in South Australia. Certainly, over the last couple of years during our crises, being the COVID-19 pandemic, bushfires and flooding events, the role that many members of the public sector organisations play in going above and beyond has been sharply highlighted.

I am pleased to be able to update the council on the finalists and winners in the Public Sector Values category. This category recognises an individual's or team's demonstration of the South Australian public sector values in their service delivery, including practical examples where an individual or an organisation has embodied the following in their values in their service delivery:

- service—demonstrated excellence in service provisions;
- professionalism—demonstrated excellence in professional conduct;
- trust—demonstrated competence in other people;
- respect—demonstrated excellence in the people who are engaged;
- collaboration and engagement—demonstrated collaborative approaches to identifying solutions;
- honesty and integrity—demonstrating honesty, consistency and fairness;
- courage and tenacity—demonstrating perseverance; and

- sustainability—demonstrating a focus on solutions that continue to produce outcomes for the community over the long term.

I am pleased to advise the chamber of the finalists and the winner in the individual category, the finalists being:

- Jonathon Lambert, from the Attorney-General's Department, who compassionately and skilfully leads a team of committed lawyers who continue to provide outstanding work in what can be a complex and emotional environment in the Youth Court;
- Meet Kansara, whose procurement and contract management work within the Department for Health and Wellbeing has been integral in saving the state millions of dollars without compromising on quality and care; and
- the last finalist and winner of the individual category is David Francis, from the Department for Child Protection. David is an inspiring, passionate and dedicated member of the team and is dedicated to making sure Aboriginal children and young people gain the best possible outcomes by remaining connected to their people and their country.

In the group category, the finalists were:

- the Cadell CFS, from the Department for Correctional Services, for its tireless assistance in the Riverland during the recent flooding event;
- the Lung Transplant COVID-19 Response Team, from the Central Adelaide Local Health Network, which created and implemented an innovative high-level care plan that's kept vulnerable transplant recipients safe from COVID-19; and
- the final finalist and winner of the group award was Service SA for its agile, flexible response in stepping up in the wake of the Optus hack which left tens of thousands of South Australians needing new driver's licences and proof of age identification.

It's clear from the contributions not just of these finalists but so many in our public sector that we often owe a significant debt of gratitude for the hard work, expertise and compassion of our tireless public sector. I sincerely congratulate the finalists and the winners for their outstanding work and contribution to the South Australian community.

#### **RENTAL AFFORDABILITY**

**The Hon. R.A. SIMMS (14:47):** I seek leave to make a brief explanation before addressing a question without notice to the minister representing the Minister for Consumer and Business Affairs on the topic of housing affordability.

Leave granted.

**The Hon. R.A. SIMMS:** According to the international think tank Demographia, Adelaide's housing market is now less affordable than New York, and Adelaide is the 14<sup>th</sup> least affordable city in the world when it comes to housing. Last week, SACOSS released their latest Cost of Living report, which showed that the average price of rentals in metropolitan Adelaide has increased well beyond the general inflation rate, with the average price increases at \$50 per week over the last year for two-bedroom units and \$60 per week for three-bedroom houses.

With rents skyrocketing in Queensland, Labor Premier Annastacia Palaszczuk has announced that limits on rent increases could be on the agenda for her government to support households living under rental stress, yet here in South Australia, when announcing plans to partially ban rent bidding, Premier Malinauskas told InDaily that, and I quote: 'A landlord is welcome to set rent as high as they believe they can reasonably get.'

My question to the minister therefore is: given the soaring cost of rent and the increasing number of South Australians sleeping on our streets, is it fair for landlords to charge whatever they can reasonably get, and why won't the government join Queensland in considering rent capping to get prices under control?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:48):** I thank the honourable member for his question and his often passionate advocacy in relation to issues to do with rent affordability in South Australia. I will refer his important questions to the minister in another place and bring back a reply for him.

#### PRIMARY PRODUCE EXPORTS

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:49):** I seek leave to make a brief explanation before asking a question of the Minister for Regional Development and Primary Industries about the regions.

Leave granted.

**The Hon. J.S. LEE:** South Australia is exporting a lot of wines and fresh produce from our regions, and they are calling for the federal and state governments to streamline Australia's trade system to ease pressures on our supply chains and make it cheaper for Australian exporters. There is a Trade System Industry Advisory Council being established nationally to bring together industry leaders in ports, airports, shipping, logistics, trade finance, technology, and imports and exports to provide strategic advice and engagement on the Simplified Trade System reform agenda. My questions to the minister are:

1. What submission has the state government provided to the federal government to advocate for a better trade system for South Australian primary producers and exporters?
2. Can the minister inform us whether any of the board members on the Trade System Industry Advisory Council are from South Australia?
3. If there are representatives from South Australia, can the minister please inform the chamber who they are and how they are selected to be on the industry advisory council?
4. If there are no representatives from South Australia, then why not?
5. Will the minister advocate for an SA representative to ensure that South Australia has a strong voice on the council and that our regional producers and exporters are not missing out on tabling the issues that impact on the supply chains from South Australia?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51):** I thank the honourable member for her question. Her question relates to the Trade System Industry Advisory Council and the trade system more generally. I will refer it to the Minister for Trade in the other place and bring back a response.

#### PRIMARY PRODUCE EXPORTS

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:51):** Supplementary: as the Minister for Primary Industries and Regional Development, why can't she answer any of these questions in relation to export of commodities, such as wine and fresh produce, otherwise known as horticulture, in this chamber?

**The PRESIDENT:** I am not sure that I can get that out of your answer, but you can answer it if you wish, minister.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51):** It doesn't arise from the answer, and I have answered the question.

#### FORESTRY INDUSTRY

**The Hon. R.P. WORTLEY (14:51):** My question is to the Minister for Forest Industries. Will the minister update the chamber about the importance of the forest industry in South Australia on the International Day of Forests and the World Wood Day?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51):** I thank the honourable member for his question and his ongoing interest in our forest industry. I am delighted to update the chamber on the importance of

forests to the South Australian economy. We understand and appreciate the importance of the forest industry in South Australia. When I say 'we', I mean those of us on this side of the chamber.

It's a significant industry that contributes an enormous amount to the state's economy. Indeed, the recent Primary Industries Scorecard shows that an incredible \$1.4 billion of wood and paper products are produced in South Australia each year. That is a significant and impressive contribution, especially given the fact that South Australia's forest and wood products industry, I am advised, is entirely based on forest plantations that cover just 0.2 per cent of the state's land area.

World Wood Day is held on 21 March to highlight wood as an eco-friendly and renewable resource and to raise awareness on the key role wood plays in a sustainable world. The 2023 theme is Wood in Cultural Heritage, which emphasises the role wood has played in human history, lifestyle and the environment. One needs only to look at the continued advancements around the use of cross-laminated timber (CLT) and glue-laminated timber (GLT) to understand that timber will continue to play a significant role in human history and our environment.

GLT and CLT will soon be manufactured right here in South Australia and have the potential to play a key role in the state's construction industry, with the ability to build buildings as high as 16 storeys from CLT timber. GLT are pieces of laminated structural timber that are layered and glued on each other in the same direction, giving GLT increase in strength, and is commonly used for structural beams. CLT is a product that is glued at a 90° angle to the layer above, which gives the product strength in both directions and gives CLT similar characteristics, in terms of strength, to concrete.

I congratulate Timberlink in the South-East on their ongoing commitment to develop and manufacture this impressive product here in South Australia. Once their new facility is complete, it will be the first and only location in this state where CLT and GLT are manufactured.

Today also marks the International Day of Forests, which celebrates and raises awareness of the importance of all types of forests, including plantations. The theme for this year is forests and health, with key messages including 'forests boost our mental health' and 'forests play a central role in combating climate change'. That is why the state government is delivering on our election commitments such as the Trees on Farms initiative. This initiative will further assist the growth and development of the on-farm forest plantation sector, with the state government so far investing \$210,000 in the Green Triangle Forest Industries Hub to assist with this initiative.

The investment will see industry knowledge and research transferred to landholders through reports and forums facilitated by PIRSA about new and shorter rotation plantation management models, addressing barriers which may inhibit the harvesting of smaller forests, identifying suitable land areas for farm-based forestry, and understanding Emissions Reduction Fund opportunities.

The forestry industry has an exciting future ahead of it, and I am delighted that the Malinauskas Labor government took to the election a comprehensive suite of policies that have the support of industry. I look forward to continuing to update the chamber about this exciting industry over the months and years ahead.

#### FORESTRY INDUSTRY

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:55):** Supplementary: did the former Labor government sell a state asset worth \$1.3 billion for less than half of that?

**The PRESIDENT:** Minister, you can choose to answer the question, if you wish.

#### FORESTRY INDUSTRY

**The Hon. R.A. SIMMS (14:56):** Supplementary: in terms of her engagement with industry, has the minister raised the issue of blue gums on Kangaroo Island and requested the industry to take responsibility for the damage that they are causing?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:56):** Thank you, Mr President. You haven't ruled that as not arising from the original answer so I will attempt to answer it. I think I spoke in this place last year, but I can certainly check that and advise. There has been a number of initiatives that have been

implemented on Kangaroo Island to deal with the issue of wildlings. I am happy to investigate if there is more to add to the answers that I provided last year on this topic, and then I will bring that back to the chamber.

### FIRST NATIONS VOICE, PARLIAMENTARY SITTING

**The Hon. S.L. GAME (14:56):** I seek leave to make a brief explanation before addressing a question to the Attorney-General, representing the Premier, on the special sitting of parliament scheduled for Sunday 26 March 2023.

Leave granted.

**The Hon. S.L. GAME:** A national referendum is looming. The referendum will allow all Australians, including South Australians, to have their say regarding principles surrounding giving Aboriginal and Torres Strait Islander people another Voice to Parliament in addition to their current elected representatives. The South Australian government has chosen to legislate a state-based Voice to Parliament ahead of the referendum and before waiting to find out what the South Australian people actually want.

The South Australian government has called a special sitting of parliament for the coming Sunday 26 March 2023. The special sitting will not occur without extra cost to the South Australian taxpayer. In addition to the cost of running the special sitting of parliament, the government has decided to make public transport free for the special sitting. My questions to the Attorney-General, representing the Premier, are:

1. What is the justification for demanding that parliament sit on a Sunday, taking members and parliamentary staff away from their families?
2. Why couldn't the special sitting be conducted during normal timetabling hours?
3. Is the special sitting of parliament a publicity stunt?
4. What is the total cost of the special sitting to the South Australian taxpayer?
5. Does the government agree that the money put towards the special sitting could be better spent on out-of-control issues such as ramping and child protection?

**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. Yes, the South Australian government is going ahead with an Aboriginal and Torres Strait Islander Voice to the state parliament; and, yes, it is going ahead of the referendum due later this year.

This was I think possibly the first commitment the then Labor opposition made from opposition. I know that after the Uluru Statement from the Heart was handed down in May 2017, we made a decision, as a then state opposition, that we couldn't wait for a federal government of either stripe to implement what the most extensive consultation with Aboriginal Australians put forward as a blueprint, the tenets of Voice, Treaty, Truth, as handed down by the Uluru Statement from the Heart.

From mid-2019 this was a well-known commitment of the then Labor opposition. It was the first thing I heard the Premier say in many, many speeches. In the Press Club debate that was probably the most contested or watched part of the election campaign, the Premier opened up by talking about this. In fact, on the night of the election, this was the thing the Premier first talked about.

This was an exceptionally well-known part of the then Labor opposition's agenda in the lead-up to the last state election. So, yes, we did fulfil that election commitment by putting before this parliament a South Australians' First Nations Voice legislation. This will be historic and nation-leading. This will be the first of its kind in any state or territory in our commonwealth; 187 years of the founding of this colony and nearly six years after the Uluru Statement was handed down, we think this is overdue.

In much of the consultation that was conducted by the Commissioner for First Nations Voice, there were comments along the lines of, 'Yes, we've told you this over and over again. Just get on with it and do it'—to implement what we said we were going to do and what was so overdue.

I had the very good fortune of being part of, for periods of time on Thursday and Friday, the federal government's referendum engagement group and the federal government's referendum working group: the groups that are looking at giving advice on the question that will be put in terms of the constitutional change at a federal referendum and the group that will be looking at how the referendum rolls out. I have to say, and it is very clear to me from that but from other discussions, that the eyes of Australia—and particularly those who are involved in Aboriginal affairs—will be firmly on South Australia as we pass this legislation.

This is a historic day and I for one am very proud and pleased that the Premier has decided to let this day be shared by as many South Australians as possible. That is exactly why it's not on a Tuesday morning or midday on a Wednesday but on a Sunday when as many South Australians as possible can come and share what is a historic day, not just for South Australia but for this nation, and I think continues the best of the democratic principles that South Australia has been leading in for so long.

### YOUTH CRIME

**The Hon. J.M.A. LENSINK (15:01):** I seek leave to make a brief explanation before directing a question to the Minister for Aboriginal Affairs regarding youth crime in Port Augusta.

Leave granted.

**The Hon. J.M.A. LENSINK:** There have been some concerns that have been publicised regarding youth crime and antisocial behaviour associated with the Davenport community in recent weeks. In reference to the level of state government assistance for young people to prevent crime in the area, the Davenport Community Council's acting chief executive, Lavene Ngatokoura, has stated, and I quote:

We have been forgotten. We're in the too-hard basket. We need support.

Ms Ngatokoura further explained that the Aboriginal Lands Trust had allegedly prevented the council from operating youth programs in the community, which had consequently left minors roaming the streets in gangs at night, committing offences. My question to the minister is: has he met with the Davenport Community Council's acting chief executive or any other representative from the Davenport Community Council in relation to their concerns with this increase in crime?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:03):** I thank the honourable member for her question. I have certainly had a number of meetings with representatives of the Davenport Community Council. Late last year I met on country; I was out at Davenport but I also met, in Port Augusta, Lavene, who has been a long-time member of the Davenport Community Council and the chair of the community council from time to time.

Issues to do with youth programs were certainly something that have been raised with Lavene from time to time. I was very fortunate that one of the meetings occurred not just with myself but with Lavene Ngatokoura and also the Hon. Nat Cook, who is the Minister for Human Services. The Department of Human Services is the agency that is coordinating a whole range of work to provide better and more coordinated services to the people of Port Augusta generally. So, yes, I have met with representatives of the Davenport Community Council, including late last year with the Minister for Human Services, whose department is coordinating work in this area.

### YOUTH CRIME

**The Hon. J.M.A. LENSINK (15:04):** Supplementary question: is it the minister's position that the community is receiving adequate support, or does he believe that they need more assistance?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:04):** I thank the honourable member for her question. I think we should always be looking at ways that we can improve the services that we provide to communities, but in particular in this case to the Port Augusta community.

### NARUNGGA NATIVE TITLE CLAIM

**The Hon. T.T. NGO (15:04):** My question is to the Attorney-General. Will the Attorney-General inform the council about the recent consent determination for the Narungga native title claim?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:05):** I thank the honourable member for his question and his longstanding interest in this area, and as a frequent visitor to many Aboriginal communities around South Australia.

As many members would be aware, Narungga country stretches across the Yorke Peninsula and, for more than 20 years, the Narungga people have been engaged in proceedings to have their native title recognised over their country. It was a distinct privilege to attend a special sitting of the Federal Court on country at Point Pearce last week to finally resolve proceedings in relation to native title for the Narungga people.

The Narungga determination area covers almost 12,000 square kilometres of the Yorke Peninsula, as well as stretching seaward and including Wardang Island and satellite islands. The lands and waters included in the determination area are, and always have been, of huge significance to Narungga people. As part of the consent determination process, evidence was provided to the court of the long connections between Narungga ancestors and the Yorke Peninsula, predating colonisation. This included expert anthropological evidence as well as the evidence of members of the Narungga claim group. The Narungga people have continued to practise hunting and fishing activities post-colonisation.

It was significant that the consent determination was heard at Point Pearce. This site was established as a mission in 1868 and, in the years that followed, many Aboriginal people and families from right across the state were brought there. Point Pearce is therefore of significance for many Aboriginal South Australians and plays a role in many families' histories. In 1972, Point Pearce was transferred to the Aboriginal Lands Trust, and it is now the Narungga people who oversee the running of the community through the Point Pearce Aboriginal Community Council.

For the consent determination, the Federal Court sat on country at the Point Pearce school. We were Welcomed to Country by Milania and Kytanna Buckskin, with Professor Irabinna Rigney taking on the role of the master of ceremonies for the proceedings. As Attorney-General, I had the privilege of making submissions on behalf of the state and agreeing to the consent determination. Following the conclusion of the formal proceedings, we also heard from Narungga elders, including Aunty Claudia Smith, Uncle Kevin O'Loughlin, as well as applicant John Buckskin and Narungga Nation Aboriginal Corporation Chair Anne Newchurch.

In addition to the consent orders made by the Federal Court, the state government and the Narungga Nation Aboriginal Corporation are also entering into a settlement Indigenous Land Use Agreement. This is significant as the very first Indigenous Land Use Agreement (ILUA) signed in South Australia was, I understand, with the Narungga Nation some decades ago.

The new ILUA will provide certainty in relation to the validity of a number of existing interests in the determination area and will also provide a simpler process for the state to engage with the native title holders in relation to future activities that will affect the determined native title rights. The settlement ILUA will also resolve, by agreement, compensation for past impairment of native title by the state in a manner which provides both financial and other benefits for the Narungga people.

The consent determination marked an important day for Narungga people and an important step on the journey towards reconciliation. I would like to thank all those, particularly from the Narungga Nation but also from the state, from local councils, from companies, and from the federal government for this outcome that has been in the process for some two decades and look forward to working with the Narungga Nation in the years ahead on this and many other matters.

## FRUIT FLY

**The Hon. F. PANGALLO (15:08):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries about Channel 7 broadcaster Mick Molloy and the coming Gather Round.

Leave granted.

**The Hon. F. PANGALLO:** Last week, the Seven Network announced its popular panel footy show *The Front Bar*, hosted by Andy Maher—I'm not sure if he's related to the Attorney-General—

**The Hon. K.J. Maher:** No relation.

**The Hon. F. PANGALLO:** —Sam Pang, who has half my surname, and Mick Molloy, will be broadcast live on 12 April from the Adelaide Oval to coincide with the inaugural Gather Round of AFL matches in South Australia. Apparently, demand for tickets might outstrip supply. As a regular viewer of the show, I am looking forward to it.

Planes, trains and automobiles will ferry tens of thousands of interstate footy fans across our border from Victoria and elsewhere to watch their teams play. In telling us that he was excited about coming here, Mick Molloy decided to take a light-hearted poke at our biosecurity border controls in saying, 'I love travelling to South Australia; I'll be bringing fruit over in my boot anyway, so it's a good excuse to watch some footy as well.'

Mick can be a funny bloke, but it appears that he has dropped the ball as to the consequences of his reckless joke, should others take him literally and bring fruit in their car boots and expose our state to yet another costly fruit fly outbreak, which endangers the fruit fly free status our producers enjoy, not to mention the on-the-spot \$375 fine. My questions to the minister are:

1. Is she concerned Mr Molloy's joke could backfire badly and is sending the wrong message to footy fans driving over from Queensland, New South Wales and Victoria?
2. Will the minister now write to Mr Molloy and the Seven Network, pointing out the risks and request they issue another statement warning footy fans of the penalties for bringing fruit into our state?
3. What control measures is the government planning to put in place at border crossings to check on the thousands of vehicles expected?
4. Will the government stick to its zero tolerance approach and issue fines rather than cautions to interstate motorists caught bringing fruit into South Australia?
5. Can she tell the chamber how many motorists have been caught bringing fruit into the state illegally in the past 12 months?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:11):** I thank the honourable member for his question. I must say that at the beginning of the question I was trying to work out how it was relevant to my portfolio, but if it is talking about fruit fly then, absolutely, it is incredibly relevant because, after all, fruit fly is one of the world's worst plant pests.

The farmgate value of our horticultural industry that is vulnerable to fruit fly is \$1.3 billion per year. We certainly need to do everything we can to protect South Australia from any further outbreaks. One piece of fruit infested with larvae or eggs can result in a fruit fly outbreak, with the significant costs and impacts on industry, on government and on the general public.

My understanding is that we will continue with the zero tolerance policy. I do not see any reason why that would change because of the Gather Round. Certainly, I receive frequent communications from people interstate who have been fined when they have brought fruit into South Australia, fruit that is not allowed to be brought in and which potentially could be a host for fruit fly.

Under the zero tolerance approach all detections of fruit fly host material do result in an expiation being issued, subject of course to sufficient evidence being in existence. The aim of the zero tolerance approach is to change traveller behaviour and therefore prevent fruit fly entering into South Australia and particularly into our pest-free area.

I don't have the figures for the last 12 months, but I can advise the member that there has been a significant decrease in the amount of prohibited material being seized since the zero tolerance approach was introduced. For reference, in 2018, which was prior to zero tolerance, 27 tonnes of host material was seized. That reduced to 13 tonnes in 2019, 12 tonnes in 2020 and 5½ tonnes in 2021, but of course COVID restrictions also impacted that figure.

To date, I am advised that approximately 22,000 people have failed to comply with the zero tolerance and have been fined, and the current fine is \$409 per offence. There has also been a number of successful prosecutions in the Magistrates Court. Zero tolerance has the full support of the South Australian industry, and my intention is that that would continue.

**The PRESIDENT:** The Hon. Mr Pangallo, you have a supplementary?

#### FRUIT FLY

**The Hon. F. PANGALLO (15:14):** Yes, I do. Will the minister address the comments made by Mr Molloy and write to him? Secondly, will there be additional staff at these control points to ensure that motorists are complying, or does she expect that motorists are just going to act out of goodwill and will willingly dump any fruit that they have with them?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:14):** I will certainly consider writing to the television station. In terms of the second part of that supplementary, there are multiple signs as motorists do approach both the South Australian border and the quarantine stations. My understanding is that generally when we expect a large influx of visitors then staffing is increased at the checkpoints. Certainly, I will make inquiries to ensure that that is the case on this occasion.

#### FRUIT FLY

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:15):** Further supplementary: can the minister also ensure that there is adequate staff available at the Pinnaroo quarantine station?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:15):** Thank you. I will discuss with my department staffing at all appropriate points.

**The PRESIDENT:** The Hon. Mr Pangallo, you have another supplementary question?

#### FRUIT FLY

**The Hon. F. PANGALLO (15:15):** Yes, I do. Putting aside all the jokes, does she realise the significance of what could actually happen during the arrival of fans into our borders, if they do decide to take Mr Molloy's comment seriously and literally?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:16):** Thank you. The significance of any new fruit fly outbreak is huge. I've been dealing with this now for close to 12 months. It's an incredible impost on the community and on industry, and therefore we really want to encourage everyone to work together to overcome this pest which is so destructive to our state.

#### AUTISM SERVICES

**The Hon. H.M. GIROLAMO (15:16):** I seek leave to provide a brief explanation before asking a question of the Assistant Minister for Autism regarding waiting lists.

Leave granted.

**The Hon. H.M. GIROLAMO:** Families of children with autism and members of the autistic community face massive wait times for services, including speech pathology, occupational therapy and psychological services. Many providers are at capacity and waitlists are between six and 18 months. Some do not even take on new clients. My questions to the Assistant Minister for Autism are:

1. What is the government doing to ensure children with autism can access services within the public system?

2. Will the assistant minister consider potential action to encourage more transparency in regard to wait times?

3. Will the assistant minister work with the Minister for Education to increase the number of graduates in key areas outlined within allied health?

**The Hon. E.S. BOURKE (15:17):** I thank the member for her very important question. There are many things we need to do in this space because, as the honourable member has highlighted, a diagnosis is important. A diagnosis enables someone to know who they are as an individual; it goes beyond just getting support for them throughout life—but also just knowing who they are.

I notice the member has focused on children, so I will respond on that behalf. I am happy to take that on notice and get a response from the education minister. I believe—and I am happy to get further advice on this—my memory is that there was an announcement made just recently about getting extra support through our universities for allied health, but again I will get information for the honourable member on that.

In regard to what we are doing as part of a policy commitment within our school environment, we are having access to psychologists, speech pathologists, OTs—I am advised they are the areas we are looking into. But I will, again, get further information on that for the member, as I am not the Minister for Education. There are lots of things that we are doing in this space. We also need to make sure that we are doing things for the immediate, the interim and also the long term, because we know that there is concern in this space. People need to be able to get access to a diagnosis, so we are looking at all those levels and we will continue to do that.

We have continued to do that through our strategy discussion. I am pleased to advise the chamber that we are very competitive in South Australia, particularly when it comes to Victoria, as the Hon. Frank Pangallo has just highlighted. We did our strategy consultation just recently and this was an issue that arose from that discussion. I am pleased that our discussion and our strategy was far more engaged than the Victorian strategy, which is often seen as the state that has been able to develop a lot of policies in this area.

It highlights again in South Australia that we are leading the way in what we are doing in this space because we had over 1,000 people participate in our discussion paper and the Victorians only had 700, or around that. When you put into perspective how many people live in South Australia in comparison to Victoria, I feel we are doing considerable work in this area.

The most significant thing from that strategy discussion is that 33 per cent of those participants are autistic, so we are listening directly to the community. I believe that in Victoria, I was advised, participation was only 15 per cent, so we know that we are not just talking at a community, we are working side by side with the community to know what they actually want. I am happy to take your questions on notice. I'm not the minister, but I'm happy to get that information back to you.

#### **AUTISM SERVICES**

**The Hon. H.M. GIROLAMO (15:20):** Supplementary: in regard to the autism inclusion program, how will that directly assist with early intervention support for children, rather than assistance for the teachers?

**The Hon. E.S. BOURKE (15:20):** Again, I am not the Minister for Education, but the autism inclusion program—I'm guessing the member is referring to the autism inclusion teacher?

**The Hon. H.M. GIROLAMO:** Yes.

**The Hon. E.S. BOURKE:** The autism inclusion teacher is necessary because we know there is a knowledge gap and when there is a knowledge gap we can't make change. If we can provide that knowledge to our teachers, we know that we can start reducing the gap between what I mentioned in our last sitting week, where I believe that it's around 84 per cent of people who know the word 'autism' but only 29 per cent of people who know what autism is.

If we were to overlay that in our school environment, we can see how that is going to be a problem. If our teachers—any of them—are falling into that 84 per cent where they don't know what autism is, we need to be making sure we are giving them that knowledge and that they are becoming

that pillar of knowledge within their school community so they can share that knowledge with their peers, with fellow teachers within the school community, so we can start really bridging that gap and making sure that our students can be supported in the best possible way.

### **AUTISM SERVICES**

**The Hon. H.M. GIROLAMO (15:21):** Supplementary: just confirming that the autism inclusion teacher is responsible for teaching teachers, rather than providing direct support to children?

**The Hon. E.S. BOURKE (15:22):** I feel I have explained this quite a few times. The autism inclusion teacher—

*An honourable member interjecting:*

**The Hon. E.S. BOURKE:** I will slow it down a little bit. When our teachers come out of university, the problem we are finding is that there is no basic teachers degree that necessarily covers anything about disability studies, inclusive studies and what is autism. This is what we have been advised through our consultation. Obviously, we need to be doing something as a government to step in and start to make that cultural change and start to really build up that knowledge.

This is the largest network that is happening anywhere in the nation. This is an incredible thing that we should all be really, really proud of. We are taking a teacher out of the classroom and giving them that knowledge. We are training them. We are giving them face-to-face knowledge. That face-to-face training has already been undertaken, I am advised, for many of our teachers. That is an incredible achievement. Only seven months ago, these teachers didn't exist. Now we are taking them out of the classroom to train them up and give them that knowledge.

It will take time because we can't be saying to teachers, 'Go and support every autistic child in the classroom right now,' if they don't have that knowledge. We need to be making sure that they can get the knowledge so they can support their students in the best possible way. We also need to be making sure that our teachers are getting the knowledge so they can share it with their peers because we want one teacher at least to be that pillar of knowledge in our schools so that peers can go to them and say, 'What can I be doing to best support kids in my classroom?' Then we can start really changing on the ground that cultural understanding and that knowledge base of what autism is.

### **SOUTH EAST FIELD DAYS**

**The Hon. R.B. MARTIN (15:23):** My question is to the Minister for Primary Industries and Regional Development. Will the minister please update the chamber on her recent visits to the South East Field Days?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:24):** I thank the honourable member for his question. As I hope all members are aware, field days are held across various regional locations in South Australia and play a pivotal role in bringing the community together. I had the opportunity last week to call by just prior to the start of my home field days, the South East Field Days, known as the 'friendly field days'.

I had the opportunity to meet with the secretary of the South East Field Days event, Nicole Crosby, and I want to say thank you for the time and generous hospitality given to me in briefing me about preparations for the event, along with an overview of some of the stalls that were set up for the two days. It was wonderful to hear about the large uptake in support for space at the grounds in light of recent times where, as a result of COVID, we saw a much smaller event in recent years.

The South East Field Days are primarily agricultural with an emphasis on catering for the needs of families. The majority of the exhibits are self-staging outdoor exhibits, along with two large pavilions that offer craft and clothing, along with wines and food from across the Limestone Coast region.

The South East Field Days are a project of the Lucindale Lions Club, with money raised through the event going back into the field days site for maintenance and upgrades to ground work,

along with supporting other local projects in the South-East community, but of course it also provides an excellent opportunity for members of the South-East to come together.

I understand that it was anticipated that the event would draw in over 15,000 people from across the region, which speaks to the significance of the event. While I was there I took the opportunity to speak with some of the stallholders, including Grain Producers of South Australia, Rural Business Support, the Wine Grape Council of South Australia and the National Heavy Vehicle Regulator, all of whom offered attendees a wonderful opportunity to connect to key representatives from the industry and associated bodies.

I also want to take this opportunity to thank all the PIRSA staff, who had a large presence at the event as well. I was able to call by and speak with PIRSA staff from a range of different divisions. There were stalls focusing on fisheries, biosecurity, plant and animal health, and forestry, which had been set up ready to offer information to the South-East community. It was timely to view the biosecurity stand, which had preserved examples of footrot in livestock, which I know has been a topic of conversation in recent weeks in parts of the South-East.

The PIRSA tent was a wealth of knowledge across a range of areas and provided the perfect opportunity for attendees to obtain a range of relevant information. The Agtech Centre, which was run by the Struan Research Centre, provides an excellent opportunity for agricultural technology businesses to promote new technology and innovation with farmers and agricultural retailers throughout the South-East region.

Once again, I want to thank the organisers for their incredibly hard work in preparing for this event. Events like this do not just happen, they require large amounts of planning and preparation. I am advised the event was very much a success and would like to say well done to all.

#### **SOUTH EAST FIELD DAYS**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:27):** Supplementary: can the minister inform the chamber what day she attended the South East Field Days? Was it Friday the 17<sup>th</sup> or Saturday the 18<sup>th</sup>?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:27):** No, if the honourable member had been listening, I did indicate in my answer that I had the opportunity last week to call by just prior to the start of these field days.

*Members interjecting:*

**The PRESIDENT:** Order! Do you want to listen to the answer?

**The Hon. C.M. SCRIVEN:** I am guessing that those opposite, by their interjections, which I note are out of order, are asking why I wasn't there on the two actual days. The answer is: like the rest of my government, I am a minister who keeps their promises. I had been invited to address the Crawford Fund event here in Adelaide on the Friday and also to open the Maitland Show on the Yorke Peninsula on the Saturday. Since I had made those commitments prior to the invitation to attend the field days, it wasn't possible to actually attend the field day on the two days that it was open as well.

*Members interjecting:*

**The PRESIDENT:** Order! The two leaders and the Hon. Ms Girolamo, I can't hear the minister. Minister, please conclude.

**The Hon. C.M. SCRIVEN:** Thank you. I had some other commitments as well. However, I think because the field days are so very important, that's why it was important that I took the opportunity to visit on the set-up day—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —and that's why it was incredibly useful to be able to talk to so many of those involved in the field day, including the various organisations that I have mentioned. I

think if those opposite think that ministers should break their promises, it says more about them than it does about me.

### RIVER MURRAY FLOOD, FISH KILLS

**The Hon. T.A. FRANKS (15:29):** I seek leave to make a brief explanation before asking the Minister for Primary Industries and Regional Development a question about mass fish kills in the Murray.

Leave granted.

**The Hon. T.A. FRANKS:** Biosecurity is the lead agency for coordinating the response of our state to fish-kill incidents, while PIRSA, fisheries and aquaculture may also be involved in any reactions to a fish kill, although I will note that, in terms of the clean-up, the lead agency is to be determined at the time and is currently undetermined.

In late 2022 and early 2023, there were widespread reports in South Australia of dead fish washing up on the banks of the river, from Walker Flat and Mypolonga near Mannum to Milang on Lake Alexandrina and Goolwa Beach at the Murray Mouth. Waters from last year's floods are gushing out to sea and the salinity of the ocean has been lethal, leading to dead fish washing up on our beaches.

That was as the floodwaters rose. Now, as they recede, we have seen in recent days, interstate, millions of fish dying in the lower Darling-Baaka River near Menindee in New South Wales. In fact, it was the 31<sup>st</sup> such recorded incident since July 2022 and certainly the largest such incident in recorded data for this state. Indeed, while we talk about fish kills, the numbers are usually in the hundreds or the tens, sometimes the thousands, but certainly not as we have seen: in the tens of thousands.

An emergency response has of course been put into action in New South Wales, in the state's far west, to coordinate the clean-up of the worst mass kill to ever hit that region, with fears it could cause an ecological disaster that will take years for the river to recover from. Photos supplied by Menindee residents showed dead fish, mostly bony bream but also Murray cod, golden perch, silver perch and carp, blanketed across the river's surface. This incident is just the latest in a series of large-scale fish deaths that have prompted questions about the management of our Murray-Darling Basin. Those photos certainly do not convey the stench.

These are clearly not standalone events. Impacts of climate change, pollution and flash flooding have caused the deaths of these fish and significant impacts to the residents of the Riverland. While fish deaths in smaller numbers of 100 to 500 are to be expected, there seems to be nothing 'natural' about close to a million fish dying in a single incident. The New South Wales Department of Primary Industries' fisheries arm has been dispatching officers to assist with the fish-kill assessment and community discussions and clean-up. My questions to the minister are:

1. Can the minister update the council on the number and nature of fish kills in our state in the last six months as the rivers have risen?
2. Also, what preparations are being made?
3. What monitoring is being done now that the floodwaters are receding?
4. What learnings are being taken from the significant mass fish-kill incident in our neighbouring state of New South Wales to ensure that we are prepared, should such an ecological disaster befall us?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:32):** I thank the honourable member for her very important question. The Department of Primary Industries and Regions (PIRSA) is the lead agency for the coordination of any large-scale fish-kill clean-ups if they occur in South Australia as a result of flooding. As the member mentioned, a fish-kill event is occurring in the Darling River near Menindee. Large numbers of bony herring, potentially hundreds of thousands, are being affected, as well as native fish, such as Murray cod and golden perch.

I am advised that this event is likely caused by low dissolved oxygen levels in the water in areas where floodwaters are receding. This is known as hypoxia. High air temperatures increase the risk of further reductions in dissolved oxygen and the potential for further fish-kill events. Fish kills have also occurred in the Darling River upstream, in Pooncarie, as a result of poor-quality flood plain water returning to the main channel.

High flows have led to successful recruitment events, resulting in a large biomass of fish congregating in the Darling River between Lake Wetherill and Menindee. Water for the environment is being delivered to reduce the risk of fish deaths by releasing oxygenated water from Lake Menindee. However, I am advised that this will take several weeks to pass along the system.

Fish-kill events are common throughout the Murray-Darling Basin and are often associated with hypoxia. It's expected that water from the Darling will mix with water from the Murray prior to entering South Australia. I am advised that it is unlikely that this event will result in fish kills occurring in South Australia.

In terms of information about fish kills in South Australia, as members would be aware flooding may cause blackwater and fish kills to occur. As of 17 March (last week), there was no blackwater present in the South Australian section of the River Murray. PIRSA monitors the dissolved oxygen levels of the River Murray using the Department for Environment and Water data loggers, which are located along the river, and dissolved oxygen level is a key indicator of stressful conditions.

Upstream areas of the River Murray in South Australia are experiencing conditions that are not stressful for fish, is the advice that I have. As the river level drops, water draining off the flood plains and back into the main river system may bring water that is low in oxygen back into the system, which may result in fish kills in the main river channel.

PIRSA has an operational response plan in place and coordinates clean-up operations and the disposal of fish carcasses for large-scale fish-kill incidents associated with flooding of the River Murray in 2023. Clean-up operations mitigate the risk of adverse socio-economic, human health and environmental impacts. The need for clean-up works is assessed on a case-by-case basis and will consider factors such as the numbers of dead fish and proximity to towns and tourist attractions.

Along with PIRSA, I would encourage members of the public to contact Fishwatch on 1800 065 522 if they notice anything unusual along the river here in South Australia.

#### *Parliamentary Procedure*

### **STANDING ORDERS SUSPENSION**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:36):** I move:

That standing orders be so far suspended as to enable me to move a motion without notice concerning the appointment of members to the Legislative Review Committee and the Natural Resources Committee.

Motion carried.

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

#### *Parliamentary Committees*

### **LEGISLATIVE REVIEW COMMITTEE**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:36):** I move:

That pursuant to section 21(3) of the Parliamentary Committees Act 1991 the Hon. N.J. Centofanti be appointed to the committee in place of the Hon. L.A. Henderson (resigned).

Motion carried.

### **NATURAL RESOURCES COMMITTEE**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:36):** I move:

That pursuant to section 21(3) of the Parliamentary Committees Act the Hon. B.R. Hood be appointed to the committee in place of the Hon. N.J. Centofanti (resigned).

Motion carried.

*Parliamentary Procedure*

**STANDING ORDERS SUSPENSION**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:37):** I move:

That standing orders be so far suspended as to enable me to move a motion without notice concerning the substitution of members on the select committees on Return to Work SA Scheme, Health Services in South Australia, Matters Relating to the Timber Industry in the Limestone Coast, Damage, Harm or Adverse Outcomes resulting from ICAC Investigations and the Gig Economy.

Motion carried.

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

*Parliamentary Committees*

**SELECT COMMITTEE ON RETURN TO WORK SA SCHEME**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:37):** I move:

That the Hon. B.R. Hood be appointed to the select committee in place of the Hon. N.J. Centofanti (resigned).

Motion carried.

**SELECT COMMITTEE ON HEALTH SERVICES IN SOUTH AUSTRALIA**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:37):** I move:

That the Hon. D.G.E. Hood be appointed to the select committee in place of the Hon. L.A. Henderson (resigned).

Motion carried.

**SELECT COMMITTEE ON MATTERS RELATING TO THE TIMBER INDUSTRY IN THE LIMESTONE COAST**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:37):** I move:

That the Hon. B.R. Hood be appointed to the select committee in place of the Hon. H.M. Girolamo (resigned).

Motion carried.

**SELECT COMMITTEE ON DAMAGE, HARM OR ADVERSE OUTCOMES RESULTING FROM ICAC INVESTIGATIONS**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:38):** I move:

That the Hon. L.A. Henderson be appointed to the select committee in place of the Hon. N.J. Centofanti (resigned).

Motion carried.

**SELECT COMMITTEE ON THE GIG ECONOMY**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:38):** I move:

That the Hon. D.G.E. Hood and the Hon. B.R. Hood be appointed to the select committee in place respectively of the Hon. H.M. Girolamo and the Hon. L.A. Henderson (resigned).

Motion carried.

*Parliamentary Procedure***STANDING ORDERS SUSPENSION**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:38):** I move:

That standing orders be so far suspended as to enable me to move the substitution by motion of a member of the Joint Committee on the Legalisation of Medicinal Cannabis.

Motion carried.

**The PRESIDENT:** I note that we still have an absolute majority.

*Parliamentary Committees***JOINT COMMITTEE ON THE LEGISLATION OF MEDICINAL CANNABIS**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:39):** I move:

That the Hon. B.R. Hood be substituted in place of the Hon. L.A. Henderson (resigned) on the joint committee.

Motion carried.

*Bills***EQUAL OPPORTUNITY (DOMESTIC ABUSE) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 17 November 2022.)

**The Hon. J.M.A. LENSINK (15:39):** I rise to indicate support for this particular piece of legislation, which adds to the existing provisions under which it is illegal to discriminate against people within the South Australian community on the grounds of someone who is or has been subject to domestic abuse.

The definition of domestic abuse is lifted from the Intervention Orders (Prevention of Abuse) Act 2009, which was a groundbreaking piece of legislation at the time and does include elements of coercive control, which I understand are likely to be amended through legislation within the next 12 months or so.

These provisions clearly are very important for people who are subject to any form of domestic violence. We know from the voices of survivors that they undergo significant trauma. There is a great deal of disruption in their personal lives and the last thing they need is for obstacles to be put in place through any forms of discrimination.

I think we have a much better understanding within our community of the depth and breadth of violence which takes place in our community. I think we are a much more understanding and compassionate community in 2023 about the impacts for those people who are experiencing it and much less victim blaming is taking place.

We do continue to need to reform our laws to keep in touch with contemporary attitudes and, therefore, it is entirely appropriate that all forms of discrimination are removed for a whole range of people, including those victim survivors of domestic and family violence. I commend the bill to the house.

**The Hon. C. BONAROS (15:42):** I rise on behalf of SA-Best to speak on the Equal Opportunity (Domestic Abuse) Amendment Bill 2022. The bill, as we know, aims to expand the legal protections in the Equal Opportunity Act to make it unlawful to discriminate against a person on the grounds of being, or having been, subjected to domestic abuse.

We strongly support the objectives of this bill but note, importantly, that its effectiveness will depend on funding, appropriate resourcing, education and training factors. We understand the Equal

Opportunity Commission currently employs the equivalent of 5.2 FTE staff. That is a very small number when you consider its wide range of statutory functions.

We do have some serious reservations about the capacity of the commission to resolve complaints and undertake its other functions and therefore meet the objectives of this bill without increased resourcing. There have been assurances, I am told, that the commission will put its hand up if it receives a big influx of cases.

The fact remains that it is not at present proposed that there be any additional funding, and that is even without these additional functions, never mind any other additional functions that we have seen directed to the commissioner and indeed discussions that are taking place as I understand it in government at the moment for even more functions potentially being directed to that commissioner.

The ACT has commenced equivalent legislation under the auspices of the Human Rights Commission, which I think might give some insight into the sorts of numbers that they have experienced. It has dealt with 24 complaints in the past 12 years to the end of June 2022, but seven of those in the last reporting period.

We are not suggesting resourcing for the sake of resourcing—appropriate resourcing and funding that is. Our concern is ensuring that we are not simply passing legislation as a feel-good measure but rather ensuring that we are actually committed to addressing the very important objects and objectives of this bill.

We do have concerns about the commission's capacity to conduct the broad-based community education and awareness program to ensure workplaces and the broader community are aware of the changes. Again, not because we have any doubts over their ability to deliver those but because of the increasing functions that the commission has and that small number of staff available to them at the present time.

Similarly, we would like some confidence, I suppose, about the commission's ability within the current resourcing confines to provide training to the bodies which would be subject to these new provisions, and perhaps the Attorney will be able to elaborate more generally in a moment on the issue of funding.

Going forward, our concern is that when budgets come up that is not the time to—certainly, when there are budget restraints we often see budgets cut as opposed to budgets being increased, so when a bill is presented for us it provides the most opportune time, in my opinion, to actually really extensively review whether the funding arrangements are enough, will be enough, to meet the objects of the bill and indeed whether or not there should be any provisions that set those minimum thresholds in terms of what should be available to the commission to undertake that expanded role that it will now have.

The bill in general though is a welcomed legislative reform. It will mean that any government department, instrumentality, agency or council will be prohibited from discriminating based on domestic abuse when performing any function which can be construed as a service to the person claiming discrimination. On the face of it, it is unclear whether the actions of police responding to domestic violence incidents or child protection authorities dealing with family violence issues will be covered by these new provisions.

These are certainly discussions that I have had at length now with the Attorney's team, and we do appreciate it is complicated but the feedback that has been provided to me from experts in this area is that if the bill does cover police and child protection work as services it will be quite challenging for those agencies to deal with because of the broad definition of domestic abuse in the bill. If the bill does not cover police and child protection, those agencies will be able to lawfully discriminate on the grounds of domestic abuse.

Both agencies are critical first responders for many women who are the subject of domestic abuse and vulnerable to discrimination on the grounds of domestic violence, and as such I would welcome the Attorney's clarification on this crucial issue. Housing SA and SACAT are others which have been raised with us. There are a good number of examples where courts and tribunals have considered the interpretation of the word 'service' for the purposes of discrimination legislation, and

I will mention just a few of those lead cases to demonstrate these complexities. In *Patrick v State of South Australia (No. 2)* [2009] SAEOT 1, the tribunal stated the following, and I quote:

While SAPOL provides services to the community, it cannot be said that SAPOL provides a service to each individual person who is arrested, charged and held in custody. 'Service' is not to be confused with a duty that may arise out of the police function to uphold the law. Such a duty may arise when a person presents at a police station to answer a warrant of apprehension that contains an endorsement that bail is not to be granted. In carrying out their duty, SAPOL would be fulfilling one of their functions and thus providing a service to the South Australian community.

I think you need to read that a few times over to actually understand what the court is saying there. The judgement goes on to say:

It could not be said that SAPOL were providing a service to Patrick when they arrested, charged and held her in custody.

In *Mikhail Marchenko v South Australia Police* [2020] SAET 168, consideration was given to whether a service is provided when a police officer responds to a call for assistance from a person under threat and provides protection. In that case the full bench found that SAPOL was a service. Child protection matters have also agitated the issue in recent years. In *ZVG and CET v Department for Child Protection* [2020] SACAT, 15 the tribunal found that the department was not providing services to the legal parent of a child when it made decisions over removal, placement and contact.

In *BWI v Department for Child Protection* [2020] SACAT 84, the tribunal considered whether decisions to place and/or remove a child from a foster care placement and to cancel approval as a foster carer were services provided to the foster parent. It found these actions were not services to the foster carer as it was fulfilling a statutory duty to keep children safe from harm.

As I said before, and will continue to say, this is an extraordinarily complicated issue. This is the very reason we should be following the lead of other jurisdictions and accompanying bills with a statement of rights, impact statement or explanatory memorandum, because we would have some better insight into those issues, particularly when they have been through those judicial processes and we have competing definitions which are very relevant to the legislation we are debating.

The provision of more explanatory materials and examples to accompany positive reforms like this are absolutely needed to demonstrate the types of situation these protections are intended to cover. There is no point us guessing what the courts will do, or there is no point us guessing what might or might not be covered, or what is this parliament's intention. It should be in material before members of parliament when we are either debating it and, more specifically, better articulated in legislation.

I reiterate that this is in principle a very welcome reform. We certainly hope it will achieve its objectives of empowering victim survivors. We hope it will raise awareness in workplaces and in the broader community about domestic abuse, because achieving these goals is extremely important and they are dependent on victims feeling safe to report and disclose domestic abuse in the first instance. This absolutely, in our respectful view, must be part of a broader package of reforms for consideration in this place to ensure that victims do have that level of safety provided to them.

I would ask the Attorney again for some clarity around the points I have raised with him and his team during briefings, and the issue of resourcing, in addition to the issue of definitions around or coverage of service that is defined in the bill. With those words, I wholeheartedly support the intent of this bill.

**The Hon. S.L. GAME (15:53):** I rise to speak on the Equal Opportunity (Domestic Abuse) Amendment Bill 2023. Although I am pleased to see forms of domestic abuse being included in the criteria for establishing discrimination under the Equal Opportunity Act, I see this as a missed opportunity. Thousands of individuals have been discriminated against because of parental alienating behaviours which, according to a growing segment of the legal field, are defined as a form of domestic abuse.

Advocacy group Eeny Meeny Miney Mo Foundation have self-reporting evidence of one million Australian children currently being affected by parental alienation. That is one million targeted parents and many more affected members of extended family. Yet, despite it being the most common form of family and domestic abuse, it remains largely unrecognised.

The anti-discrimination measure captured in this bill only partially covers the effects of domestic abuse from parental alienating behaviours. This amendment is a missed opportunity for many in our community, and I continue to have hundreds of alienated parents contact me. These alienating behaviours, and both the intentional and unintentional discrimination that occurs, happen too often in separated families. The effect of parental alienating behaviours on parents' ability to attain or hold a steady job is significant. It impacts their daily life and limits their ability to access finance options and even education and extracurricular activities for their child.

They have expressed issues such as ongoing and haphazard court sessions requiring time off work, and this leading to reduced hours or even dismissal; being denied a working with children check or unable to obtain a security clearance due to false claims against them and then not being able to obtain a job or volunteer role; endless costs associated with legal proceedings such as arguing child visitation orders or having false claims challenged in court; having their rental lease terminated because of threats of or actual property damage caused by the alienating parent; and having schoolgrounds access denied because the alienating parent has informed the school of false intervention orders.

Many employers do not know what parental alienating behaviours are, and they do not know this form of abuse and discrimination affects thousands of South Australians. As I have alerted this chamber to previously, parental alienating behaviours include emotional harm, coercion, fear tactics, threats, intimidation, stalking, harassment, physical and sexual abuse of both the child and/or targeted parent, economic exploitation, gaslighting, manipulation, isolation and even abduction.

Many people do not know the discrimination targeted parents face and the consequences of that discrimination. One recent Australian research paper asserts that 23 per cent of alienated parents have attempted suicide at least once. If we had formally recognised parental alienating behaviours as a form of domestic abuse, there would be no need for me to raise this issue again and again.

If the Attorney-General had taken this matter to the South Australian Law Reform Institute, as he promised he would consider, we would not need to raise this issue again and again. As it is, we are lagging, and victims of parental alienating behaviours, both the targeted parent and the targeted child, remain unprotected. I hope elements of this bill can be used by lawyers to advocate for targeted parents.

Once again, I raise a key message from my federal budget reply speech: Labor will invest \$1.7 billion to address gender-based violence towards women. This measure fails to recognise the reported one-quarter of domestic violence victims who are male. It is also noteworthy that the true figure is without a doubt higher, as domestic violence towards men is under-reported due to stigma and shame. Campaigners argue that of men who experience domestic and partner violence, 54 per cent of them have never told anyone about it, and 68 per cent have never sought advice or support. Men are less than half as likely to seek a restraining order against a previous or current partner. We must ensure that these male victims are also able to participate in this new legislative protection.

I would also like to bring attention to the discrimination caused by financial abuse. The discrimination caused through financial abuse can come from having been forced or manipulated to transfer or sell a house; having been forced or manipulated to guarantee a loan or take out a loan on behalf of someone else, which the abuser had no means or intention of paying, therefore forcing the victim into bad credit and debt; having money stolen from accounts and leaving someone unable to pay their rent bills and utilities; and, as we so often see occurring in elder and disability abuse situations, the person authorised to manage victims' money not acting in their best interests or using their money for themselves.

This bill does cover some of these aspects, but it does not go far enough to deter discrimination against victims of financial abuse and parental alienating behaviours. One Nation will bring light to these issues and their victims at every opportunity. Awareness can create change, and I hope the seed is planted in the Attorney-General's mind for future safeguarding amendments.

**The Hon. R.A. SIMMS (15:58):** I rise to speak in favour of the Equal Opportunity (Domestic Abuse) Amendment Bill 2022. The Greens believe that everybody deserves to be safe, respected and free from discrimination. The Equal Opportunity (Domestic Abuse) Amendment Bill of 2022

provides protection for people who have experienced domestic violence by ensuring they are not discriminated against in workplaces or in seeking support, accommodation or services.

Domestic and family violence affects many people in our community. The statistics on domestic abuse are sobering. One in eight Australians have experienced abuse before the age of 15. One in six women and one in 16 men have experienced partner violence since the age of 15. Again, I highlight the statistics: one in six women have experienced partner partner violence since the age of 15.

People with a disability are more likely to experience physical and/or sexual violence, and First Nations people are 32 times more likely to be hospitalised than non-Indigenous people. Approximately 13 per cent of adults experience abuse during their childhood. These are alarming statistics. People who have experienced domestic abuse can further face disadvantage as a result, contributing to long-term health impacts, both physical and mental. Additionally, domestic and family violence is a leading cause of homelessness.

All these statistics paint a grim picture. Discrimination suffered by domestic abuse survivors adds another layer of disadvantage. This bill will ensure that people who have experienced domestic violence are able to apply for properties, jobs or bank accounts without fear of discrimination. The Greens believe that nobody should be discriminated against because they have experienced or witnessed domestic violence.

While we welcome the intent of the bill and we are supportive of the legislation, I do want to highlight some of the concerns that have been raised by organisations, such as the Law Society, regarding the definition of 'services'. A clear definition of 'services' in the Equal Opportunity Act would reduce any ambiguity. We note that case law has provided some clarification in terms of the meaning of 'services', but further clarity would ensure that agencies that are intended to be captured by these laws are indeed included.

I refer you to the Law Society's submission to the Attorney-General where they query whether or not law enforcement authorities are captured under the government's definition of 'services'. Their submission states:

It is highly desirable that such agencies are not exempt from anti-discrimination provisions. If there are grounds that would justify them not being included, they should be clearly outlined.

Clarity around which services are intended to be incorporated into the bill is beneficial in terms of ensuring that agencies are sure of what responsibilities they have and how they can best train their staff to develop their internal procedures and policies.

As a result of those issues that have been raised by the Law Society, at the committee stage we will ask some questions of the government about the capacity of the Equal Opportunity Commission. Already underfunded, the Equal Opportunity Commission has only 5.2 full-time equivalent staff to carry out the functions required by the act. In their 2021-22 annual report, the EOC stated:

Through independent review it became clear that, for some time, the Commission has been structurally underfunded and that we have also been operating beyond our annual funding sources. This meant that we were no longer able to maintain the staffing levels that would enable us to undertake our statutory functions properly.

The Greens call on the Malinauskas government to increase funding to the Equal Opportunity Commission not just so they can carry out their existing functions effectively but also so they are better able to implement the new provisions in the bill, including ensuring that they have sufficient resources to deliver an awareness-raising campaign about these important changes.

The Greens support removing discrimination faced by domestic violence survivors and to do that we want to ensure that the Equal Opportunity Commission gets the support and the funds that they need. In closing, we are supportive of the bill. We will be asking questions in the committee stage regarding the implementation. With that, I commend the bill to this chamber.

**The Hon. I. PNEVMATIKOS (16:02):** In the past, this parliament has legislated to protect South Australians from discrimination based on race, sexuality, disability, employment, spousal status and caring responsibilities, amongst others. Since its introduction, the Equal Opportunity Act

has not had a substantive review or reform of the legislation. We are all aware of the need to protect, support and empower victims of domestic violence.

Given the prevalence of domestic violence in Australia, the likelihood that the impact of domestic violence could trickle into one's workplace, work performance and therefore future employment and housing prospects is significant. This compels us to pass the Equal Opportunity (Domestic Abuse) Amendment Bill 2022. This bill will nominate domestic abuse as a protected attribute from discrimination, akin to sexual orientation, gender, race, disability and age. In other words, it will now be unlawful to discriminate against someone because they, or a relative or associate, have been or are being subjected to domestic violence.

The bill bans discrimination against victims of domestic abuse in all areas of public life covered by the Equal Opportunity Act. These include employment, volunteering, education, the purchase of goods and services, and decision-making by associations and qualifying bodies. An example of a scenario that the bill will prohibit is criticising or treating an employee unfairly because they took time off on domestic violence leave. Another example is refusing to rent a property to someone because they are protected under an intervention order.

The bill also prohibits what is known as indirect discrimination against victims of domestic abuse. This is when a general requirement is imposed that somebody with a protected attribute—in this case, subjection to domestic abuse—cannot comply with or will find more difficulty to comply with. For instance, if a prospective landlord requires applicants to provide evidence of a recent rental history, although this requirement is reasonable for most applicants, it may be unfair for a victim of domestic abuse who has been forced to live in crisis accommodation or has an unstable rental history with many short-term vacancies. By prohibiting indirect discrimination, we can help to alleviate some of the difficulty the victims of domestic abuse experience in trying to find a safe place to stay.

We are all aware of the horrific scale of domestic abuse afflicting this country. The issue is constantly raised in this building. However, we are yet to see any signs that we are any closer to its elimination. If this bill is passed, South Australia will join the ACT as one of two Australian jurisdictions with legislation that specifically protects victims of domestic abuse from discrimination in public life. Although this will not end the scourge of domestic abuse, it will make victims' lives easier by affording them greater legal protections. Therefore, I commend the bill and call on my parliamentary colleagues to support it.

**The Hon. J.E. HANSON (16:06):** It will not surprise anyone that I rise to speak in support of this bill, which in my view brings laws of our state into line with what is just and appropriate and what modern standards should reasonably be expected in terms of protections against discrimination for people who are experiencing or who have recently experienced domestic violence.

Everyone should be aware that there is a domestic violence problem in the culture of our nation and indeed this state. I think that few here would refute that. In addition to our culture's underlying endemic domestic violence problem, a number of circumstances over the past few years have exacerbated or become aggravating factors in domestic violence. COVID-19 and all that accompanied it, as well as the rising cost of living are two factors that have and will continue to increase pressures on families and individuals and those with exacerbated mental health challenges. Let's be clear, though, these are factors; they are not excuses.

I mention them to highlight that the amendments to the Equal Opportunity Act 1984 proposed in this bill are pretty timely. They are also reasonable and they are worthwhile. They offer practical ways in which our laws can better protect the rights of persons experiencing domestic violence or abuse, because we know that domestic violence and abuse can give rise to further problems for those experiencing it, undeserved problems for people who are already having a difficult time living through something that certainly, I think everyone here would agree, no-one deserves to endure.

In particular to myself in speaking to this, I have lived most of my life in metropolitan Adelaide, and there is no doubt in my mind that there is a significant and warranted focus on domestic violence and abuse here in the city that I love, but the domestic violence problem is also very significant in our regions.

As someone who has spent the best part of two decades working in the regions, my greatest knowledge of the scope of the problem in South Australia is probably centred around the localities of Upper Spencer Gulf, Port Augusta and Port Pirie—cities like that. That region, centring largely on the electorate of Stuart, saw a nearly 48 per cent increase: a 48 per cent increase in domestic and family violence offences reported over the period from 1 January 2019 to 31 December 2022—48 per cent.

Domestic violence matters can also occupy a disproportionate amount of police time. In an electorate like Stuart this is problematic, especially because, being a regional area, resources are often quite geographically stretched when it comes to policing. Domestic violence support services and adjacent services are always under pressure as well. Compounding that is the staffing issue. Many services have open advertisements for positions that are difficult to fill. It can be difficult to retain those staff that they do get, let alone obtain them when they really need them. The problem of domestic violence services being in need of resources and staff is not unique to regions, but it certainly does significantly compound the problem that regional South Australians face in terms of domestic violence and abuse.

I think it is fair to say, and a fairly obvious statement to make, that, as a government, we cannot and will not sit on our hands when it comes to domestic violence and abuse. The provisions of this bill aim to address some of the issues of discrimination that can arise for victims of domestic and family violence. We know that they can face discrimination in various areas of life. We know that this sort of discrimination does occur, has no reasonable basis and is abjectly unfair.

This bill proposes to make it unlawful to discriminate against a person on the grounds of them being or having been subject to domestic abuse. It intends to give people who are experiencing or who have experienced domestic violence equal opportunity in the prescribed areas, relative to people who are not facing those challenges. The bill will prohibit discrimination in all areas covered by the Equal Opportunity Act, which of course, as other members have gone to, includes employment or engagement in work, the provision of education, decisions of associations and qualifying bodies, and the provision of land, goods, services and accommodation.

Some of the specific aims of the bill are to prevent employers from criticising or penalising an employee because they accessed domestic violence leave and to prevent lessors from refusing to rent a property to someone because they are protected under an intervention order. In the rental climate that we are facing now, people escaping domestic violence need no further barriers to accessing stable or safe accommodation than the current frenzied state of the housing market currently imposes on them.

Importantly, the provisions of this bill will protect not only the individuals who may otherwise suffer discrimination at work or discrimination in relation to gaining rental accommodation, they will also protect the people who depend on the income of that person's job, the people who depend on the shelter that the rental accommodation provides. So this bill will protect children. It will go towards protecting and promoting their opportunity to be raised and nurtured by parents with reasonable access to safe, secure accommodation and employment that is not interrupted by discrimination on the basis of circumstances those children do not deserve to be in.

As a government, as a parliament, we cannot directly legislate domestic violence away. Eliminating the domestic violence and abuse problem in our culture will require, I think, at the very minimum, a total and permanent shift away from the thinking and the values that have created it, and indeed have embedded it. Changing that thinking, that culture, may take quite some time. It may be generational. But I can tell you one thing: it will certainly take a whole-of-society effort to do it.

What we as a government can more readily and more immediately control is how we in our institutions respond to the challenges, if you like, that our community and the individuals in our community face. The provisions of this bill are useful in that very immediate and frankly quite practical way.

Bills like this will also help do the work of shaping and changing culture over time. Acting to remove the ability of employers, of lessors and of others to discriminate against a victim of domestic violence will help remove the stigma and will normalise empathy towards victims. It will prevent

people from regarding victims of domestic violence and abuse as anything other than what they are: people who need and deserve every amount of support that they can access.

What will resolve our state's domestic violence problem, if you like—ultimately, I think what will bring about the cultural change that we need—will be the combined efforts of our actions, ours and future governments here, NGOs, activists and individual families, who will raise each generation of children to be more aware than the last one of violence, abuse and coercive control, and to make clear that those are unacceptable.

Giving further structure to the way in which our laws and in which our authorities can address the problem over time and changing the way their institutions and our community treat domestic violence victims is what we, as a government, can do now with this bill. It is ongoing work. It began long ago. The road ahead is long and every step forward matters. This bill will help with that journey, so I support it.

**The Hon. R.P. WORTLEY (16:15):** I rise to speak in favour of the bill. The bill amends the Equal Opportunity Act 1984 to add domestic abuse as a new protected attribute against discrimination. The bill progresses a key election commitment made by the government as part of policies on women's safety, equality and wellbeing.

The Attorney-General's office has worked closely with the Minister for Women and the Prevention of Domestic and Family Violence and the Commissioner for Equal Opportunity in developing the bill. Over 20 stakeholders were invited to comment on the bill in the consultation process.

The bill proposes to make it unlawful to treat someone unfavourably because they or their relatives or associate has been or is being subjected to domestic violence. The bill provides protections to prevent perpetrators of violence from disingenuously claiming to be a victim under this proposed legislation, such as the requirement of evidence and that the commissioner has the power to not review claims that lack evidence or seem disingenuous.

The proposed legislation also will not prohibit employers from taking reasonable action in relation to an employee underperforming who has been or is experiencing domestic violence if it is in accordance with fair and reasonable policies that apply equally to any underperforming employee. The bill will prohibit discrimination in all areas of public life covered by the Equal Opportunity Act, being employment or engagement in work, including unpaid work, the provision of education, decisions of associations and qualifying bodies, and the provision of land, goods, services and accommodation.

The bill will prohibit scenarios such as criticising or otherwise treating an employee poorly because they took time off on domestic violence leave, and refusing to rent a property to someone because they are protected under an intervention order.

Specific aspects of the bill: how is this defined? Discrimination is defined in the bill as to discriminate on the grounds of a person being or having been subjected to domestic abuse: for instance, treating somebody differently to everyone else based on that attribute. Domestic abuse is defined as having the same meaning as under the intervention orders legislation. This is a broad and progressive definition encompassing physical, emotional and financial abuse, as well as coercive controlling behaviours.

What is the characterisation: for instance, do you need an intervention order? The answer is that discrimination against anyone subject to domestic violence abuse will be prohibited, regardless of whether they have an intervention order in place. However, if an intervention order is present this may be relevant evidence in the circumstances. Evidence might include an intervention order, medical records or evidence of seeking or obtaining assistance from a charitable organisation.

Does someone have to be convicted of domestic violence for this to apply? No, the legislation does not require the perpetrator of the abuse to have been convicted of any offence. The bill intentionally provides a broad definition of what constitutes sufficient evidence of abuse; for instance, medical records, evidence of seeking assistance, etc. How wide does this go regarding family members, etc.? Domestic abuse is defined in the same way as under the intervention orders

legislation, so it covers abuse in a broad range of relationships including spouses, intimate partners, family members and carers.

As well as direct discrimination, the bill also prohibits what is known as indirect discrimination. Indirect discrimination is found to occur when a general requirement is imposed that persons with a protected attribute—in this case, subsection to the domestic abuse—cannot comply with or will find it more difficult to comply with.

This might arise if a prospective landlord requires applicants to provide evidence of a recent rental history. The requirement is imposed on all applicants; however, a domestic violence victim may be unable to comply because they have been residing in domestic violence crisis accommodation or have an unstable rental history with many short-term tenancies. Indirect discrimination would be unlawful if the requirement is not reasonable in the circumstances of the case.

This is a very important piece of legislation. This is for the protection of people who are subjected to cruel or any sort of discrimination that would have an impact on their lives. I support this legislation and I call on other members to support this legislation.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:21):** I wish to thank all members who have made a contribution on this important piece of legislation. There were a number of questions asked during the second reading contribution and a number of questions that have been asked during briefings that have been held on this bill and I will outline the answers to some of those questions now. Also, I understand that during the committee stage there may be further or better particulars that are sought by members on answers given now or other matters that they wish to raise.

There was a question in relation to the budget and how that would be accommodated. I can inform the chamber that there has been regular communication with the commissioner in the development of this bill, specifically about resourcing. The commissioner has assured my office that she will monitor any incoming work as a result of these changes and let us know if resourcing becomes an issue. There were questions raised during briefings about the only other jurisdiction that has this in place and what the extra amount of complaints had been in relation to this attribute for discrimination.

I can inform the chamber that complaints that include the ground of domestic and family violence in the ACT, where it already operates, in 2018-19 were four, in 2019-20 were four, in 2020-21 were nine, and in 2021-22 were seven. I note that these are complaints, so these are not necessarily fully adjudicated investigated outcomes, but the Equal Opportunity Commissioner has said she will make sure that they monitor the level of complaints that come in in South Australia after passing this bill and therefore any changes in workload that may be required.

Both the Hon. Connie Bonaros and the Hon. Robert Simms talked about the definition of 'services' and how that applies in relation to government departments and how that interacts with the provision in this bill. Would police or child protection be covered under the current definition of 'services' and what implication does this have in regard to the definition of domestic abuse? I can inform the chamber that my advice is that the scope of services is already considered under the Equal Opportunity Act with regard to each of the 13 existing protected characteristics of discrimination.

The Equal Opportunity Act does not prohibit all discrimination. A complainant must prove that they were discriminated against in a particular aspect of public life and one such area is the provision of goods and services. A service to which the Equal Opportunity Act applies is defined in section 5 of the Equal Opportunity Act as being one of a number of those listed, including under subsection (j) 'services provided by a Government department, instrumentality or agency or a council'.

Accordingly, any government department, instrumentality or agency will be prohibited from discriminating based on a protected attribute when performing any function that can be constructed as a service to the person claiming discrimination. Most government bodies will be covered by the Equal Opportunity Act in relation to any services that they provide; however, whether a particular

function is a service to an individual depends on the nature of that function. Not all functions of government departments, instrumentalities and agencies are services.

'Services' is not defined in the Equal Opportunity Act and has been interpreted by tribunals in this state. Importantly, if 'services' is defined or altered by statute it would affect all attributes covered under the Equal Opportunity Act not just the new attribute which this bill seeks to cover. There is extensive case law in South Australia that has considered whether government department functions are considered services for the purposes of the Equal Opportunity Act, and I think that has been canvassed in secondary contributions of others. For example, in *Patrick v State of South Australia* the tribunal stated that:

While SAPOL provides services to the community, it cannot be said that SAPOL provides a service to each individual person who is arrested, charged and held in custody. 'Service' is not to be confused with a duty that may arise out of the police function to uphold the law.

It could not be said that SAPOL were providing a service to Patrick when they arrested, charged and held her in custody.

On that basis, it is the government's considered view that at this time the interpretation of whether government functions would be considered a service for this purpose should remain a matter of interpretation by the tribunal. Having said that, I commend the bill to the chamber and look forward to further discussion during the committee stage.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The Hon. R.A. SIMMS:** Just to put on the public record that the Attorney-General has answered a number of the questions that we were intending to ask, so therefore I will not be raising them during the committee stage. The only one that I do not believe the Attorney-General touched on, and I am sure he will correct me if I missed it, was around consultation. I am wondering if the Attorney could advise which organisations were consulted in developing this bill, and in particular the involvement of people with lived experience in terms of developing the responses outlined in the bill?

**The Hon. K.J. MAHER:** I am advised that there were in the order of 14 different organisations that were consulted in relation to this bill, including organisations that have experience with and certainly represent people with lived experience of family and domestic violence.

**The Hon. C. BONAROS:** Just in relation to the definition of 'services': the only other point I would raise and ask the Attorney to note is in those issues that I covered during my second reading. We talked about services versus duties and so forth and the case law that exists. One of the other issues which I would ask the Attorney to note, and to perhaps comment on, is if police and child protection work was to be deemed a service as opposed to a duty, noting the case law that has already been referred to, how would that work in terms of—the point is that it is quite challenging for those agencies to deal with because of the broad definition that applies to domestic abuse.

This ties back to the definition of domestic abuse, which picks up children, for instance, who witness domestic violence at home or elsewhere, as well as people who directly experience domestic violence. I suppose the point I am trying to make and ask the Attorney to clarify is that the issue raised with us by experts is that this will be very tricky because you are going to have, for instance, potentially, child protection, housing, if the parent is the perpetrator, but also involved in accessing a service. You are going to have crossover, effectively.

You could have child protection involved, you could have housing involved, you could have a parent being the perpetrator, but you could also have them accessing a service. That has been raised with us as a pretty big deal. In fact, the words are that, therefore, it is a pretty big deal by experts who have looked at this.

The flipside to that is that, if they are simply not covered, which would be unfortunate, then we would have the situation where we are discriminating on the grounds of domestic abuse and, given what the Attorney said, any other provisions of the bill, but in this instance we are discriminating

on the grounds of domestic abuse, particularly when those agencies involved critical first response interfaces, especially for so many woman, and our most vulnerable group of women, to discrimination on the grounds of domestic violence.

I am not sure what response the Attorney can give those who are eagerly awaiting the outcome of this in terms of those definitions. I appreciate what he said about leaving it to case law, but I would ask him to note that and, if there are any comments he can make, please provide those.

**The Hon. K.J. MAHER:** I thank the honourable member for her question—it was mostly a comment rather than a question, but as much as I can answer it I am advised that it is necessarily nuanced case law in relation to this area. In the development of this nuanced case law, it necessarily takes into account what parliament's intention is, and that is to protect those who are victims of and experiencing family and domestic violence.

If there is an area where it becomes apparent that the case law is having difficulty in properly giving effect to the intention of parliament, we are open to coming back and looking to see whether there is any more work we need to do, but at this stage it is our considered view, balancing everything up, that it is best left that nuanced case law can develop. If there are problems, and what we intend this to do is not being effected, we are certainly open to coming back and making sure that any of that nuance that might need steering we do as a parliament.

**The Hon. C. BONAROS:** That might provide those stakeholders and experts some level of confidence, because the next question is: if we expect this to go the way we think, the question for the government and for all of us will be why those agencies are able to continue to discriminate under the changes on the grounds of domestic abuse, which would be counterintuitive to the objectives of the bill before us. So I would ask the Attorney to take that into account in terms of any future changes in case law that are required in this area.

Just in terms of resourcing, one of the issues we have heard is that we have been provided with assurances—and certainly I have had the same response given to me by the commissioner—that 5.2 FTE staff are enough at this point in time to cover off on the statutory functions, and there has been quite a bit of commentary, I would say, among stakeholders about the adequacy or not of that.

I appreciate the number of complaints is quite low, and the Attorney referred to those, but I think one of the other questions I would have for the Attorney on that front is that it is not just complaints that we are talking about, it is also the education and training around this. Certainly, the extent to which survivors feel safe about reporting and disclosing domestic violence and abuse has a lot to do with how much they know about what is available out there.

It will be the commission's job, I am assuming, to ensure that that appropriate education and training takes place, but you could very well end up in a situation where you have the groups of women who are at the highest risk—Aboriginal women, women with disabilities, women living in regional and remote areas and women experiencing socio-economic stresses—who are not aware of the changes or are not told how to activate their rights under this legislation.

So what education and training campaign is the commission and the government anticipating to ensure that those people who need this the most—the most vulnerable cohorts in our community—are actually aware that these rights now exist for them?

**The Hon. K.J. MAHER:** I thank the honourable member for her question. It is a point well made. It is not just from the ACT experience as the figures outlined that for each of the last four reporting years there have been single-digit complaints. I do not have figures on what happened as a result of those complaints. They are not huge numbers in the ACT. You do not know exactly how that will translate to South Australia, but it is of course the education component which is important as well.

I know that the commission does a great deal of education outreach work. The We're Equal campaign recently is a fine example of that. I am confident the commission will incorporate this into both the general work they do in terms of discrimination and all those protected areas but also specific work on this as a, should this bill pass, new part of the equal opportunity protections. Certainly, if

there are further resources needed, that is something that in my experience in the last year the commission has no hesitation in raising with the government about what further is needed.

But it is not just the work of the commission in relation to these. There is the working women's legal centre and a whole lot of other very important organisations—the ALRM, the Legal Services Commission, a whole lot of areas—that provide information and education, and I will make sure we as a government write to all the organisations we are aware of that provide information and education about the rights of people, particularly women and children, who experience domestic and family violence to make sure that those other organisations are aware of the changes that we have made in the education outreach that they do.

**The Hon. C. BONAROS:** Thank you, and I am pleased the Attorney raised those other groups, because they were next on my list. Obviously, they play a critical role in this area. I think there have been some welcome investments in them recently, but certainly a lack of adequate resourcing is one of the issues that is consistently raised, particularly in relation to the Women's Legal Service. I am wondering if the Attorney can just confirm: at the outset I mentioned that there is an element of that education and training that needs to provide a level of comfort to victim survivors feeling safe about reporting.

I will use the legal profession as an example. The commissioner already has jurisdiction over complaints made by that profession and, if you look at the statistics there, the number of complaints made are abysmally low and that is because there is a reluctance by people working in the profession to report these things to the Equal Opportunity Commissioner.

We do not want the same playing out here on such a critical issue where we are simply not having people report, so I would ask that the Attorney keep in mind that there be the level of confidence that victim survivors require to feel safe about reporting and disclosing abuse to the bodies that are covered in this legislation built into that education and training program.

**The Hon. K.J. MAHER:** I thank the honourable member and I can assure her that we will take that into consideration with the organisations that, as the honourable member said, in recent times I have been very pleased have had a welcome injection of funds. Some of the organisations we have mentioned I have crossed paths with in places like Coober Pedy doing remote outreach work. We certainly will take that into account.

Clause passed.

Remaining clauses (2 to 15) and title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:41):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

## **FAIR WORK (FAMILY AND DOMESTIC VIOLENCE LEAVE) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 23 February 2023.)

**The Hon. T.A. FRANKS (16:42):** I rise to speak briefly on behalf of the Greens in support of this legislation. Violence against women and children is a problem of epidemic proportions in Australia. One in three women has experienced physical violence since the age of 15 and one in five has experienced sexual violence. On average, a woman is killed by an intimate partner every 10 days in this country. Rates of violence are even higher for certain groups, including Aboriginal and Torres Strait Islander women.

At least 700 women have been murdered since the first National Plan to Reduce Violence against Women and their Children was adopted 12 years ago. Over 50 women were killed by violence in 2022 and the demand for domestic violence services continues to grow. Even one death due to domestic violence is one too many.

Research shows that in the 2014-15 year the cost to the Australian economy of those experiencing physical violence, sexual violence or emotional abuse by a partner was \$12.6 billion and by 2015-16 the cost had increased to \$22 billion. It can only be assumed that the impact of COVID-19 on households will have had an even greater financial and personal cost.

The indirect psychological impacts of family and domestic violence include pain, fear and suffering. Replacing damaged household items, changing schools, leaving home and settling a partner's debt not only take time but a very significant cost comes with them. All of these indirect costs are not counted.

The President of the ACTU, Ged Kearney, said family and domestic violence was an 'insidious issue' and that addressing it enables women, men and children to escape the cycle of violence. She emphasised;

If we don't do something now, we will be guilty of turning a blind eye to the single biggest contributor to death, illness or disability of women between 15 and 44 years of age.

Research into workplaces that have existing family and domestic violence leave policies in place shows it can have significant benefits for affected employees, their employers and those workplaces.

The changes proposed in this bill will have an enormous impact on those who need it. Many people are victim survivors of family and domestic violence and may not be able to afford to take five days of unpaid leave. This bill provides that all employees, no matter their working hours, are entitled to up to 15 days of paid leave each year. Importantly, this leave is paid at the employee's full rate of pay, including any overtime, allowances or other loadings.

Maintaining stable employment is an important measure to help support people to escape abusive relationships. The introduction of paid leave is intended to allow victims of family and domestic violence to take time off work without losing their income, without losing their job, to help them exit dangerous and harmful domestic situations. Workers escaping family and domestic violence situations will no longer have to choose between their safety and keeping their job and putting food on the table, although it should never have been the choice that our society made them take to ensure their safety or the safety of their loved ones.

While this bill is an important step, we still need to address the underlying factors that lead to this abuse. We need better education about what respectful relationships look like. We need to address poverty and access to the necessities, such as housing, which plays a pivotal role in reducing violence in our communities. In fact, it is our job in this place to ensure that we use our political will and our political capital to make those life-altering changes to preserve, value and respect particularly the lives of women. Again, to quote the President of the ACTU:

Cultural change is not enough, action must be taken to support workers affected by violence and establishing a basic standard on paid leave will ensure that all workplaces do this.

With that, I commend the bill.

**The Hon. H.M. GIROLAMO (16:47):** I start this speech with the declaration that domestic violence in the community is insidious and any action that prevents violence in the community is one that the opposition will support. I am the lead speaker on this bill and the sole speaker for the opposition. As my colleague in the other place said in the second reading, we wholeheartedly support the intentions of this bill. From the outset, I think it is very evident that this is a bipartisan issue. The prevention of family and domestic violence, indeed any community violence but especially family and domestic violence, is one that all parties in parliament should and do seek to eradicate.

In short, this bill makes changes to state family and domestic violence leave arrangements to allow greater access and support, and also includes the promotion and facilitation of gender equity as an object of the Fair Work Act. The bill will provide that leave entitlements may be accessed for any purpose relating to an employee dealing with the impact of family and domestic violence. This

could include, but is not limited to, attending medical appointments, seeking legal advice and attending legal proceedings, and also relocating residence.

The bill seeks to safeguard the employer by allowing them to request proof or evidence that would satisfy a reasonable person that leave is being taken for one of these purposes and also makes it a criminal offence for an employer to disclose information obtained through these processes without the consent of the employee to which the information relates.

In early February, I stood on the steps of parliament, a few metres from here, with many women in this place and in the other place to pay our respects to Australian women murdered in 2022. My colleague the shadow minister for women and the Minister for Women in the other place were guest speakers. In 2022, there were at least 55 women tragically murdered. We know that the most dangerous time for women and children seeking to escape family or domestic violence is when they take action to leave. This bill will assist in supporting that brave action and will also assist in ensuring appointments—legal, medical or any other that relates to domestic violence suffered—can be attended.

This bill is also a good use case of bipartisanship, for, between the houses, the government has sought to amend this bill with an agreement suggested by my colleague the member for Colton in the other place. During committee in the other place, the opposition asked a number of questions about the functionality and mechanisms of this bill, seeking to lessen the danger for those seeking to escape violence and not creating a danger or any unintended consequences.

We know that there will be government amendment to this bill that brings additional confidentiality provisions to pay slips. This ensures that the term 'domestic violence leave' is not specifically recorded on a pay slip or similar and fixes a possible unintended consequence, one that could have had devastating outcomes by inadvertently exposing someone seeking or having domestic violence leave. The amendment also mirrors the federal legislation in the Fair Work Act 2009.

As I said at the start of my speech, domestic and family violence is an insidious blight on our community, and this bill seeks to make a small step towards its eradication by supporting the victims. I commend the bill to the house.

**The Hon. C. BONAROS (16:51):** I rise on behalf of SA-Best to speak in support of the Fair Work (Family and Domestic Violence Leave) Amendment Bill 2022. In doing so, I echo the sentiments of my colleagues from across the chamber and the political landscape. This bill has been a long time coming, and, frankly, I think that all of us would agree that a scheme like this should have been implemented years ago. That said, I am pleased to see the government implementing family and domestic violence leave now by legislation.

Our judicial system has taken steps to recognise the importance of a paid leave scheme for family and domestic violence victims, resulting from the family and domestic violence leave review carried out by the Fair Work Commission in 2021. The bill provides a much-needed safety net for those experiencing the devastating and often ongoing effects of domestic violence and stands as acknowledgement that family and domestic violence comes in all manner of forms that are not immediately visible to others but have the same crippling and devastating effects.

It is a step in the right direction in acknowledging the need to identify with the added and particular externalities impacting a person's life when they are a victim of family and domestic violence. Domestic violence, as we have heard and as we all know, has a huge impact on victims in the workplace in South Australia. A supportive, non-pecuniary scheme to enshrine victims' rights, as they relate to the workplace, is well overdue.

The scale of issues that domestic violence victims face is expansive, as we know, ranging from disputes over parenting arrangements, ongoing safety concerns, and accommodation—be it urgent or struggling with long-term options—to being discriminated against unfairly in the workplace because of the deferment of personal resources required by a person experiencing family and domestic violence away from their workplace, which inevitably results in discrimination.

People experiencing domestic violence have varied experiences and restrictions imposed on them. For instance, many victims may be prevented from attending job interviews or participating

in training opportunities due to fear of their abuser. The level of emotional stress that many family and domestic violence victims experience is monumental, which can have significant impacts on the victim's ability to concentrate, to make decisions, to complete tasks in the workplace and to be present in the workplace. That these victims are able to even carry out their workplace responsibilities at all is a true testament to their strength while facing overwhelming personal crises and circumstances.

So it is a step in the right direction to guarantee that affected employees in South Australia can take time off work to seek help, attend legal proceedings and court dates, find suitable accommodation and access medical and other support services without sacrificing their financial security and avoiding plunging the victims into financial hardship.

Essential to this bill is the recognition that until recently people experiencing family and domestic violence could be discriminated and marginalised in workplaces due to the stigma associated with being a victim. The bill, I am pleased, seeks to promote the protection against discrimination through a confidentiality process applied to the leave form which no longer requires family and domestic violence to be recorded as the category of leave type, and information pertaining to family and domestic violence is not shared between agencies. I note that there are some further changes that we will see to deal with that.

I note that the bill does not prescribe a threshold of evidence required should an employee request further particulars, but the Attorney has assured us in his second reading that the threshold is not intended to be high, as evidence such as police documents, referrals from health practitioners and support services, court documents, as well as personal letters or stat decs would suffice.

I think there is some concern that we have raised about the requirement for victims who are in circumstances which are unique and where escaping family and domestic violence is a matter of urgency but, due to the nature of the abuse, a victim may not have any formal documentation as evidence in support of family and domestic violence leave, or where no documentation of family and domestic violence exists because of the oppressive nature of the abuser and fears that victims have in relation to retribution which, unfortunately, is a lot more common than we might otherwise believe.

While the bill only goes so far as to cover the public sector, critically it also encompasses provision for casual workers, which is a very positive step. The 2020-21 Family and Domestic Violence Leave Review found that women experiencing family and domestic violence are more likely to be employed in a casual part-time work role when compared with women who have not experienced family or domestic violence. That is a shocking statistic, but it is also evidence as to why it is important that casual workers be covered by the scope of the bill. An annual Bureau of Statistics personal safety of Australians survey in 2016 found that one in three—or 31 per cent—of women have experienced physical and/or sexual violence perpetrated by a man they know, and one in four—or 23 per cent—experienced physical and emotional abuse by a current or former partner.

The Hon. Ms Girolamo pointed to the Pay Our Respects event—I think it is the fifth one now—that we all attend on the steps of Parliament House. It is a very sobering and sad reality for so many women in particular who find themselves in this position: one a week, 55 at the last event held. None of these protections have been able to offer the safety net that those women needed to keep them alive.

We know what those statistics are and how terrible they are. I cannot help but think that every time I look at that crowd there is not a dry eye on the steps of parliament and we all leave there feeling sad and terrible and asking, 'What can we do?' It is not often enough, I think, that we address these issues in this place. We know that they are absolutely intertwined and interrelated with other issues and gender inequality more broadly.

Just last week I was pleased to attend an event that the Minister for Women hosted, Seeing the Signs, a coercive control event where Hannah Clarke's parents attended and spoke, together with a panel of experts, about the coercive control bill that will be debated soon in this place. I think the reason I point to these things is that they are all intertwined, they are all interlinked, they all tie back to issues of gender equality, and we should not be looking at them in isolation but rather as a package of measures that are all aimed at ensuring that people who are victims of these crimes have as many safety nets available to them as possible.

There are statistics from 2021 looking at average weekly earnings. The full-time gender pay gap sits at 14.2, with women earning on average \$261.50 less than men, with women spending on average 32 hours a week on household labour—and with 85 per cent of that household work and caring for children done by women—compared with just 19 hours for men.

The 2021 Family and Domestic Violence Leave Review found coercive control, which I have alluded to, in particular played a significant determining factor in women experiencing family and domestic violence. Victims opted for casual work due to perpetrators discouraging or preventing family and domestic violence victims from obtaining full or part-time work.

For these reasons, it is critical that these provisions cover casual workers, as I said, particularly where victims of family and domestic violence are in the process of leaving an abusive situation or at ongoing risk from perpetrators but, also, more broadly in the context of looking at all these issues in a holistic way. A failure to do so would, of course, have the potential to undermine the ultimate purpose and policy objectives of the bill: to ameliorate further financial difficulties for workers seeking to manage and exit family violence situations.

The government has sought to strike the right balance with the provisions relating to casual workers, as I have said. I think the one question we probably all asked at the briefing was why, in terms of the federal legislation, we have a situation where there are 10 days federally and 15 days in this bill. I think we are all delighted to know that that is purely because a determination had already been made in South Australia by the Commissioner for Public Sector Employment, first in 2015 and I think again in 2018, that in this jurisdiction—well before any federal amendments were anticipated—we would provide 15 days of special leave for public sector employees who are subject to family and domestic violence.

It does seek to stay in keeping with the determination that is already in place. If we simply adopted the federal position, we would actually be going backwards in terms of the situation that public sector employees have found themselves in in recent years as a result of that determination by the commissioner. I think that is a really important point to make in terms of the distinction between this bill and the federal bill and why we have stuck to the 15 days.

I think also it is important just to highlight that leave will be broadly available to all of those employees, regardless of the length of service that they have undertaken. It does not matter if you have been there for a short period or a long period or something in between, which would obviously serve to benefit those people who have not been in the job for very long.

I am pleased that the bill takes consideration of the definition of domestic and family violence from the Intervention Orders (Prevention of Abuse) Act 2009 to ensure the intention to expand the relationships that may give rise to family and domestic violence for the purposes of leave entitlement encompass psychological and emotional complexities that exist in such matters. We know that all too often they are the overwhelming factors that victims of this behaviour are faced with and the ones that are also more likely in many cases to prevent them from being able to attend work and do their normal duties.

With those words, I again echo the sentiments of my other honourable colleagues in this place and look forward to seeing the passage of this important piece of legislation and look forward to it being accompanied by a number of other equally important pieces of legislation, all aimed at addressing the same issues which we have highlighted today.

**The Hon. R.P. WORTLEY (17:04):** I rise to support this bill today. The bill introduces a new minimum employment condition for public sector and local government employees of 15 paid days of family and domestic violence leave each year. The bill also amends the objects of the Fair Work Act to include promoting and facilitating gender equity to ensure this is taken into account by the South Australian Employment Tribunal when determining future industrial entitlements. This follows the 10 days of paid family and domestic violence leave introduced for private sector employees by the Albanese Labor government last year. This came into effect from February 2023.

Family and domestic violence leave can be used for any purpose relating to the worker experiencing family and domestic violence, including but not limited to attending medical appointments, court proceedings, receiving legal advice and relocating residences. This leave is an

important safeguard to make sure that people attempting to escape family and domestic violence situations do not have to choose between their safety and independence on one hand and their economic security on the other.

Addressing domestic and family violence is one step towards closing the gender pay gap, as women who experience violence are more likely to fall behind in their careers into low-paid and casual work or out of the workforce entirely. A worker should not suffer financial disadvantage for choosing to access these entitlements. That is why, unlike other leave entitlements, family and domestic violence leave is calculated, including any penalty rates or overtime payments a worker receives. This is also why this leave is available to all employees—full time, part time and casual.

The bill also includes robust confidentiality requirements so that employees can have confidence their personal information will be treated appropriately. Employers cannot copy or retain evidence provided by the employee to support their leave claim. Employers are also prohibited from requesting information from an employee about the nature and extent of the domestic violence they are experiencing.

The bill makes it a criminal offence for an employer to disclose information obtained through these processes without the consent of the employee to whom the information relates. The government has also filed an amendment in the Legislative Council to insert an additional confidentiality provision, which requires that pay slips must not expressly identify that an employee has accessed family and domestic violence leave. This leave may, for example, instead be described as special leave, miscellaneous leave or other leave. This amendment addresses concerns that an employee may be exposed to a safety risk if a perpetrator became aware that the employee was accessing family and domestic violence leave.

Enshrining this leave will send a clear message to our community and to workers and their families that their government and the biggest employers in the state—the public sector and local government—do not and will not tolerate domestic violence.

One in four women has experienced intimate partner violence since the age of 15. One in four women has experienced emotional abuse by a current or former partner since the age of 15. On average, a woman is killed by an intimate partner every 10 days. Rates of violence are even higher for certain groups, such as Aboriginal and Torres Strait Islander women. Ninety-five per cent of people who have experienced physical or sexual violence name a man as the perpetrator of at least one incident of violence, and around four in five family and domestic violence offenders are men.

Violence against women and children costs the national economy \$26 billion each year, with victim survivors bearing approximately 50 per cent of that cost. Violence against women affects all aspects of their lives. It can have a negative impact on their capacity to attend work, with 48 per cent of women who have experienced domestic violence saying that it reduced their attendance at work. Violence against women and children is also a leading cause for homelessness for women and children. Children exposed to domestic violence experience long-lasting effects on their development, health and wellbeing.

Broader domestic violence commitments and messaging: our government has a strong vision for achieving gender equality and ending the scourge of domestic, family and sexual violence and other forms of disrespect and discrimination that disproportionately affect women in our community. Our government is committed to working alongside service providers, women's organisations, women experiencing domestic violence and other stakeholders to use all possible levers to prevent and end domestic violence.

We are committed to enacting a range of legislative change, preventative actions and policies and options for recovery that help women stay safe. We are committed to working with the finance and real estate industries to determine how we can ensure victims of domestic violence do not bear the brunt of mortgages, loans and rent that often go unpaid as a result of domestic violence.

We have already restored the \$800,000 of funding over four years to the Women's Domestic Violence Court Assistance Service that was cut by the former government. This important service helps women with intervention order applications, variations and revocations; ending tenancy; and liaising with police to report breaches of intervention orders and other domestic violence issues.

Our government has also reinstated the \$1.2 million of funding to Catherine House that was cruelly cut by the former government. Catherine House is an incredible service offering a safe and secure place for women experiencing homelessness, often as a result of domestic violence.

Our government is staunchly committed to making a real difference to the lives of women in South Australia. We will continue to relentlessly speak up and act to prevent and end domestic violence. Domestic, family and sexual violence has no place in our community. I support this legislation. I think it is very important for the fact that, as with the previous bill, we have an obligation to protect everyone in our society, in particular women, who are the most vulnerable when it comes to domestic violence. So I ask the chamber to support this bill.

**The Hon. E.S. BOURKE (17:10):** I also rise to speak in support of the Fair Work (Family and Domestic Violence Leave) Amendment Bill. For too long as a society we have dealt with family and domestic violence like it is not there. We have dealt with it like it is a private matter, by pretending that the violence that occurs in some relationships and families does not exist. But the statistics cannot be ignored any longer. We know that on average a woman is killed by an intimate partner in Australia every 10 days. One in four women have experienced intimate partner violence since the age of 15. The same statistics apply for emotional abuse.

This is also of deep concern in relation to autistic women. We also know that rates of domestic and family violence are higher for women living with a disability. This is also true for autistic women, with a recent French study estimating that nine in 10 autistic women had experienced sexual violence and six in 10 had experienced physical violence. Difficulties reading body language and the lack of social networks can make it harder for autistic women to recognise signs of abuse. Autistic women are also more likely to be underemployed and therefore more financially reliant on the abusive partner, making them even more vulnerable.

In its report from last year the Senate Select Committee on Autism noted that it is often harder for autistic women experiencing violence to find adequate support, caught between disability services and domestic violence services, neither of which are equipped to deal with autistic people, at times. Navigating the justice system is difficult for anyone, but it can seem impenetrable for autistic women, particularly when there is a lack of understanding by the courts about autism.

This bill is part of the Malinauskas government's strategy to treat family and domestic violence with the seriousness that it deserves. The bill makes it easier for women to escape violence so that those who cannot afford to take time off work because of family violence are able to do so. This bill recognises that not only are victim survivors' lives threatened by family and domestic violence but also their livelihoods. It should not be that way.

The bill brings consistency to the workplace entitlements of public sector and local government employees. Currently, public sector employees are entitled to family and domestic violence leave by way of a determination of the Commissioner for Public Sector Employment. Local government employees' access to this leave is dependent on their awards and enterprise agreements. The bill will clear up these inconsistencies by providing 15 days of paid domestic violence leave to all South Australian public sector and local government workers.

It follows federal legislation introduced by the Albanese government that came into effect in February this year and which provides for 10 days' family and domestic violence leave for private sector workers. This is what Labor governments do. We legislate for a fairer society for the betterment of the most vulnerable members of our community.

These initiatives come about in large part because of the work of union movements. I would particularly like to acknowledge the SDA, which has campaigned for many years for paid leave for workers experiencing domestic violence.

The murder of Carole Schaer by her estranged husband while she was at work in the Myer Centre in Adelaide in 2004 was one terrible reminder that domestic violence affects all aspects of victims and their lives. Carole went to work at the age of 61 to work in the handbag and shoe section, and she did not come home one day in 2004. She had worked in the Myer department store for seven years and was murdered by her estranged husband.

It shows us that unions, employers and workplaces have a role in protecting and supporting women experiencing domestic violence. Often, family and domestic violence is hidden, but when tragedy occurs so publicly, it makes it so much harder to ignore. If something good can come out of this horrific tragedy, I hope this is it. Of course, there have been too many such incidents to name and too many more to hear about. On average, police in Australia deal with a domestic violence call every two minutes. That is a statistic that is hard to fathom.

This bill not only makes sense from a social justice perspective but also from an economic perspective. The economic fallout, which has been mentioned many times in this chamber, of violence against women and children is approximately \$26 billion a year, with about 50 per cent of the costs being borne by victim survivors. It costs around \$18,000 for a woman to leave an abusive relationship. Some women take the difficult decision that the cost is just too much.

We know that women bear the brunt of caring responsibilities for children or for their elderly parents, so their annual leave and sick leave are often depleted caring for others. This bill means that women experiencing domestic violence no longer have to use their annual leave or sick leave for medical appointments, to seek legal advice, or even to attend court or to move home.

Importantly, the leave entitlements provided by this bill apply to all categories of workers, full time, part time and casual. They are also calculated to include any penalty rates that a worker receives. This will help reduce the gender pay gap and will mean that women will not have to leave their job in order to leave a violent relationship. This will help make it easier for women to leave their abuser, and that is without question a good thing, but we must also change the way in which we speak about family and domestic violence and stop asking, 'Why doesn't she leave?' and ask instead, 'Why does he do it?'

We need a social shift in our attitudes and approaches. By flipping this question and calling out the perpetrator for their behaviour, we might see a reduction also in the rates of domestic and family violence. As also has been said in this chamber today, many of us often stand on the steps of parliament to take part in the Pay Our Respects event, with people representing each person who has been killed that year through domestic violence. I hope we can take that message from the steps of parliament and now onto the floor of parliament so we can make real, lasting change.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (17:17):** I thank all contributors at the second reading stage of this important bill: the Hon. Heidi Girolamo, the Hon. Tammy Franks, the Hon. Connie Bonaros, the Hon. Russell Wortley and the Hon. Emily Bourke. I look forward to the passage of this bill this afternoon through the committee stage.

Bill read a second time.

*Committee Stage*

In committee.

Clauses 1 to 4 passed.

Clause 5.

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

Amendment No 1 [IndRelPubSec-1]—

Page 5, after line 35 [inserted Schedule 3B, clause 5]—After subclause (3) insert:

- (4) A pay slip provided by an employer to an employee must not include any of the following information:
  - (a) information indicating that leave taken by the employee was family and domestic violence leave;
  - (b) information indicating that an amount paid to the employee was payment in respect of family and domestic violence leave;
  - (c) information relating to the balance of the employee's entitlement to family and domestic violence leave.

Note—

For example, a pay slip may, in respect of an amount paid to an employee for any family and domestic violence leave taken, describe the leave taken as 'special leave', 'miscellaneous leave' or 'other leave'.

This is a simple amendment but it makes an important change to the bill, as the opposition has commented upon. It is consistent with the provision that is in the commonwealth parliament and now reflected in section 536(2)(c) of the Fair Work Act 2009. It clarifies that where an employee accesses family and domestic violence leave entitlements, their pay slip should not identify that that is the category of leave that has been taken.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (17:20):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 17:20 the council adjourned until Wednesday 22 March 2023 at 14:15.

*Answers to Questions***REGIONAL ROAD CONDITIONS**

**215 The Hon. S.L. GAME** (8 February 2023).

1. How does the government respond—and what actions will it take—regarding Grain Producers SA's 'Worst Grain Road' 2022 report?
2. Given the multibillion-dollar primary industries and agriculture sectors' reliance on using these rural and regional roads, does the minister think the state of these roads is acceptable?
3. How many of our newly built roads, particularly on Eyre Peninsula, are already falling into disrepair—and at what cost?
4. Why are recently built roads on Eyre Peninsula requiring rectification works so soon after establishment? How long after the new works were complete did the upgrades begin breaking down and were road closures required to complete repairs?
5. What is the actual state and federal government expenditure on Eyre Peninsula roads after the state government's announcement of the rail closure in March 2019?
6. What was the amount budgeted to be spent by the state government on Eyre Peninsula roads with the closure of the rail line and what upgrades were proposed?
7. Does the road infrastructure built or upgraded in response to the Eyre Peninsula rail closure require rectification works and, if so, what was originally budgeted for?
8. Did the budgeted amount above (7.) propose that the upgrades for Eyre Peninsula would include improving road shoulders and edges on existing roads, and building three overtaking lanes (excluding the federal government contribution to the Eyre Highway from Port Augusta to WA border)?
9. What is the total cost now for rectification works and expected total cost of the Eyre Peninsula road upgrades? Do these upgrades relate to the same three overtaking lanes and edges referred to in 8?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Regional Roads has advised:

The state government has maintenance responsibility for eight of the top 10 grain roads identified as the worst by Grain Producers SA.

Road rehabilitation works have been actioned on Owen Road and Templers Road, with these works expected to be completed April 2023, weather permitting.

Pavement repairs were completed on the Barrier Highway (between Saddleworth and Burra) in December 2022.

In the 2023-24 financial year, road safety improvements are planned for three sections of the Mallee Highway (between Peake and Jabuk) totalling 22 kilometres (kms).

The remaining state government-maintained roads—Upper Yorke Road, Worlds End Highway, Flinders Highway and Frances Road—are candidates for future road improvements, including pavement rehabilitation, shoulder sealing or hazard protection.

The state government maintains a sealed road network of approximately 13,000 kilometres. The roads within this network cater for longer distance travel and support a broad range of industries. All roads are regularly reviewed through the Department for Infrastructure and Transport's maintenance contracts and repairs are undertaken to maintain the current functionality of these roads.

Three new overtaking lanes at the following locations on Eyre Peninsula were open to traffic in mid-2022.

- Lincoln Highway (northbound), near Louth Bay.
- Flinders Highway (southbound), at the junction with Tod Highway.
- Western Approach Road (southbound), at the junction with Pine Freezers Road near Port Lincoln.

The contractor closed the lanes on:

- the Lincoln (northbound, near Louth Bay) and Flinders highways due to the early onset of cold and wet weather. The new seal started to strip with the lanes closed to protect the pavement until repair works could be undertaken. The repair works were undertaken in December 2022 and January 2023 when weather conditions improved. Repair works were also undertaken on the overtaking lane on Lincoln Highway (southbound, near Schramms Road, south of Tumby Bay) due to seal stripping, however the road was not closed.

- Western Approach Road due to hot weather and grain carting, excess bitumen was coming to the surface in the outer wheel path, which is known as 'bleeding'. Repair works were undertaken in January 2023. An alternative final surface treatment may be required subject to further assessment.

On Lincoln Highway there are currently speed restrictions in place until shoulder works are undertaken, which is expected to commence soon.

The contractor for the construction of the three overtaking lanes is responsible for completing all works.

Approximately \$226.95 million has been spent on road upgrades and safety improvement projects on Eyre Peninsula through the Roads of Strategic Importance (RoSI) program.

\$51.25 million has been committed under the RoSI–Eyre Peninsula network program. Road upgrades consisted of:

Overtaking lanes:

- Lincoln Highway: two new overtaking lanes between Tumbly Bay and Louth Bay.
- Flinders Highway: at the junction with Tod Highway.
- Western Approach Road: near Pine Freezers Road, including an upgrade of the Pine Freezers Road junction.
- Tod Highway: south of Cummins (planning only).

Pavement works and intersection safety improvements:

- Pavement renewal works (commencing late February 2023) along various sections of Lincoln Highway (locally known as Liverpool Street (Mortlock Terrace to Porter Street)) and Porter Street (Edithburgh Street to London Terrace), Western Approach Road, London Street and King Street.
- Upgrading the intersections along Lincoln Highway within the Port Lincoln CBD (locally known as Liverpool Street and Hallett Place) with a focus on improving pedestrian crossing safety (currently in design and expected to commence late 2023).

The following works form part of the \$155 million South Australian Rural Roads Safety Package.

Safety works:

- Hazard protection/installation of safety barriers along curves on Birdseye Highway between Cleve and Cowell. Complete.

Shoulder sealing:

- Birdseye Highway–Cleve to Rudall (approximately 21kms) and high priority areas between Cowell and Cleve. Complete.
- Tod Highway–high priority areas between Lock and Karkoo, Wanilla and Flinders Highway (approximately 25kms). Complete.
- Lincoln Highway–high priority areas between Whyalla and Birdseye Highway (approximately 16kms). Complete.

### BOWHUNTING BANS

**218 The Hon. S.L. GAME** (8 February 2023).

1. Which key stakeholders representing firearms users has the minister personally met with to date?
2. When does the minister plan to personally meet with the Shooters Union of South Australia, the Combined Firearms Council of South Australia, and the Sporting Shooters Association of Australia?
3. Out of the key stakeholders that the minister has personally met with, which stakeholders support the banning of bowhunting?
4. Out of the key stakeholders that the minister has personally met with, which stakeholders oppose the banning of bowhunting?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Police, Emergency Services and Correctional Services has advised:

He has met with the Sporting Shooters Association of Australia and his office has had discussions with the Shooters Union of South Australia.

The Department for Environment and Water is responsible for and has commenced targeted consultation, and information provision on the bow and crossbow hunting ban on behalf of the Minister for Climate, Environment

and Water. Letters have been sent to specific stakeholder groups and all current Basic Hunting Permit holders who will be directly affected.

A dedicated website has been developed ([www.environment.sa.gov.au/bowhunting](http://www.environment.sa.gov.au/bowhunting)) to explain the details of the proposed ban. Stakeholder sentiment on the proposed ban is already well established and reflected in submissions to the 2022 Social Development Committee inquiry.

#### COVID-19 VACCINATIONS

**221 The Hon. S.L. GAME** (8 February 2023).

1. What percentage of the total number of COVID-19 deaths in South Australia were of persons who were at least double vaccinated with an approved COVID-19 vaccine?
2. Why does the SA Health website no longer report the COVID-19 vaccination status of COVID-19 deaths?
3. What are the top 10 adverse reactions reported within 28 days after a patient in South Australia received an approved COVID-19 vaccination?
4. Out of the top 10 adverse reactions reported within 28 days after a patient in South Australia received an approved COVID-19 vaccination, what is the total number of adverse reactions reported for each of the top 10 categories?
5. Out of the top 10 adverse reactions reported within 28 days after a patient in South Australia received an approved COVID-19 vaccination, what is the percentage of total adverse reactions to total COVID-19 vaccines administered for each of the top 10 categories?
6. Out of the total number of patients in South Australia that received an approved COVID-19 vaccination, how many experienced more than one of the top 10 categories of adverse reactions reported within 28 days of receiving the vaccine?
7. How many South Australians died within 28 days after receiving their first approved COVID-19 vaccine?
8. Out of the South Australians that died within 28 days after receiving their first approved COVID-19 vaccine, what were their ages?
9. How many South Australians died within 28 days after receiving their second approved COVID-19 vaccine?
10. Out of the South Australians that died within 28 days after receiving their second approved COVID-19 vaccine, what were their ages?
11. Why are adverse reactions to COVID-19 vaccines administered in South Australia not reported on the SA Health website?
12. How many COVID-19 vaccines approved to administer to humans in South Australia have finished all clinical trial stages?
13. How many COVID-19 vaccines approved to administer to humans in South Australia are still part of a clinical trial?
14. Out of the COVID-19 vaccines approved to administer to humans in South Australia that are still part of a clinical trial, what stage of the clinical trials is each vaccine in?
15. How much compensation has been paid to victims or families of victims who have suffered adverse reactions from approved COVID-19 vaccinations?
16. Where does the money come from that pays the compensation awarded to victims or families of victims who have suffered adverse reactions from approved COVID-19 vaccinations?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** The Minister for Health and Wellbeing has advised:

1. As of 11.59pm on 9 February 2023, 79.1 per cent of people who died due to COVID-19 received two-plus doses of vaccines.
2. SA Health reports on nationally agreed fields. Further to this, a report was prepared by the South Australian Health and Medical Research Institute (SAHMRI) and University of Adelaide, which reports on the COVID-19 health outcomes on the basis of vaccination status.
3. The top 10 adverse events following immunisation (AEFI) reported to SA Health after administration of an approved COVID-19 vaccine in South Australia between 22 February 2021 and 10 February 2023 were:

	Type of AEFI reported, in order of frequency
1	injection site reaction
2	headache
3	myalgia
4	chest pain
5	fever
6	nausea
7	fatigue
8	chills
9	lethargy
10	arthralgia

Not all people experiencing an AEFI report it to their health professional or to SA Health.

Not all reported AEFI's are caused by the recent immunisation received; it is often not possible to distinguish between symptoms caused by vaccine administration and symptoms which may have coincidentally occurred soon after vaccine administration due to an unrelated physical or psychological medical condition.

4. The number of reports received for each of the top 10 AEFI reported to SA Health after administration of an approved COVID-19 vaccine in South Australia between 22 February 2021 and 10 February 2023 were:

	Type of AEFI reported, listed in order of frequency	Number of AEFI reported from 22/2/21—10/2/23
1	injection site reaction	5,631
2	headache	1,500
3	myalgia	986
4	chest pain	877
5	fever	850
6	nausea	797
7	fatigue	781
8	chills	581
9	lethargy	510
10	arthralgia	465

5. For each of the top 10 reported AEFI's by number of COVID-19 vaccinations administered, the total percentage for each category is less than 1 per cent. Please refer to the following table:

	Type of AEFI reported, listed in order of frequency	Number of AEFI reported from 22/2/21—*11/12/22	Number of COVID-19 vaccines administered from 22/2/21—*11/12/22	Percentage of people reporting this AEFI within 28 days after COVID-19 vaccination
1	injection site reaction	5,612	4,124,548	0.136%
2	headache	1,499	4,124,548	0.036%
3	myalgia	985	4,124,548	0.024%
4	chest pain	874	4,124,548	0.021%
5	fever	846	4,124,548	0.021%
6	nausea	796	4,124,548	0.019%
7	fatigue	780	4,124,548	0.019%

	Type of AEFI reported, listed in order of frequency	Number of AEFI reported from 22/2/21—*11/12/22	Number of COVID-19 vaccines administered from 22/2/21—*11/12/22	Percentage of people reporting this AEFI within 28 days after COVID-19 vaccination
8	chills	581	4,124,548	0.014%
9	lethargy	509	4,124,548	0.012%
10	arthralgia	463	4,124,548	0.011%

\*Reporting period is until 11 December, from this date the SA Health COVID-19 vaccination program ceased receiving vaccination data from the commonwealth.

6. From 22 February 2021 to 11 December 2022, a total of 4,124,548 people received an approved COVID-19 vaccine in South Australia. Of these vaccine recipients, 2,449 people reported experiencing more than one of the top 10 AEFI listed above within 28 days of receiving a COVID-19 vaccine.

7. There is no information held by the Department for Health and Wellbeing on all deaths in South Australia and their vaccination status, therefore this is not possible to determine.

8. See response to 7.

9. See response to 7.

10. See response to 7.

11. Adverse reactions to COVID-19 are reported through to the Australian government and are reported by the Australian Therapeutic Guidelines Administration (TGA). Published data is updated fortnightly.

SA Health contributes South Australian data on adverse reactions to national vaccine safety surveillance data through to the TGA.

South Australian data is also available via the Australian National Centre for Immunisation Research and Surveillance (NCIRS).

Information regarding possible common and rare side effects of each approved COVID-19 vaccine is published by Australian Technical Advisory Group on Immunisation (ATAGI) on the Australian government Department of Health and Aged Care website.

12. The TGA is responsible for evaluating, assessing and monitoring all COVID-19 vaccines prior to approval for use in Australia, which includes reviewing each vaccine's clinical trials.

Australia has made a full and thorough assessment of the COVID-19 vaccines approved for administration.

The TGA provisionally approved COVID-19 vaccines administered in Australia after a complete assessment of all the available data. This is the same process as any vaccine approved in this country. The TGA will only register and approve a COVID-19 vaccine if it is safe and effective.

Furthermore, following approval and registration of vaccines, the TGA continues to monitor and investigate any potential new safety issues.

13. See response to 12.

14. See response to 12.

15. The Australian government is responsible for the administration of the COVID-19 vaccine claims scheme. Queries regarding this should be directed to the Australian government, Department of Health and Aged Care.

16. See response to 15.

#### COVID-19 VACCINATIONS

**222 The Hon. S.L. GAME** (8 February 2023).

1. Why has SA Health directed health service employers, such as hospitals, to implement a blanket policy for all workers to be fully vaccinated with COVID-19 vaccines?

2. Why has SA Health not directed that aggravations of mental illness be listed as an exemption to the COVID-19 vaccination policy?

3. Is the government aware that victims of institutional abuse, domestic violence abuse, victimisation, oppression, and similar coercive control type of traumas are reporting that their PTSD symptoms are aggravated when feeling coerced to have medical treatments in the form of vaccines to keep their employment?

4. Why has SA Health disregarded section 6 of the Disability Discrimination Act 1992 (Cth) when directing a blanket COVID-19 vaccination policy? From when the government declared the COVID-19 emergency to have ended, what compensation does SA Health plan to provide the health service workers affected by indirect discrimination under section 6 of the Disability Discrimination Act 1992 (Cth) due to the blanket COVID-19 vaccination policy?

5. What plans do SA Health have in place to make sure health service employers are adhering to their duty of care under section 19 of the Work Health and Safety Act 2012 (SA) by monitoring the ongoing health of workers coerced to get the COVID-19 vaccinations, especially for those that were employed in health service workplaces prior to the implementation of the policy and would not have had the vaccine if it were not for the policy?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** The Minister for Health and Wellbeing has been advised:

1. The SA Health Addressing Vaccine Preventable Disease: Occupational Assessment, Screening, and Vaccination Policy is not applied as a blanket policy to all employees. This policy requires all SA Health roles to be risk assessed and classified as category A, B or C.

Category C roles involve no duties which are performed in an area where patients and/or clients receive health care services unless at times of essential need and there is no alternative or there is appropriate risk mitigation in place. All other roles are classified as category A or B. Those roles classified as category A or B are required to be up to date with COVID-19 vaccinations as specified by the Australian Technical Advisory Group on Immunisation (ATAGI) and have documented evidence of receipt of COVID-19 vaccination applicable to healthcare workers as recommended by ATAGI. Those classified as category C are not required to be vaccinated against COVID-19, although this is strongly recommended. The intent of this policy is to minimise the risk to workers from contracting vaccine preventable diseases and risk of transmission of these infections.

2. Under the SA Health Addressing Vaccine Preventable Disease: Occupational Assessment, Screening, and Vaccination Policy individuals who are unable to be vaccinated due to temporary or permanent medical contraindications to COVID-19 vaccine are able to be exempted by the Chief Public Health Officer if they meet the medical contraindications as stipulated in the Australian Immunisation Handbook or have an ATAGI recognised contraindication to COVID-19 vaccination. In some circumstances, aggravations of mental illness may meet these medical contraindication stipulations.

3. The Department for Health and Wellbeing take the health, safety and wellbeing of their workforce seriously and is concerned by reports of aggravation of PTSD symptoms and feelings of coercion. SA Health has employee support systems in place which include access to trained psychologists. There are processes in place for employees to seek Chief Public Health Officer exemption from the COVID-19 vaccination requirements for those who meet the medical contraindication stipulations as referred to earlier.

4. The SA Health Addressing Vaccine Preventable Disease: Occupational Assessment, Screening, and Vaccination Policy is not applied as a blanket policy to all employees, and its application depends on the role category. The policy makes provisions for individuals who have a medical condition of disability that meets the medical contraindication stipulations as approved by the Chief Public Health Officer to be exempted. Those who are exempted can continue to work unvaccinated subject to appropriate risk reduction strategies as determined by their employing authority. □

As the policy is not a blanket policy and contains provisions that may exempt individuals with disability if they meet required criteria, it would not engage section 6 of the Disability Discrimination Act 1992 (Cth), as under subsection (3) of section 6, the requirement to be vaccinated is reasonable, given the circumstances of the case.

5. The vaccination policy makes provisions for individuals who are vaccine nonresponders or subject to medical exemption based on medical contraindication to any required vaccine. These types of medical exemptions are defined in the Australian Immunisation Handbook and the Australian Technical Advisory Group on Immunisation (ATAGI) guidelines.

This means that employees who have a medical condition of disability that prevents them from being vaccinated, they can continue to work unvaccinated subject to the provision of the required evidence to their employer.

The Equal Opportunity Act 1984 (SA) includes an exemption that can apply when: 'ensuring that an infectious disease is not spread, and is reasonable in all the circumstances'. This means that in certain situations it may be lawful for an employer or service provider to discriminate against a person because they cannot wear a face mask or be vaccinated against the COVID-19 virus.

6. As highlighted earlier, the Department for Health and Wellbeing take the health, safety and wellbeing of their workforce seriously. The intent of this policy is to minimise the risk to workers from contracting vaccine preventable diseases and risk of transmission of these infections. SA Health has employee support systems in place which include access to trained psychologists.

#### **STRONG FAMILIES, STRONG COMMUNITIES**

1. When did the Strong Families, Strong Communities program run by the Department of Human Services commence?
2. What key performance indicators were set for the program to achieve in its first year?
3. Which organisation(s) were successful through the tender process to deliver the program?
4. How will at-risk families be identified?
5. Will the program be used for both medium and high-risk families?
6. What funding is allocated for the program?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Human Services has advised:

1. The Strong Families, Strong Communities program is due to commence from 1 July 2023.
2. Key Performance Indicators are currently being negotiated as a part of the contract negotiation phase of the tender.
3. As the contract negotiations with provisionally preferred providers are still pending and contracts are yet to be executed, details regarding the successful organisations are unable to be provided at this stage.
4. At-risk families will be identified through community, self-referral or in partnership with other identified referral sources, as required.
5. This program will support families with lower to medium level of safety concerns with a focus on the following priority population groups:
  - infants
  - young parents
  - adolescents with complex trauma
  - Aboriginal families with multiple and complex needs.
6. The total funding for two (2) year contracts for the program from 1 July 2023 to 30 June 2025 is \$8,357,450 (ex GST)—this is based on an indexation rate of 2.5 per cent.

#### AUTISM SA

**237 The Hon. H.M. GIROLAMO** (22 February 2023).

1. For the financial years of 2018-19, 2019-20, 2020-21 and 2021-22 (separated by financial year) how much funding was provided by the Department for Child Protection to Autism SA?
2. How much funding was provided to Autism SA by the Department for Child Protection in the 2022-23 budget?
3. What specific programs did funding in the 2022-23 budget support and how much did each program receive?
4. How much funding was provided to Autism SA by the Department for Child Protection in the 2022-23 Mid-Year Budget Review?
5. What specific programs did funding in 2022/23 MYBR support and how much did each program receive?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Child Protection has advised:

1. Total funding (GST exclusive) provided by the Department for Child Protection to Autism SA for the financial years of 2018-19, 2019-20, 2020-21 and 2021-22 was:

\$'000	2018-19	2019-20	2020-21	2021-22
Autism SA	445	438	3,222	5,124

2. Total funding committed to Autism SA by the Department for Child Protection in the 2022-23 budget is:

\$'000	2022-23 budget
Autism SA	4,228

3. The specific program under which Autism SA is being funded from the 2022-23 budget is:

OOHC placement services—\$4,228,466

4. Total funding budgeted to Autism SA through the Department for Child Protection in the 2022-23 Mid-Year Budget Review was:

\$'000	2022-23 Budget
Autism SA	242

5. The specific program under which Autism SA was funded through the Mid-Year Budget Review was:

OOHC placement services—\$242,640.

#### CHILD PROTECTION

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (1 December 2022).

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** The Minister for Health and Wellbeing has advised:

The Women's and Children's Health Network was advised via letter from the College of Intensive Care Medicine of Australia and New Zealand (the college) on 25 November 2022. The Minister for Health and Wellbeing's office received a copy of this letter on 28 November 2022.

The college's report points out that this in no way is a reflection on the dedication of the medical and nursing staff in the unit, nor is it a reflection on the level of care provided to patients.

The Women's and Children's Health Network is developing an action plan and is working closely with the college to identify a pathway back to training accreditation.

#### STATE MAJOR BANK LEVY

In reply to **the Hon. R.A. SIMMS** (7 February 2023).

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** The Treasurer has advised:

In line with our election commitment the Malinauskas Labor government will not be imposing any new taxes.

The Malinauskas government has delivered a broad package of cost-of-living measures to provide financial support for South Australians to assist with the rising cost of essential goods and services. This included a doubling the Cost of Living Concession in 2022-23, as well as a \$100 subsidy to government school parents, caregivers and independent students for the materials and services charge for the 2022 and 2023 school years.

In addition, from 2022-23 eligible seniors will receive free public transport on the Adelaide metropolitan transport system 24 hours a day, seven days a week.

#### SAPOL BARRACKS

In reply to **the Hon. F. PANGALLO** (7 February 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Police, Emergency Services and Correctional Services has advised:

SAPOL reports that Ms Joyce Richardson OAM left no living descendants, but her carer requested Ms Richardson's ashes be scattered. SAPOL has contacted her carer on this matter, who has advised that no further action need be taken by SAPOL by way of trying to preserve the ashes. The scattering of ashes was formalised with the presentation of a plaque honouring Ms Richardson's life. The plaque is displayed in the South Australian Police Historical Society's museum, and will remain with the museum when it moves to a new location.

SAPOL is not aware of any other ashes scattered at Thebarton Barracks.

Plans are being developed to cater for a garden at the relocated Thebarton Barracks facility.

Heritage staff from the Department for Environment and Water have conducted an onsite visit of Thebarton Barracks. The new Women's and Children's Hospital project team are responsible for carrying out environmental surveys and assessments of the Thebarton Barracks site and, after handover, SA Health will be responsible for all further demolition, remediation and surveys at the site.

#### SAM SMITH CONCERT

In reply to **the Hon. J.M.A. LENSINK** (8 February 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Tourism has advised:

1. SATC analyses each event on its merits prior to pursuing a marketing opportunity. The metrics for the Sam Smith brand partnership align with the SATC's overall PR strategic objectives and KPIs, specifically they were to grow cumulative reach, increase PR mentions and published articles/news stories and to generate earned media (i.e. advertising equivalent value through media exposure).
  2. The attendees and invitees met the expectations of the SATC.
  3. The total value is commercial-in-confidence.
- Interstate media outlets and interstate influencers were provided return flights to Adelaide, accommodation, food, transfers and two tickets to the promotional event.
  - Intrastate influencers were provided with two tickets each, as well as return bus transfers to and from the promotional event from Adelaide CBD.

#### BEACH MANAGEMENT

In reply to **the Hon. J.M.A. LENSINK** (9 February 2023).

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** The Minister for Environment and Water has advised:

Responsibility for operational management decisions related to beach replenishment activities lies with the Chief Executive of the Department for Environment and Water (DEW). DEW actively manages Adelaide's metropolitan coastline, on a seasonal basis, to ensure a high level of amenity, public safety and environmental protection.

High tides and storms in winter 2022 caused erosion of beaches and dunes across the Adelaide coast. While most of the Adelaide coast fared well, the beach levels dropped substantially along the foreshore between Henley Beach South and Henley Surf Life Saving Club.

Beach access points along some parts of this section of coast needed to be closed for some time due to steep drop-offs and exposed rock posing a risk to pedestrians. Local councils are responsible for day-to-day care and control of the coast and for their assets, such as beach access staircases.

Beach levels have recovered significantly with seasonal summer conditions with all safe beach access points along the Henley Beach South to Henley Beach foreshore being able to be reopened. One remains permanently closed because the stairwell is in poor condition and is scheduled to be replaced.

Operational planning in anticipation of autumn/winter storms in 2023 is well underway and beach replenishment will commence in autumn.

#### REGIONAL HEALTH SERVICES

In reply to **the Hon. R.A. SIMMS** (9 February 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Health and Wellbeing has been advised:

SA Pathology has commenced consultation on the delivery of pre-analytical services across the state, including all functions of pathology testing before the specimen reaches the laboratory. No decision has been made on the final structure.

There will be no redundancies as part of this proposal.

#### DIRECTOR OF PUBLIC PROSECUTIONS

In reply to **the Hon. F. PANGALLO** (21 February 2023).

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

I have asked Mr Hinton KC to address the concerns raised by the honourable member. The director reminded me that, as an officer of the court, a prosecutor has an obligation to disclose relevant material to the court, but that that duty is discharged by disclosure of relevant evidence to the defence. The information in question has been disclosed to Mr Bromley's legal representatives. The extent to which use is made of that material to advance Mr Bromley's case on appeal is a matter for Mr Bromley and his lawyers.

As to the first question, I do not have any concerns about the conduct of the Director of Public Prosecutions. The director is an independent statutory officer, who is bound by his duties under legislation, common law and conduct rules. I do not have any evidence to suggest that the director has not met any of those obligations.

#### GREYHOUND RACING

In reply to **the Hon. T.A. FRANKS** (21 February 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Recreation, Sport and Racing has advised:

In 2000, South Australia corporatised the racing industry. The corporatisation fundamentally changed the state government's involvement in the management of the racing industry, including Greyhound Racing SA (GRSA).

The honourable member could consider contacting GRSA for further information.

The state government takes animal welfare very seriously and the minister has recently written to GRSA requesting they consider a review of their current hot weather policy.

#### **GREYHOUND RACING**

In reply to **the Hon. T.A. FRANKS** (22 February 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** The Minister for Sport, Recreation and Racing has advised:

In 2000, South Australia corporatised the racing industry. The corporatisation fundamentally changed the state government's involvement in the management of the racing industry, including Greyhound Racing SA (GRSA).

The state government takes animal welfare very seriously and the minister has recently written to GRSA requesting they consider a review of their current hot weather policy.

#### **DISABILITY EMPLOYMENT**

In reply to **the Hon. H.M. GIROLAMO** (23 February 2023).

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

1. According to the most recent Workforce Information Report published by the Office of the Commissioner for Public Sector Employment (OCPSE), employees living with a declared disability in the South Australian public sector totalled 1,551 people as at 30 June 2022. This represents 1.37 per cent of the total workforce, and was an overall increase of 34 employees compared to 30 June 2021.

The true level of disability employment may be higher because the workforce data relies on employees self-nominating their status. The anonymous 2021 I Work for SA Your Voice survey, which asked employees about their disability status, indicates there is a degree of under-reporting, with 5 per cent of the sample group declaring that they live with disability.

OCPSE will publish updated workforce information, including employment of employees living with disability, at the end of 2023.

2. In her annual State of the Sector report, the Commissioner for Public Sector Employment has repeatedly highlighted the need to lift the employment of people living with disability in the public sector.

Agencies are also required by the Disability Inclusion Act 2018 to report on what they have done to improve access to employment opportunities.

OCPSE is assisting agencies to increase employment of people with disability. The Disability Employment Toolkit provides practical resources for agencies to promote the recruitment and retention of people with disability. This has been supported by the delivery of disability awareness and inclusion training across the sector.

Improving data on public sector employees living with disability is a key priority. OCPSE has updated the pre-employment declaration to encourage new public sector employees to self-nominate existing disabilities. Work will continue with agencies to increase the confidence of employees to self-disclose disability data.

Public sector employees living with disability are eligible for scholarships to attend the Governor's Leadership Program to help them advance their careers.

3. A target for the employment of people with disability in the public sector is being considered for inclusion in the draft South Australian Public Sector Inclusion Strategy 2023-25. The strategy is expected to be launched in 2023.

#### **SEAFOOD INDUSTRY**

In reply to **the Hon. C. BONAROS** (7 March 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** I am advised:

PIRSA, as a member of the Australian Fisheries Management Forum, is aware of the commonwealth-led Country of Origin Labelling initiative that has been strongly advocated for by Seafood Industry Australia, the national industry body. Further, as part of the National Fisheries Plan, led by the Australian Department of Agriculture, Fisheries and Forestry, which provides a shared vision to grow Australia's fishing and seafood sectors in a sustainable way, one

of the key initiatives relates to enhancing traceability systems for seafood products. PIRSA, along with other state and territory government agencies and the seafood community, was involved in developing the plan.

The Australian Fisheries Management Forum (AFMF) is an informal network for sharing information between the state and federal government agencies involved in managing fisheries and aquaculture in Australia. AFMF is comprised of the heads of commonwealth and state/territory fishery management agencies, with observers from relevant bodies including the Fisheries Research and Development Corporation.

#### MICROALGAE BIOSEQUESTRATION

In reply to **the Hon. T.A. FRANKS** (9 March 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** I am advised:

That microalgae are farmed in Whyalla, South Australia. One company is currently licensed to farm microalgae in South Australia. BASF Australia Limited, a category A landbased aquaculture licence located just north of Whyalla, has been licensed to farm the microalgae *Dunaliella salina* since 2005.

BASF is the world's largest producer of microalgal betacarotene, grown and harvested at Hutt Lagoon in Western Australia, and Whyalla in South Australia.

The carotenoids are derived from the microalgae, *Dunaliella salina*, that is grown in naturally occurring open-air seawater lagoons. The algae produces carotenoids, predominantly betacarotene, to protect itself from sunlight. This natural colourant has been increasingly used in the food and dietary supplements industries across the world as a healthy replacement for azo dyes.

Production of the microalgae varies from year to year due to changing priorities of the two production sites. Economic data for 2020-21 shows microalgae production in South Australia was 647 tonnes, valued at \$4.85 million. However, production has been as high as 4,400 tonnes, valued at \$37 million (in 2015-16).

I am also advised the South Australian Research and Development Institute (SARDI) conducts applied research for industry and government specifically on algae, including both microalgae and macroalgae (seaweeds).

SARDI has undertaken research and development on microalgae since 2004, which has included microalgae-based feedstock production for food, high value co-products for nutraceuticals and cosmeceuticals, biofuels including jet fuels, feed, industrial applications and environmental remediation.

Microalgae can be cultivated in high-rate algal ponds such as raceways and photobioreactors in marine, freshwater or brackish water culture media. Both technologies have been evaluated at scale by SARDI for various species and product streams.

The Algal Production Group at SARDI undertook a bioprospecting program covering three states and environments extending from deep oceanic waters to saline inland lakes. Having evaluated over 15,000 samples, a culture collection of about 30 native isolates that belong to the SARDI microalgal culture collection are being maintained under controlled environment conditions. These strains have been selected for their high growth and various attributes of commercial significance. These strains are currently being utilised by SARDI for various industry-funded research projects.

SARDI is currently scoping two microalgal projects with the industry to establish a production facility for omega-3 fatty acids and carotenoid pigments.

SARDI has also previously been commissioned by PIRSA to produce spat for the oyster growing industry, condition oyster broodstock and produce microalgae, as an emergency measure for South Australian hatcheries.

#### EYRE PENINSULA DESALINATION PROJECT

In reply to **the Hon. C. BONAROS** (9 March 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** I am advised:

That those locations are situated adjacent to the Aquaculture (Zones-Lower Eyre Peninsula) Policy 2013, contain 53 aquaculture leases and corresponding licences authorised to farm mussels, southern bluefin tuna, oysters, abalone, finfish and seaweed. In the 2020-21 financial year those aquaculture sites produced 12,270 tonnes, directly valued at \$128.25 million farm gate, which is 64 per cent of the entire South Australian aquaculture industry. Of that, the mussel aquaculture sector produced 1,845 tonnes, directly valued at \$3.69 million farm gate. In addition, the mussel aquaculture sector provided direct on-farm regional employment of 29 full-time employees, with total employment of 94 full-time employees considering direct and flow-on.