

**LEGISLATIVE COUNCIL****Tuesday, 2 May 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***NATIONAL GAS (SOUTH AUSTRALIA) (EAST COAST GAS SYSTEM) AMENDMENT BILL***Assent*

Her Excellency the Governor assented to the bill.

**NATIONAL ELECTRICITY (SOUTH AUSTRALIA) (MINISTERIAL RELIABILITY INSTRUMENT) AMENDMENT BILL***Assent*

Her Excellency the Governor assented to the bill.

**FIRST NATIONS VOICE BILL***Assent*

Her Excellency the Governor assented to the bill.

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

Her Excellency the Governor assented to the bill.

**GENE TECHNOLOGY (ADOPTION OF COMMONWEALTH AMENDMENTS) AMENDMENT BILL***Assent*

Her Excellency the Governor assented to the bill.

**STATUTES AMENDMENT (CIVIL ENFORCEMENT) BILL***Assent*

Her Excellency the Governor assented to the bill.

**COURTS ADMINISTRATION (MISCELLANEOUS) 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 Attorney-General (Hon. K.J. Maher)—

South Australian Abortion Reporting Committee—Report, 2022

Fee Notices Under Acts—

Legal Practitioners Act 1981

Regulations under Acts—

Independent Commission Against Corruption Act 2012

Review of the Mental Health Act 2009 SA by South Australian Law Reform Institute

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

Regulations under Acts—

Dangerous Substances Act 1979—Dangerous Goods Transport—Miscellaneous

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

Regulations under Acts—

Fisheries Management Act 2007—

Abalone Fisheries—Miscellaneous

Demerit Points—Miscellaneous

Demerit Points—Yabby Pots

General—Miscellaneous

General—Yabby Pots

Lakes and Coorong Fishery—Yabby Pots

Prawn Fisheries—Miscellaneous

Rock Lobster Fisheries—Miscellaneous

Harbours and Navigation Act 1993—Port Adelaide

Primary Industry Funding Schemes Act 1998—

Adelaide Hills Wine Industry Fund—Prescribed Period

Barossa Wine Industry Fund—Prescribed Period

Clare Valley Wine Industry Fund—Prescribed Period

Langhorne Creek Wine Industry Fund—Prescribed Period

McLaren Vale Wine Industry Fund—Prescribed Period

Riverland Wine Industry Fund—Prescribed Period

Grape Growers Industry Fund—Prescribed Period

#### *Ministerial Statement*

#### **HUMPHRIES, MR BARRY**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:21):** I table a ministerial statement made in the other place by the Hon. Andrea Michaels MP, Minister for Arts, in relation to Barry Humphries.

#### **PROTECTING THE BIRD IN HAND GOLD DEPOSIT**

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:21):** I table a ministerial statement made in the other place by the Hon. Tom Koutsantonis MP regarding protecting the Bird in Hand gold deposit.

#### *Question Time*

#### **SHEEP AND GOAT ELECTRONIC IDENTIFICATION**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development regarding sheep and goat electronic identification.

Leave granted.

**The Hon. N.J. CENTOFANTI:** Our livestock producers all around the state are calling for the Malinauskas government to stop hiding and to be transparent regarding details of the rollout of the electronic identification and what funding they will commit. Producers are asking for details to be provided before the end of the financial year to allow them to plan their business going forward. This is now very clearly a government-led initiative. All power has been taken away from industry bodies.

My question to the minister is: when is she going to provide clarity and certainty for the livestock industry and release details around the rollout and what funding is her government going to commit to the rollout?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:34):** I thank the honourable member for her question; however, I don't accept the premise of her question where she refers to where the power is in this particular issue. This has always been industry led. It has been in place because of discussions and indeed plans that were in place under the former state Liberal government to be able to introduce EIDs, remembering of course that the purpose of electronic identification is to improve traceability, which is an important tool in our toolkit—

*The Hon. N.J. Centofanti interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —in regard to making sure that South Australia's, and indeed Australia's, very important livestock industry—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —is able to mitigate the risks and the increased risks of emergency animal diseases and ensure that, in the event of an incursion, there is the ability to effectively and swiftly trace animals to be able to reduce the amount of exposure and also to be able to regain trade freedom once an incursion has been managed.

I have been very pleased to be working closely with industry associations, such as Livestock SA. They, of course, have a steering committee that has been undertaking work, which I have spoken about previously in this place, and they are continuing in stage 2 of that work. When there is more that is able to be announced, I will be happy to do so.

#### SHEEP AND GOAT ELECTRONIC IDENTIFICATION

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:36):** Supplementary: will the minister commit to providing detail of the rollout to producers before the end of this financial year?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:36):** As I have said, we have been working closely with Livestock SA because this is an industry-led—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —initiative, which is incredibly important.

*Members interjecting:*

**The PRESIDENT:** Order! I can't hear the minister. Minister, please continue.

**The Hon. H.M. Girolamo:** She's not answering anyway.

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** This is incredibly important to protect our livestock industry and the economic benefits it brings to our state and in particular to our regional areas. As I have said, once there is more to be able to announce I will be happy to do so.

#### GOVERNMENT GRANTS

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:37):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development on grants.

Leave granted.

**The Hon. N.J. CENTOFANTI:** According to the PIRSA website, the Thriving Regions Fund, which replaced the previous Liberal government's Regional Growth Fund, opened in January this year. The Thriving Regions Fund is a \$15 million commitment per annum to support projects to enable regional industries to grow jobs and strengthen regional communities. My question to the minister is: other than the \$600,000 allocated for all grants under the Thriving Communities Program in this financial year, can the minister give an indication to the chamber where the other \$14.4 million has been allocated?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38):** I thank the honourable member for her question. Certainly, she has referred to the Thriving Communities tranche of the Thriving Regions Fund, which is an incredibly important part of the funding program. Members may be aware that that particular program is a number of small grants of \$20,000 to \$50,000 that will enable better cohesion in regional communities and be able to strengthen regional communities in a variety of ways. It is certainly something that has come up in many different conversations I have had in my many regional trips around the state, and I am pleased that there will be opportunities for so many different community organisations to apply for those sorts of grants.

PIRSA delivers a range of grant programs to support primary producers in regional communities and certainly Thriving Regions is an important part of that. The goal of Thriving Regions is to be able to ensure that, where there are particular needs for regional communities that don't fall within, for example, another portfolio area—health is an example—there are the opportunities to provide that targeted commitment—

*An honourable member interjecting:*

**The PRESIDENT:** Order!

**The Hon. H.M. Girolamo:** Just check your phone in case the answer's been texted to you.

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

**The Hon. C.M. SCRIVEN:** —that targeted support towards those particular regional areas. That can include, for example, industry support. While noting that direct industry support is perhaps better under other portfolios, such as manufacturing, it can also be appropriate that we have widespread industry support where it is going to target a number of different businesses.

For example, the election commitment that we made in regard to providing fee relief for the rock lobster industry, that was funded out of the Thriving Regions Fund, and there are similar examples of those sorts of programs. In terms of additional information, all of that, of course, will be available through estimates and Auditor-General's examinations.

### GOVERNMENT GRANTS

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:40):** Supplementary: can the minister confirm that the full \$15 million will be spent in this financial year, and if not will she commit to rolling over the funds to the 2023-24 budget?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:40):** I can advise the honourable member that that's the usual circumstance. With the Regional Growth Fund, as it was previously known under the previous government, funds are allocated and rolled over as needed. It is also worth noting, though, that often funds will be allocated but won't necessarily be expended in that financial year, because they will be staged processes—for example, for the construction of facilities. So in terms of future questioning, the member might just want to be particularly cognisant of the exact wording so that I can ensure that I am giving her the answer that she is seeking.

### COMMONWEALTH INFRASTRUCTURE FUNDING

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:41):** I seek leave to make a brief explanation prior to addressing a question to the Minister for Primary Industries and Regional Development regarding regional productivity.

Leave granted.

**The Hon. N.J. CENTOFANTI:** Yesterday, the federal infrastructure minister announced that she would review infrastructure spending, including half a billion dollars of future investment in South Australia's roads. Civil Contractors Federation South Australia CEO Rebecca Pickering said, and I quote:

This review may lead to decades of delays for these projects that are crucial for the advancement of South Australia.

My question to the minister is: has the Minister for Primary Industries and Regional Development written to the federal infrastructure minister to ask for a guarantee that the infrastructure review will not affect the Truro bypass project, which is a critical freight route for South Australia, and, if not, when will she?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42):** I thank the honourable member for managing to ask two questions in this question time out of three that are directly relevant to the state jurisdiction.

**An honourable member:** Two out of three isn't bad.

**The Hon. C.M. SCRIVEN:** Two out of three I guess is not too bad, but getting to number three and we need to go towards what is a federal review, as she actually said in the preamble to her question.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** This government knows all too well the serious underfunding and underscoping of projects that were done by the former Marshall and Morrison Liberal governments, which, for example, had dramatically underestimated the cost of delivering the north-south corridor project, according to my advice.

*Members interjecting:*

**The PRESIDENT:** Order, both sides!

**The Hon. C.M. SCRIVEN:** The fact of the matter is that this is a commonwealth review, and it is necessitated by the infrastructure program that the Albanese government has inherited across the nation. I am advised by my colleague in the other place, the appropriate minister, that of course as a government we will be working with the federal government throughout this process, as will all other state and territory governments.

I do think it was interesting: I was listening on radio this morning, and we heard the member for Barker discussing this matter.

**An honourable member:** Who?

**The Hon. C.M. SCRIVEN:** The member for Barker.

**The Hon. K.J. Maher:** He's on the front bench, isn't he?

**The Hon. C.M. SCRIVEN:** Is he on the front bench? Isn't he the second cousin, once removed, of a shadow minister assistant to—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —something or other. I think that's basically what the present title of Mr Pasin is.

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hanson! The Leader of the Government! There's no need for your conversations.

**The Hon. C.M. SCRIVEN:** And I recall—

*Members interjecting:*

**The PRESIDENT:** The Hon. Ms Girolamo! Minister, sit down.

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hanson, the Hon. Ms Girolamo, enough! Minister, please conclude your remarks so we can move on.

**The Hon. C.M. SCRIVEN:** Certainly. Thank you. I think the member for West Torrens in the other place, when he was on radio this morning, referred to 'all the sort of hysteria from Mr Pasin is a bit much'. I think that's quite an interesting description.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** It will be, I think, counterproductive to be speculating about recommendations before this national review has even commenced. It has not even commenced, Mr President. It was announced in the last few days, and we certainly don't intend to pre-empt what may or may not be considered because this is, after all, a federal review. For those opposite, a federal review means that it is conducted by the federal government. The key there, the hint, the giveaway there is—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —the word 'federal' review.

*Members interjecting:*

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

**The Hon. C.M. SCRIVEN:** I appreciate that those opposite are maybe not very familiar with the difference in jurisdictions—

*Members interjecting:*

**The PRESIDENT:** Order! Sit down, minister. I would like to hear the answer, and I would like you to conclude, and I would like to hear it in silence.

**The Hon. C.M. SCRIVEN:** I am advised that as a state government we will continue to be making the case for all of our infrastructure priorities.

### **GOOLWA PIPI SEASON**

**The Hon. J.E. HANSON (14:45):** My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the state government's recent announcement regarding the reopening and the extension of the Goolwa pipi season?

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:45):** I thank the honourable member for his question and his ongoing interest on behalf of the many recreational fishers that we have in this state. South Australia's Goolwa pipi (sometimes also known as cockles) is an incredibly important and much loved species, so it was unfortunate that in January this year it was necessary to close Goolwa Beach from the Murray Mouth to Middleton Point. That was closed to the take of bivalve molluscs by recreational fishers, including the Goolwa pipi in those bivalve molluscs, and that was due to the detection of E.coli in the area.

Since that time, the South Australian Shellfish Quality Assurance Program has been testing regularly to monitor E.coli levels to ascertain when it would be safe to reopen the beach to the taking of Goolwa pipi. Though difficult for the many people who enjoy taking pipis (or cockles) the health of South Australians, of course, must come first in circumstances such as these. The pipi fishery

remained closed for a 12-week period until early April when testing by SASQAP showed that it was safe to reopen.

Early into the closure, RecFish SA approached the state government with a proposal that the season be extended by the amount of time that it was necessary to have it closed, so that recreational anglers would not unnecessarily miss out on access. Based on this proposal, SARDI advice was sought and showed that extending the season by the amount of time it was closed posed low risk to stock sustainability as the extended period ends prior to the pipi's main spawning season, and that usually commences in September.

Given the importance of the pipi fishery to South Australia's recreational anglers, and given SARDI's advice regarding the low risk to stock sustainability, I was pleased to announce in early April that the pipi season had reopened and this year has been extended from its scheduled close date of 1 June 2023 and instead will remain open until 23 August 2023. This is a win for the many South Australians who enjoy a day at Goolwa Beach collecting pipis for bait, and increasingly also for their own consumption.

I thank RecFish SA for their considered proposal on this, and their advocacy. They were on the ball very quickly to see whether something could be put in place so that recreational fishers would not be disadvantaged, and I congratulate them on that. I look forward to continuing to ensure that South Australian anglers have a seat at the table in fisheries management decisions that prioritise sustainability while maintaining access for the state's nearly 360,000 keen recreational fishers.

#### JUVENILE INCARCERATION RATES

**The Hon. C. BONAROS (14:48):** I seek leave to make a brief explanation before asking the Attorney a question about juvenile incarceration rates.

Leave granted.

**The Hon. R.A. Simms:** It will be good.

**The Hon. C. BONAROS:** It will be a good question, yes.

**The PRESIDENT:** The Hon. Mr Simms!

**The Hon. C. BONAROS:** The Training Centre Visitors Annual Report, which is a report on the operations of the Kurlana Tapa Youth Justice Centre at Cavan and is prepared by the Office of the Guardian for Children and Young People, has revealed that the number of 11 to 13-year-old children locked up in South Australia has risen by 20 per cent in the past year. It further reveals that young repeat offenders are being incarcerated more often and that 292 individual children and young people were admitted to the centre across 759 separate admissions, the highest number of admissions since TCV reporting began in 2017-18.

Other systemic issues reported include conditions in the facility; limited access to education, rehabilitation programs and health treatment, which are taking a serious toll on the mental and physical health of children and young people detained; over-representation of children and young people who are under guardianship orders at the time of admission; a rise in the number of Aboriginal and Torres Strait Islander children in the centre; and children and young people being held in police cells.

The Guardian for Children and Young People and Training Centre Visitor, Ms Reid, has warned the government that it needs to do more to address the issues that have been identified. My questions to the Attorney are:

1. What is the government's position in terms of these very disturbing increases?
2. Is the Attorney concerned about these latest statistics?
3. What are we doing to tackle the spike in juvenile incarceration rates?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:50):** I thank the honourable member for her very important question. The juvenile justice system is looked after by the Minister for Youth, the Hon. Nat Cook in the other place, and I certainly will refer details of that question to the minister, who

will have some specific answers on programs, new programs and other interventions. But I will answer it by saying, yes, it is of concern.

I think it is of concern to all of us to see children incarcerated. It is an area of work that this government is involved in, not just at a state level but at a national level, to look if there are alternatives to the detention of children that will have not just a positive impact on the children's lives but also a positive impact on community safety.

Most recently, on Friday of last week, I was at a meeting with all my fellow attorneys-general from around Australia discussing this very issue and certainly later this year there will be a further working group report. We in South Australia continue to do work on this matter, as well as part of the federal process.

### JUVENILE INCARCERATION RATES

**The Hon. C. BONAROS (14:51):** Supplementary: can the Attorney confirm that he and indeed the minister in the other place would be equally concerned about the long length of time that children are spending in remand at the centre, with some examples of 11 and 12 year olds spending over 130 days on remand at the centre.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:52):** I thank the honourable member for her question and absolutely, yes, and not just on remand but, yes, particularly on remand. If there is an alternative to a child being detained, we would like to see how that would work and the consequence it would have for making the community safer.

It's a matter I have talked to the judicial members of the Youth Court about, as well as my colleague the Hon. Nat Cook, and I can assure the member we will be doing what we can to make sure that children aren't unnecessarily detained, and where there are circumstances like the honourable member has mentioned (on remand for long periods of time) that we work to reduce those.

### REGIONAL AIR SERVICES

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:53):** I seek leave to make a brief explanation before asking a question of the Minister for Regional Development about regional services.

Leave granted.

**The Hon. J.S. LEE:** Two weeks ago, Rex Airlines announced that they will be cutting or shifting flight routes across regional South Australia. Many of the regional mayors and regional community members have expressed their concern about the announcement, indicating that this could affect access to medical doctors and other frontline professional staff in regional South Australia. My questions to the minister are:

1. As Minister for Regional Development, has she contacted the airline to advocate for this service to continue?

2. What measures has the state government put in place to help address the lack of airline services impacting on our regions?

3. Will the Malinauskas government commit to a social and economic review to restore the important airline service for our regional community?

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Wortley, the question wasn't directed to you.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:54):** I thank the honourable member for her recent and new interest in regional matters. Great to see! In answer to the question—

*Members interjecting:*



**The PRESIDENT:** Yes, I am trying to hear. Order! You have thrown the bait, the bait has been taken. I can't hear anything, so let's continue in silence please.

**The Hon. C.M. SCRIVEN:** In answer to the question, I am certainly very aware, very conscious of the difficulties that are being caused in regional areas by the cuts to the flights. Living in a regional area myself, I am directly affected and have certainly experienced difficulties in recent weeks and, indeed, months. But more importantly than that, others have experienced difficulties, for example, when they are attending medical appointments in Adelaide. It has impacted on tourism, it has impacted on many various matters where regional air transport is so important and so crucial to those who live in regional areas across our state.

I have written to Rex Airlines pointing out the difficulties, also acknowledging, however, what they have said publicly in regard to the reasons for this, and they are specifically shortages of pilots, shortages of engineers and supply chain issues for, essentially, parts that are essential for maintenance and safety. I do appreciate that safety must come first and I am sure everyone in this parliament would agree that when it comes to safety, there can't be any suggestion of any shortcuts.

The pilot shortage is certainly an issue that I think probably most members would be aware is an industry-wide issue. It's something that is affecting airlines domestically and, indeed, I am advised, internationally. It's very important that Rex continues to address this in terms of the pilot shortage, of course. Members may be aware that Rex runs their own training academy and cadet program, and I am advised by them that they are continuing to invest heavily in that training program.

I think it's incredibly important that there is as much communication as possible. My understanding is that at the moment Rex Airlines has indicated that the changes to routes—the reduction in services—will continue through until October this year and, of course, they are continually reassessing it. Their approach was rather than to cut, for example, one entire route that could have met their operational needs, instead to reduce each route to the least extent possible.

That's certainly the information that's coming back to me from Rex Airlines. But I will continue to see this and, of course, look at how we can ensure that any changes are communicated in the best way possible. That's Rex's responsibility, but I think it's also something that a number of us share through other mechanisms as well.

#### REGIONAL AIR SERVICES

**The Hon. R.A. SIMMS (14:57):** Supplementary: will the minister be advocating for the reactivation of regional rail, particularly to those communities that are being denied transport via air?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:57):** I thank the honourable member for his question and his frequent and ongoing advocacy in regard to rail services. I think members would be well aware of the challenges in terms of regional rail services. It's something that I can certainly refer to the relevant minister in the other place to see if there are any updates since this matter was last discussed in this place.

#### ABORIGINAL LAW STUDENT MENTORING PROGRAM

**The Hon. R.B. MARTIN (14:58):** My question is to the Minister for Aboriginal Affairs. Will the minister please inform the council about the launch of the 2023 Aboriginal Law Student Mentoring Program?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:58):** I thank the Hon. Reginald Martin for his question and his interest in this area. A few weeks ago I had the distinct privilege to attend the 2023 launch of the Aboriginal Law Student Mentoring Program, held at the offices of the Law Society here in Adelaide.

It's a fantastic program that provides support and mentorship for Aboriginal people studying law at any university in South Australia, both through their studies and their professional development. The students are matched with experienced members of the legal profession to form a mentorship for the building of a relationship during their time in the legal profession, providing them

with advice on how to navigate law school, university life generally and building connections with others, which helps set the student up for a career they may wish to pursue.

Last year, after having attended the end-of-year celebrations for this program, I informed the chamber about the work of the program in 2022. With the new cohort of students in 2023, it was exciting to see new faces in the program and a fresh group of students coming through the ranks who will one day make up our lawyers, advocates, possibly politicians and perhaps members of the judiciary.

During the launch of the event this year, I had the opportunity to welcome new and existing Aboriginal law students to the mentoring program. Those students then got a chance to hear from two recently appointed magistrates: Magistrate Lana Chester and Magistrate Natalie Browne, who recently made history as the first Aboriginal people to be appointed to the judiciary in South Australia's history.

Congratulations again to these two fantastic people on their hugely deserved appointments. Both Magistrates Chester and Browne spoke with such heart and conviction when addressing the students, imparting their encouraging words and wisdom on how to navigate the pressures of law school and why it's worth pushing through the difficulties of study to start a career that can be so rewarding and impactful for the whole of the Aboriginal community and South Australia generally.

Also present at the launch were Chief Magistrate Mary-Louise Hribal, Judge Katrina Bochner, the Hon. Chief Justice Chris Kourakis and the Chief Judge of the District Court, Michael Evans. I think it says something about the esteem in which this program is held that the heads of each of the three levels of the judiciary in South Australia—the Supreme Court, the District Court and the Magistrates Court—were all in attendance at this event.

It was also good to see my colleague from the other place the Hon. Josh Teague (member for Heysen) as the shadow attorney-general attending the event, who has been a supporter of this program for some time. I have seen him at a number of these events and that show of bipartisan support I think is an important thing in this area.

In particular, I want to thank everyone who helped organise the event, especially everyone from the Aboriginal Law Student Mentoring Program Management Committee who coordinates the program, and all the sponsors who ensure the program continues to thrive and support more Aboriginal students as they complete their studies, and then enter and flourish in the legal profession.

#### **ABORIGINAL DEATHS IN CUSTODY ROYAL COMMISSION**

**The Hon. T.A. FRANKS (15:01):** I seek leave to make a brief explanation before asking the Leader of the Government, who is also both the Minister for Aboriginal Affairs and the Attorney-General, a question about the implementation of recommendation 226 of the Royal Commission into Aboriginal Deaths in Custody.

Leave granted.

**The Hon. T.A. FRANKS:** Recommendation 226 from the Royal Commission into Aboriginal Deaths in Custody calls for the independent investigation of complaints against police and the employment of Aboriginal people or use of Aboriginal organisations in an independent police complaints body. That recommendation sets out key principles that should guide the design and implementation of police complaints mechanisms rather than providing a specific model. It is also one of the 107 recommendations that both previous Labor and Liberal South Australian governments had claimed was fully implemented and accordingly were no longer reported on.

However, both the Aboriginal Legal Rights Movement (ALRM) and the Aboriginal Justice Advocacy Committee's independent Royal Commission into Aboriginal Deaths in Custody monitoring report and the Australian Human Rights Commission independent report note major problems with the South Australian police complaints system, including noncompliance with recommendation 226.

That royal commission identified that a lack of police accountability undermines the relationship between Aboriginal and Torres Strait Islander peoples' communities and the police and that a perception of a lack of accountability for wrongdoing continues to undermine confidence and trust in police. Given that currently the South Australian police commissioner has said he will not

release even basic statistical details about police officers at the centre of proven or admitted misconduct, despite a request from the South Australian Ombudsman, I think that this particular recommendation requires some revisiting.

My question to the minister is: what steps will the minister take to ensure that recommendation 226 of the Royal Commission into Aboriginal Deaths in Custody for an independent complete police complaints process is fully and properly implemented in South Australia?

**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 important question and her interest in this matter. I will say by way of general background I understand that the Crime and Public Integrity Policy Committee is currently undertaking an inquiry into the operation of the Police Complaints and Discipline Act. I won't make too many very specific comments, but I will say I look forward to reading the outcomes of that inquiry and the recommendations that are made by the committee to see what, if any, changes can be made in relation to this area. Certainly, that committee has done good work and has made recommendations that this parliament has taken up in the past.

In relation to the matter generally, the operations of police complaints, I understand that back in 2020, during the term of the last government, Gordon Barrett QC conducted a review. It was a statutorily required review into the Police Complaints and Discipline Act. That review noted that in all Australian jurisdictions there is some role for police in investigating complaints about police conduct, noting that there are skill sets that are required for investigations that are quintessentially those possessed by police officers. It was noted in that particular report the possibility of some role of police during investigatory stages having those sorts of skills.

In South Australia, the Police Complaints and Discipline Act provides for oversight in management of police complaints by the Office for Public Integrity and empowers that office to give directions to police investigating complaints or reports. If it eventuates there are proceedings against the police officer alleging a breach of discipline, they are heard by the Police Disciplinary Tribunal, which is constituted by a magistrate of the Magistrates Court. Those are the workings at the moment, in a very broad sense, of the Police Complaints and Discipline Act scheme, but, as I say, I look forward to seeing what reports and recommendations are made by the Crime and Public Integrity Policy Committee.

#### WICHEN, MR J.

**The Hon. J.M.A. LENSINK (15:06):** I seek leave to make a brief explanation before directing questions to the Attorney-General regarding the release of Jacob Arthur Wichen.

Leave granted.

**The Hon. J.M.A. LENSINK:** After attempting to rape a 65-year-old woman in her Port Augusta home in 2002, Jacob Arthur Wichen was sentenced to 10 years in prison in 2005, but in 2011 was declared incapable of controlling his sexual instincts and was indefinitely detained. This recidivist sex offender has now been released on licence further to a High Court decision, overturning a Court of Appeal decision that upheld a Supreme Court decision not to release him due to the fear he could not control his sexual instincts.

I understand that this individual is now living under licence at a taxpayer-funded location which is undisclosed to the public. I note that experts have warned that there is a 'material risk' he will not comply with all 27 conditions under the licence. My questions to the Attorney-General are:

1. Can he advise of what projected costs per year to the taxpayer Wichen's release is under licence?
2. Can he comment on the suppression of Wichen's location, which potentially puts his safety above that of the community, particularly for nearby residents?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:07):** I thank the honourable member for her question. I will note from the outset that the laws that the courts are applying are the same laws that the former

government had and chose not to make changes in relation to these or any of the requirements in relation to the question the honourable member is asking.

As to the cost in terms of having the individual on licence in the community, I am not sure of what the cost is. I don't have those figures. I would imagine it may be similar to the cost of having someone detained in one of our jails. These things do come at a cost, and I think that is entirely appropriate and meets community expectations: that people who have been convicted of serious crimes, even when released, have some level, if the court deems it necessary, of supervision.

I am not sure if the honourable member is suggesting that there should be no cost incurred and there should be no supervision of this offender. If that is their position, and they are going to advocate a policy that people released from jail should never be supervised because there is a cost to the taxpayer, then that is their business to do so, and I am sure South Australians will continue to judge them accordingly. The laws that were applied in this are the same laws that the former Liberal government didn't change.

### RECIFISH SA FISHING ADVENTURE DAY

**The Hon. T.T. NGO (15:09):** My question is to the Minister for Primary Industries and Regional Development.

*Members interjecting:*

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

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

**The PRESIDENT:** The Hon. Ms Girolamo! The Hon. Mr Ngo.

**The Hon. T.T. NGO:** My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the RecFish SA Fishing Adventure Day in Happy Valley and how events like this encourage more participation in recreational fishing?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:09):** I thank the honourable member for his question. It was an absolute pleasure to attend RecFish SA's hugely popular adventure day at the Happy Valley Reservoir a few weeks ago with my colleagues Minister Hildyard and the member for Davenport, Erin Thompson.

While weather on the day initially did not look particularly promising, it didn't deter around 200 attendees from coming, and it really was great to see so many young people and families and friends enjoying the day, with the weather holding out just long enough for the event to go ahead largely unaffected. Prior to the last state election, the now Labor government—

*Members interjecting:*

**The PRESIDENT:** Order! The two leaders, enough! Please continue, minister.

**The Hon. C.M. SCRIVEN:** Certainly, Mr President, and given there are 360,000 recreational fishers in South Australia, I would have hoped that the Leader of the Opposition in this place would see that they are also an important part of our structure.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** Prior to the last state election, the now Labor government made a range of commitments to strengthen recreational fishing—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —including the reinstatement of RecFish SA as the peak body for recreational anglers.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. H.M. GIROLAMO:** Point of order: the minister is clearly misquoting the Leader of the Opposition. Can she please retract the comment?

**An honourable member:** What comment?

**The Hon. H.M. GIROLAMO:** That she doesn't support recreational fishing. Retract it right now.

**The PRESIDENT:** There is no point of order. Continue, please.

**The Hon. C.M. SCRIVEN:** As I was trying to say—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —prior to the last state election, the now Labor government made a range of commitments to strengthen recreational fishing, including the reinstatement of RecFish SA as the peak body for recreational anglers; recognition of fishing as an activity in the sport and recreation sector, which enables fishing clubs to become eligible for grants and other funding through the Office for Recreation, Sport and Racing; and, importantly, increasing participation in fishing amongst women, children and multicultural communities.

Working in partnership with RecFish SA, the state government is well on the way to delivering on these commitments, and events such as the recent one in Happy Valley go such a long way to encouraging young people to be involved in recreational fishing and experience its many benefits in a fun, supportive and educational environment.

At the event, I was particularly pleased to meet RecFish SA's women's fishing advocate, Kristin Goodchild, who will take on an important role in advocating for inclusion of women in the management of our fisheries, and in fishing events. Kristin will work towards creating a program for women interested in fishing to be able to build networks, and learn and develop skills and knowledge, including about fish habitats, sustainability, fishing techniques, and a number of other things. It was great to see Kristin interact with the many young girls and boys at the event, and I think she clearly must be a natural in teaching fishing because she was even able to help me throw a line, which is no mean feat given my lack of coordination when it comes to fishing.

It was also fantastic to see SA Water, Fishcare volunteers and the RecFish SA team, including executive officer Asher Deszery, chair Andrew Harris and deputy chair Barry Brown all on hand to help make the day the success that it was.

Four hundred silver perch fingerlings were also released on the day as part of a larger restocking program that has seen SA Water release over 100,000 fingerlings in recent months, including species like golden perch, silver perch, Murray cod and rainbow trout, across a range of reservoirs. It was heartening to see the many young people in attendance so excited to help release the fingerlings into the water. Congratulations to RecFish SA on a very successful event, the first of, I hope, many more.

**The PRESIDENT:** You have a supplementary, the Hon. Mr Pangallo.

#### **RECFISH SA FISHING ADVENTURE DAY**

**The Hon. F. PANGALLO (15:13):** Can the minister categorically rule out a licence fee will be introduced for all recreational fishers by this government, and during the term of this government?

**The PRESIDENT:** Minister.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:13):** Thank you, Mr President, although I wouldn't have been surprised if that was ruled out of order as not arising from the original answer. I am, however, happy to answer it, if you are happy to allow that, Mr President.

**The PRESIDENT:** It's up to you.

**The Hon. C.M. SCRIVEN:** As I have said in this place previously, and also publicly, there are a range of opinions in regard to the benefits or disadvantages of a recreational fishing licence and licence fee. Members may be aware, certainly, Victoria and New South Wales I think have a recreational fishing licence, and it's something that has engendered many debates in South Australia. So far, as far as I can see, it seems to be roughly equal numbers of those who would support such a measure and those who would oppose such a measure.

We have undertaken, as a government, that we wouldn't be introducing a recreational licence in this current term. I certainly don't have any plans myself at the moment to be pursuing such a course of action. If it was to be investigated, it would need to be at the instigation of peak bodies of recreational fishers, and I think I have said that on a number of occasions here already. It is certainly not something that I have a view on either in favour or against. If it is something that the recreational fishing community was wholeheartedly behind, then it would be worth investigating. If that is not the case, then it's not going to be on the agenda.

**The PRESIDENT:** The Hon. Mr Pangallo, further supplementary.

#### **REC FISH SA FISHING ADVENTURE DAY**

**The Hon. F. PANGALLO (15:15):** Can the minister provide statistical evidence of her claim that there is an equal number opposed and an equal number supporting it?

**The Hon. I.K. HUNTER:** Point of order.

**The PRESIDENT:** You don't need a point of order. The Hon. Mr Pangallo, we gave you latitude with your first supplementary, but your supplementaries are to be arising from the original answer and there was no real discussion about licence fees in that original answer. You have the next question, and if you would like to make that your next question then of course you can. The honourable Leader of the Opposition, you have a supplementary question arising from the original answer?

#### *Personal Explanation*

#### **RECREATIONAL FISHERS**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:16):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. N.J. CENTOFANTI:** The minister, in her previous comments, has clearly misrepresented me. I certainly did not say the rec fishers were not important to South Australia, and I ask that she withdraw her comments.

**The PRESIDENT:** Minister, I actually missed that interaction at the time.

**The Hon. C.M. SCRIVEN:** So I answer her personal explanation?

**The PRESIDENT:** You can withdraw.

*Members interjecting:*

**The PRESIDENT:** We are not debating. Are you going to withdraw?

**The Hon. C.M. SCRIVEN:** No.

#### *Question Time*

#### **WHYALLA STEELWORKS**

**The Hon. F. PANGALLO (15:16):** I seek leave to make a brief explanation before asking a question of the Leader of the Government for the Premier and the Treasurer about the Whyalla Steelworks.

Leave granted.

**The Hon. F. PANGALLO:** With his usual fanfare, support of obedient media outlets and a bevy of VIPs in tow, including the Premier, federal industry minister Ed Husic and energy minister

the Hon. Tom Koutsantonis, the current owner of the Whyalla Steelworks, Sanjeev Gupta, last month orchestrated yet another event in the town where he made another re-announcement of an old 2020 promise that he would spend \$500 million on an electric arc furnace and upgrade the still weary-looking plant to produce green steel.

This is the same debt-laden saviour who in 2017 promised he would spend \$1 billion to make the old lamp look like new. No sign of that, although reports say the company has been making shiploads of millions, exporting iron ore to ravenous China. Mr Gupta, who now resides in Dubai while investigations into his murky business affairs carry on in Britain, Scotland and other parts of the EU, has just one proviso: that the Malinauskas government gives him the \$50 million support package Labor promised way back then—first.

The only journalist to raise eyebrows again, I might add, was the *Financial Review's* Joe Aston, who penned a colourful analysis of Mr Gupta's unfulfilled promises and global woes and failures in his 'Rear Window' column, in which he labels Mr Gupta as 'that international steel shyster'. I seek leave to table that column, published on 10 April, and also *The Advertiser* of 5 April.

**The PRESIDENT:** Is leave granted? The Hon. Mr Pangallo, the Clerk is advising me it's already a public document so there is really no need to table it within the chamber. I have asked if leave—

**The Hon. F. PANGALLO:** I beg to differ here with the Clerk because these are paywalled and people aren't able to access them. These documents get paywalled.

**The PRESIDENT:** Sorry, they get—

**The Hon. F. PANGALLO:** They don't become public unless people pay for them.

**The PRESIDENT:** The Hon. Mr Pangallo, I will allow you to table it, but—

**The Hon. F. PANGALLO:** Thank you, sir. My questions to the—

**The PRESIDENT:** —I want members to be careful with regard to what they are looking to table in this place.

**The Hon. F. PANGALLO:** It's published in the paper, Mr President. My question to the Premier and the Treasurer is: do they intend handing over the \$50 million based on a still empty promise and, if not, what ironclad conditions are they seeking from Mr Gupta and why did the Premier and others travel to Whyalla at taxpayers' expense when there was nothing new to hear or see or, as Mr Aston puts it, how many times will they be led down the garden path to nowhere by a man in a three-piece suit, not to be confused with me?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:20):** I thank the honourable member for his question and I will refer that to a minister in another place to bring back a reply. I note that the member has directed it to the Premier and Treasurer. It might also be that there is a role for the Minister for Energy to play in responding to that answer, but I will refer that to colleagues in another place and bring back the member a reply.

#### WITTON BLUFF BASE TRAIL PROJECT

**The Hon. L.A. HENDERSON (15:20):** I seek leave to make a brief explanation before asking a question of the Minister for Aboriginal Affairs about the Witton Bluff Base Trail Project.

Leave granted.

**The Hon. L.A. HENDERSON:** In 2018, the Labor Party made a commitment to the southern community that they would complete the Witton Bluff Base Trail Project to link the beautiful townships of Christies Beach and Port Noarlunga. In 2020, it was a Liberal government that approved the funding for this project, matching Onkaparinga council's commitment.

In December of last year, I asked whether the Labor government remained committed to the 2018 campaign commitment and when, as the minister responsible for the Aboriginal Heritage Act, you would approve the Witton Bluff Base Trail Project. You advised that an application had been

made under section 23 of the Aboriginal Heritage Act and that it was ongoing and a decision will be made in due course.

Can the minister please advise the chamber five months later whether the Labor government remain committed to the 2018 campaign commitment and when, as the minister responsible for the Aboriginal Heritage Act, there will be clarity around the Witton Bluff Base Trail Project?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:21):** I thank the honourable member for her question and I note that the honourable member has previously asked in relation to this project and the fact that there was an application under the Aboriginal Heritage Act 1998 under section 23 to damage or disturb or interfere with Aboriginal heritage in relation to this project.

Of course, all proper processes and legislative requirements need to be gone through. Since the honourable member asked the question, I have taken further advice generally on this matter. As I live in the suburb that is affected by this particular application, I have decided that there is the possibility for a perception of bias or a conflict of interest and the minister for environment and heritage has accepted the decision-making in relation to this application.

#### WITTON BLUFF BASE TRAIL PROJECT

**The Hon. L.A. HENDERSON (15:22):** Supplementary: can the minister advise at what point he determined he had a conflict of interest and why it took 12 months for him to declare that conflict or a potential perceived conflict of interest?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:22):** I don't remember the date, but it was after taking advice and before any decision was made.

#### WITTON BLUFF BASE TRAIL PROJECT

**The Hon. L.A. HENDERSON (15:23):** Supplementary: has the minister made any decisions or dealt closely with this application in the last 12 months prior to making this decision?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:23):** As I understand the question, it is: have any decisions been made in relation to the application from the Onkaparinga council under section 23 of the act? No, I had not made any decisions.

#### WITTON BLUFF BASE TRAIL PROJECT

**The Hon. J.M.A. LENSINK (15:23):** Further supplementary: when did the Attorney advise the Premier that he has a perceived conflict of interest?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:23):** After taking advice, soon afterwards, as required, I advised the Premier.

#### WITTON BLUFF BASE TRAIL PROJECT

**The Hon. L.A. HENDERSON (15:23):** Supplementary question: can the minister take on notice and report back to this place when he determined he advised the Premier as to when he had a perceived conflict?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:23):** I can have a look for that date, certainly.

#### SAFEWORK SA

**The Hon. I. PNEVMATIKOS (15:24):** My question is to the Minister for Industrial Relations and Public Sector. Will the minister inform the council about SafeWork SA's work to improve access to toilet facilities for workers on construction sites?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:24):** I thank the honourable member for her question and her lifelong interest in and commitment to industrial relations and the safety of people at work.



Access to adequate toilet facilities is a basic standard all workers should expect in their workplace. Unfortunately, this is not always the case for all workers in the construction industry. SafeWork have recently announced the publication of new guidance on toilet facilities at construction sites.

It covers a range of factors, including the sorts of toilets which should be available, clear signposting of toilet facilities, adequate supplies of consumable items, availability of sanitary bins for female workers and the number of toilets which should be available at both large and small worksites. Recognising that often construction sites have portable toilets installed, particular guidance about those facilities has also been included, both for installation and for maintenance and cleaning.

The new guidance complements the existing code of practice, entitled 'Managing the work environment and facilities', as well as the code of practice for construction work. As with many positive developments in the industrial relations portfolio, this work has been supported by the efforts of both unions and employer groups coming together to improve practices in the industry.

In preparing for the new guidelines SafeWork was guided by a great initiative from the CEPU in particular, the CFMEU, Master Builders SA and the Civil Contractors Federation. I would like to acknowledge particularly the advocacy of the Communications, Electrical and Plumbing Union (CEPU) on this issue.

In 2021 that union, through its national branch, published a report, 'Nowhere to go', in relation to this issue. The report shone a light on the lack of toilet facilities on many worksites across Australia and the particular issue of the lack of women's bathrooms in what is often a male-dominated industry.

SafeWork SA data shows that 42 per cent of the 765 complaints associated with toilets in the past decade were made in the construction industry. The CEPU's report found that workers were regularly being forced to use unhygienic bathrooms, bathrooms without sanitary bins and bathrooms a significant distance away from their worksite.

I had the opportunity to meet with members from the CEPU and the Master Builders Association last year, along with my colleague the Minister for Women, the Hon. Katrine Hildyard. We discussed the findings of the 'Nowhere to go' report and the campaign and the challenges faced by women working in the construction industry in relation to this issue.

Following these discussions, SafeWork SA placed the issue on the Heads of Workplace Safety Authorities agenda to help build a nationally consistent approach to these issues. SafeWork SA has also been working collaboratively with the CEPU, other construction industry unions and industry groups to improve the availability of toilet facilities on worksites.

This may not be the most glamorous topic, but I am glad that government agencies, unions and industry are working hard to address real and practical issues facing construction industry workers, in particular women in the industry. I would like to congratulate all those involved in this work and look forward to seeing it come to fruition in the coming months.

#### **RENTAL AFFORDABILITY**

**The Hon. R.A. SIMMS (15:27):** 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 the Residential Tenancies Act review.

Leave granted.

**The Hon. R.A. SIMMS:** Last week, Anglicare released its annual rental affordability snapshot, which showed that of the 1,456 private rentals advertised for rent here in South Australia on one weekend last month, only 18 per cent were affordable and appropriate for households on a minimum wage and just 1 per cent were affordable and appropriate for households on income support payments.

In March, SACOSS released their latest cost-of-living update, which found that renters constitute 28 per cent of Adelaide's total housing market, and approximately one-third of those are experiencing rental stress. Earlier today, the Reserve Bank increased interest rates yet again, which will place more pressure on home owners and, in turn, renters.

The government has been reviewing the Residential Tenancies Act, and in the media release about the review Minister Andrea Michaels stated:

I am looking to use the levers at my disposal to improve availability and affordability for South Australian renters.

Since then, the government has announced some initial reforms relating to the Residential Tenancies Act and rent bidding but are yet to make the full report of their review public. My questions to the minister therefore are:

1. How many submissions were received as part of this review?
2. Will the government commit to publicly releasing the submissions received and the report?
3. Will the minister advise when we will see the full suite of reforms that the government has in mind?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:29):** I thank the honourable member for his question. I will have to relay some of those to the minister responsible, the Hon. Andrea Michaels. As I understand it—and if this is wildly wrong I am happy to bring back clarification—there was something in excess of 5,000 responses to surveys, and also many dozens of formal written submissions in addition to the responses to surveys.

Sometimes the number of that—well over 10,000, I believe, individual hits on the YourSAy website page that looked at the Residential Tenancies Act. But in relation to the very specifics of reports, I am happy to refer those to the minister in another place and bring back a reply. However, I think the level of interaction in response to this indicates, as the honourable member knows as an advocate in this area in this chamber, that it is often an important issue to many South Australians.

#### **AUTISM SUPPORT IN PRESCHOOLS**

**The Hon. H.M. GIROLAMO (15:30):** I seek leave to make a brief explanation before addressing a question to the parliamentary secretary regarding autism support in preschools.

Leave granted.

**The Hon. H.M. GIROLAMO:** Labor's autism in schools election policy document included a commitment that Labor in government would increase autism qualified staff in preschools by making a qualification in teaching students on the autism spectrum a preferred criterion for appointment to preschools. My questions to the assistant minister are:

1. How many extra staff with qualifications in supporting students with autism have been put in place in public preschools since the election?
2. Has the department delivered on the aspects of Labor's promise that autism qualifications will be a preferred criterion for the appointment in preschools?

**The Hon. E.S. BOURKE (15:31):** As I am not the Minister for Education I am happy to take that question on notice.

#### **AFL GATHER ROUND**

**The Hon. R.P. WORTLEY (15:31):** My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the positive impacts of the AFL Gather Round in South Australian regional communities?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:32):** I thank the honourable member for his question. The AFL Gather Round here in South Australia was an absolutely resounding success with sold-out matches at fantastic venues and thousands of passionate supporters from all AFL clubs and from every part of Australia all having the opportunity to experience the wonderful things that our great state has to offer—and didn't they love it, and didn't we love it too?

**An honourable member:** Was the opposition leader there?

**The Hon. C.M. SCRIVEN:** I don't know if the opposition leader was there, given that he had expressed discomfort, I think perhaps was his word, around the Gather Round. Maybe I'm misquoting him there, but it was certainly the opposite of wholehearted support for what ended up being a huge boon to our economy, especially to our hospitality venues.

One of the many great features of the Gather Round was the atmosphere. This was noticeable in the Adelaide CBD, in Norwood and in Mount Barker, with each of these locations equally able to participate in the Gather Round. Of course, many regions across the state also had the opportunity to participate and join in the excitement, with the AFL Gather Round Community Roadshow visiting over 20 locations from Murray Bridge, Mount Gambier, the Riverland, Mid North, Yorke Peninsula, West Coast and, of course, many places in between.

As part of these visits to the regions, sporting clinics and community barbecues were held in local schools and clubs. I understand that 10,000 footballs were handed out, notably to junior clubs. Of course, as was often spoken about during the week leading up to the Gather Round, this was also a fantastic event in terms of bringing economic activity to the regions, as many thousands of Victorians and others travelled across the borders. Whether on the coastal route through Mount Gambier, the Riverland route, or the route through Bordertown, the influx of travellers meant that so many local and small businesses experienced these benefits.

Many of these regions, of course, were still recovering from the impacts of the COVID-19 pandemic, so to be able to open their towns and regional cities up to such an influx of people pumping money into local economies was very welcome indeed. It was just so heartening to hear stories from small businesses, such as bakeries, wineries, hospitality venues and many others, who reported a fantastic trade on the back of a busy Easter period that was able to continue right through to the Gather Round and then to the LIV Golf tournament. As a state, we can be proud of putting our hand up to hold events like Gather Round and I am personally proud that regional South Australia had such an important part in the success of these past weeks.

I am very confident that the next three Gather Rounds in South Australia, with even more time to plan, and the potential for games to be played in other locations, will be incredibly beneficial to regional communities and provide even more opportunities for our country communities.

#### *Bills*

### **STATUTES AMENDMENT (SERIOUS VEHICLE AND VESSEL OFFENCES) BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 30 November 2022.)

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:35):** The Liberal opposition welcomes this bill as taking active, sensible measures to better protect victims and families impacted by serious car accidents, when those incidences involve an ultra high-powered vehicle. This bill, overall, aims to strengthen punitive thresholds for dangerous driving by amending the Criminal Law Consolidation Act 1935 and also amending the Motor Vehicles Act 1959 to enable the introduction of legislation that seeks to tighten licensing around high-powered cars.

We note that currently regulations make it difficult to track the number of ultra high-powered vehicle drivers, but that a shift to a special licence in 2024 will target this. A special licensing requirement for those driving ultra high-powered vehicles was initially met with scepticism by some cohorts of car enthusiasts.

Some had questions such as: is the Department for Infrastructure and Transport the best mechanism to test and award a licence of competence to a driver of an ultra high-powered vehicle? Others noted that the majority of performance brands like Ferrari, Lamborghini, Porsche, BMW M offer specialised driver training to assist customers in better understanding their new car and its capabilities and asked the question whether these should be registered courses.

The Tesla Model S Plaid is expected to do 0 to 100 km/h in 2.1 seconds, quicker than any other vehicle on the market. Should that be classified as an ultra high-powered vehicle requiring

special licensing even though it weighs more than a traditional supercar? All are valid questions and concerns on licensing.

This bill has been brought to the chamber after a tragic accident involving an out-of-control V10 Lamborghini Huracan in 2019. That car knocked into 15-year-old pedestrian Sophia Naismith and she died as a result of her injuries. We understand there were over 260 registered vehicles under the classification of ultra high-powered vehicles registered in South Australia in mid-2022. Those vehicles have a power-to-weight ratio of 276 kW per tonne or higher. This number is expected to increase and it is evident that extremely powerful cars are entering the market annually as EV technology evolves.

I would not be surprised if these laws are adopted interstate, as we see more and more ultra high-powered vehicles, whatever that definition, driving on our nation's roads. In April 2023, the Law Society of South Australia provided a series of suggested amendments to the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill 2022. As a consequence, a number of amendments have been made to this bill by the Attorney.

These include a minor amendment to section 19AB of the Criminal Law Consolidation Act 1935 concerning leaving the scene of an accident: after 'attention' to insert 'or without reasonable consideration for any person', rendering it consistent with the new mid-tier offence as defined in the bill. This is complemented by two further amendments to remove unnecessary references to section 19AB in the immediate loss of licence provisions.

The amendments also aim to make the definition of 'ultra high-powered vehicle' prescribed by regulations; however, keeping it consistent with the definition in the Motor Vehicles Regulations 2010 and clause 12 of the bill before the amendment.

Clause 13 of the bill will also amend section 45 of the RTA to remove the aggravated factor of careless driving causing serious harm or death and insert a new aggravating factor of careless driving causing harm, resulting in the alternate measure of mandatory licence disqualification for at least six months. Therefore, where a person is convicted of careless driving, where the only aggravating circumstance is causing harm in the absence of any other aggravating circumstances, the mandatory minimum licence disqualification will not automatically apply.

Finally, an amendment has been made to address concerns raised that the new offence prohibiting the driving of an ultra high-powered vehicle where automated systems have been disabled may inappropriately capture situations where these systems have been disabled through mechanical fault or system error, as opposed to deliberately. The amendment will allow the police in certain instances to issue a notice pursuant to the defect notice provisions under section 145 of the RTA as an alternative to charging the driver under section 44C.

The Liberal Party of South Australia absolutely agrees that law reforms are required, especially regarding the aggravating factor of careless driving causing harm and also the deliberate disablement of automated safety intervention systems in ultra high-powered vehicles. We also indicate our in principle support for the amendments but also indicate that we may have some questions during the committee stage.

**The Hon. T.T. NGO (15:41):** I rise to speak in support of the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill 2022. The bill delivers on a commitment made by the Premier to introduce legislation by the end of the year in the wake of the tragic death of Sophia Naismith. On behalf of the government, I again extend our deepest and heartfelt condolences to the Naismith family. Sophia was killed tragically when a driver of a Lamborghini sports car lost control of his vehicle and struck Sophia, and her friend, Jordyn Callea, who was seriously injured.

The driver of the vehicle, Mr Alexander Campbell, went to trial and was found not guilty of the offences of dangerous driving causing death and dangerous driving causing serious harm. Mr Campbell pleaded guilty to the lesser offence of aggravated driving without due care causing death. He received a suspended imprisonment sentence, an 18-month good behaviour bond and a community service order.

Since the trial outcome, Sophia's family has advocated for law reform so that such a tragedy can be prevented from happening to another family. I echo the words of Attorney-General Hon. Kyam

Maier MLC and simply say again that nobody should have to endure a loss like Sophia's family has. Risks increase when we get behind the wheel of an ultra high-powered vehicle. I thank the family for their courage in speaking out for a more effective system.

The government has now introduced legislation so that people are aware of the risks of driving high-powered cars and will hopefully be encouraged to use appropriate safety measures. The Malinauskas Labor government's election commitment was to ensure that those who endanger lives of other road users are held appropriately to account so that our roads are safer. The reforms championed by Sophia's family include:

1. A new mid-tier indictable offence of 'causing death or serious harm by careless use of a vehicle or vessel' to bridge the gap between maximum penalties for existing offences.
2. Allowing police to immediately suspend or disqualify the licence of a person charged with the new offence or other serious driving offences causing death or harm.
3. Establishing a new licence class for people driving ultra high-powered vehicles.
4. Establishing an offence where people driving ultra high-powered vehicles can be penalised for disabling automatic safety systems such as electronic traction control, anti-lock braking and automated emergency braking.

Making the definition of 'ultra high-powered vehicle' to now be prescribed by regulation will allow any necessary and appropriate changes to the definition to be made effective more immediately. This includes simultaneous changes being made to the definition in the Motor Vehicle Regulations 2010.

In relation to point 2, it is pertinent to mention that feedback received from the Law Society of South Australia suggested that when the threshold for causing harm is low, such as minor injuries, scratching or bruising, mandatory licence disqualification may be unduly harsh in such circumstances.

In response to that feedback, a government amendment describes when a person is convicted of careless driving where the only aggravating circumstance is causing harm with no other aggravating circumstances, the mandatory minimum licence disqualification will not be automatically applied. The court would retain its ability to impose a licence disqualification period, where appropriate, and the same maximum imprisonment penalty of 12 months would remain available.

The next indictable mid-tier driving offence increases the available penalties when there is driving causing death or serious harm which does not meet the higher threshold of dangerous driving. Penalties for driving without due care are raised when a person dies or is seriously harmed, from 12 months' imprisonment to five years' imprisonment for a basic offence and seven years' imprisonment for an aggravated offence. The new mid-tier offence also raises the minimum licence disqualification period from six months to a year for a basic offence and three years for an aggravated offence.

An offence will be aggravated where the driver committed the mid-tier offence in one of the following circumstances:

- knowing they were disqualified from holding or obtaining a driver's licence;
- driving with a prescribed blood alcohol level of .08 grams or more;
- driving under the influence of alcohol or drugs;
- driving knowing the vehicle had a defect and that defect contributed to the commission of the offence, which could include a neglected tyre or vehicle maintenance; and
- driving in contravention of section 44C of the Road Traffic Act 1961.

The statutes amendments to this bill underpin the seriousness of driving high-powered cars without care or consideration of the increased risks driving such a vehicle imposes. I am sure we all hope that Sophia's legacy will live on through these reforms. I commend this bill to the house.

**The Hon. R.A. SIMMS (15:49):** I rise to speak on the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill. The bill comes to us today as the government's response to the tragic

death of Sophia Naismith, who lost her life at the age of just 15 when she was hit by a high-powered sports car and died at the scene of the crash. Sophia and her friend were walking along the footpath in Glengowrie when they were hit by a Lamborghini, which mounted the kerb and crashed into a restaurant.

On behalf of the Greens, I want to take this opportunity to express our sincere condolences to Sophia's family for what is a horrendous death of a young person. Certainly, it would be a horrendous thing to lose a child in these circumstances. Any death on our roads is a tragedy, and we must do what we can to ensure the safety of all road users, particularly pedestrians such as Sophia Naismith.

The driver who caused her death was sentenced to seven months in prison, but it was reduced to four months and 27 days due to his entering a guilty plea at an early time. At the time, Sophia's father, Mr Luke Naismith, said, and I quote from his media comments at the time:

This case has tragically highlighted a broken system that is stacked in the favour of the accused and not the victims and the families left behind to pick up the pieces.

By creating a new mid-tier offence, this bill allows for a more appropriate penalty range for driving conduct linked to the death or serious harm of another person where the conduct has not met the higher threshold of dangerous driving.

The Greens welcome the government's efforts to promote pedestrian safety and protections for pedestrians. However, we do have some concerns with the bill in its current form. These concerns are based on feedback that we have received from the Law Society. The Law Society has raised two key concerns with the bill before us today. Their first concern relates to the definition of harm. I understand this will be dealt with through amendments that will be tabled by the Attorney-General. We welcome the amendments the Attorney-General will be moving that transfer the definition of 'ultra high-powered vehicles' to regulations to make sure there are no unintended vehicles captured by the bill.

There are some other elements of the bill that the Greens have concerns with, and we would welcome the opportunity to consult further around the proposed amendments before we move to the committee stage of the bill to make sure that we are making the right reforms and not causing potentially unintended consequences.

To be very clear, we certainly support the intention behind the bill. We support the efforts of the government to improve pedestrian safety. We do want to ensure that some of the concerns of the Law Society and others are addressed and so we welcome additional time to work through those matters.

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

## **SUCCESSION BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 23 February 2023.)

**The Hon. J.E. HANSON (15:53):** What a joy it is to be able to rise and speak on such a bill that gives so much life, I think, to so many debates. I know that because so many people have spoken for so long already on this bill. Their contributions are notable, Mr President, certainly by yourself, I am sure, who has sat through them. The contributions made by other members in their second reading speeches have done a good job, I think, of covering the salient matters in relation to this bill and the changes it will bring to laws in the area of succession and inheritance in South Australia.

I will reiterate that this bill represents pretty significant changes to succession law, as all the other members have. It is largely the same as previous bills that have come here but now includes technical amendments which were filed by the previous government. It enacts the recommendations from seven reports that came out of the SALRI review initiated by John Rau in 2011.

**The Hon. R.B. Martin:** John Rau KC.

**The Hon. J.E. HANSON:** Sorry, the Hon. Mr Martin points out it is the Hon. John Rau KC.

**The Hon. K.J. Maher:** I think he's SC.

**The Hon. J.E. HANSON:** SC or KC, the Hon. Mr Maher? Anyway, the point is, back in the day he was just the mere Hon. John Rau. He now may be something else. Nonetheless, he is not yet subject to the Succession Bill, so I will get back to that. This bill repeals the Administration and Probate Act, the Wills Act and the Inheritance (Family Provision) Act 1972 and consolidates their provisions into a single act, which is actually quite a difficult thing to do, for everybody who has ever put anything through in here.

One of the changes that will be the most relevant to the community is that it aims to modernise and simplify both the laws in this area and the language which lays them out. The fact that a reference to King Charles II has persisted in South Australian legislation, appearing in the definition of 'will'—and for anyone who this little tidbit has not yet fully hit home, let me emphasise to you that King Charles died in 1685—tells you most, I think, of what you need to know about why it is both desirable and sensible to go through our laws with a view to reviewing and modernising them, and especially with a view to making them, I think, pretty easy to understand, easy to comply with, easy to enforce.

In this area of law I think that is a particularly good idea, so in the hope of injecting some life, for lack of a better word, into the discussion around a bill that deals with some of the consequences arising from lifelessness, the 2019 film *Knives Out*, I think, provides a pretty colourful example of the cinematic trope whereby a deceased person's will is read out before an assembly of those who believe they will be named as the fortunate beneficiaries. The scenario could in fact be more a real-life situation and less cinematic trope, but I have never been in the presence of such an assembly myself. If anyone has been, perhaps they can share that story with us.

Anyway, in *Knives Out* the entirety of the estate of a decedent or—I think that is the legal term, so I will use one that is a bit easier to speak—the deceased (he is a wealthy author) is bequeathed to a kind-hearted RN who attended him in his final months, a young woman who is of absolutely no blood relation, leaving his astonished and affronted family of rude, entitled adult children and grandchildren to bellow at the RN, if you like, and at each other, and at the probate lawyer who delivered the shocking twist as he read out the will that was written only a week prior.

One thing the surprised family immediately does in the film is to inspect the will, and that is pretty understandable. To bring it back to the bill, a new provision in this bill gives certain classes of person a right to inspect the will of a deceased person. The classes of person include persons named in the will, beneficiaries, surviving spouses and domestic partners, or former spouses and domestic partners, parents or guardians of the deceased, and persons eligible to share in the estate under the rules of intestacy if the person has died intestate.

We know in the course of things there are plenty of aggrieved persons who believe they have a legitimate claim against an estate, particularly when they might have been left out. This bill provides that persons with claims against an estate in law or in equity can inspect the will, but only with the permission of the Supreme Court if they have the proper interest in the matter and it is appropriate for them to do so.

The bill allows persons who hold small amounts of money or personal property of a deceased estate—amounts up to the value of \$15,000—to convey it directly to the surviving close family of the deceased without needing a grant of probate or administration. This is intended, if you like, to facilitate an expedited transfer of money to a surviving person who, hopefully, needs that money in order to live instead of going out and buying a really expensive scooter they cannot use.

Provisions dealing with the administration of small, deceased estates allow the Public Trustee to give notice to the Registrar of Probates that they intend to administer a small estate of a value of \$100,000 or less under the deemed grant provisions. The Public Trustee will be taken to have a deemed grant of administration, if you like, and will not have to apply for a formal letter of administration. The bill deals with the administration of deceased estates, incorporating a range of changes that were all recommended in the SALRI reports.

We know there are plenty of real-life situations whereby executors and administrators fail to adequately undertake their duties. Usually, they are the subject of some Hollywood film you might watch, but they do actually happen in real life too. Provisions of this bill which allow the court to require an executor or an administrator to give an undertaking to the court relating to how the estate is to be administered will be strengthened and protections against malfeasance or negligence in the area will apply.

But, in the event of such misfortune, the court has also been given a wide range of powers to remedy loss if an executor or an administrator fails to perform their duties. The court may order the executor or the administrator to pay into the estate an amount equivalent to the financial benefit obtained by the executor or the administrator as a result of their failure and in order for the executor or administrator to compensate the persons who have suffered loss or another order that the court considers to be appropriate—perhaps hand back the Lamborghini.

Reviews of previous legislation concluded that claims under the family provision act are too easy to make and not enough weight is placed on the wishes of the testator. The categories of claimant who are automatically entitled to bring a claim under the family provision act have been adjusted in a range of ways, taking a number of factors into account, which, frankly, other members have already discussed. Many other changes have been well covered by other contributors, so, given it is 4 o'clock, I will not go into the them today. I believe this bill will bring significant improvements that will benefit—

*Members interjecting:*

**The Hon. J.E. HANSON:** I can sense the goodwill of my fellow members to that aspect of my speech, above all others. I believe this bill will—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. J.E. HANSON:** Thank you for your protection, Mr President. I believe this bill will bring significant improvement that will benefit South Australians in an area of law that can be, frankly, very boring until it suddenly affects you. Once it affects you, it is still very boring, but it also becomes quite frustrating. Very few people affected by this bill will in fact be the silver spoon fed scions of mining magnates or media moguls, although I trust they, too, should be pleased at these changes, which are aimed at modernising and improving processes and promoting clarity for any instance of a person's death that leaves an estate that must be dealt with.

Hopefully, this bill will improve the experience of all parties who interface with this area of law, whether they do it once or every day as part of their job. It will have implications for South Australians who are concerned with everything from the family home to the family farm to the family industrial empire and so forth. I commend the Attorney-General and all those who have worked to develop this legislation and I am pleased to have spoken in favour of it.

**The Hon. R.A. SIMMS (16:03):** I rise today to indicate the Greens' support for the Succession Bill 2022. I will make some brief remarks. I am mindful that it is past 4pm, as the Hon. Mr Hanson has indicated, so I do not want to trespass further on his time, but this is an important bill that we are dealing with today.

The bill consolidates provisions for succession and inheritance into one act. As a result of recommendations from the South Australian Law Reform Institute, this bill simplifies and modernises language and introduces several positive reforms that have been outlined by the Attorney-General and others in their second reading contributions.

The Greens are supportive of the measures in this bill, but in particular I want to highlight the provisions in part 6. Part 6 ensures that the intent of the person who has made a will is prioritised. The court must primarily consider the wishes of the deceased person when others are making a claim against the will. I believe that members of the community will be comforted to know that when they are making a will, their wishes will be upheld.

When I was looking at this legislation, I was reminded of my days back at law school considering estates law, and there is a lot that can go wrong in this area of law. After all, making a



will is a challenging thing for many people in the community to do because of course it does mean considering one's impending death, but also it is about ensuring that loved ones are provided for and it is about ensuring that one's wishes after they pass away are respected. When those legal documents are challenged, it can create a great deal of stress for family and friends, so we welcome the efforts of this reform to ensure that the interests of the person making the will are front and centre.

However, it is important to consider that the bill also includes some important provisions that relate to people who are dependent on the deceased person and that they are able to make a claim. In particular, the bill references people living with a disability, their carers or people who are minors. This will ensure that vulnerable people are not left behind when it comes to making legitimate claims.

The bill that was previously introduced by the former government has now been introduced by the current Attorney-General. It is a worthwhile piece of legislation that deals with future succession and inheritance, and I want to recognise the work of the previous government in this regard as well. We understand the government will be moving a number of amendments that deal with some of the concerns that have been raised by the Law Society and other stakeholders. We welcome that and we consider those amendments to be sensible additions. The Greens are pleased to support this important reform to succession and inheritance.

**The Hon. C. BONAROS (16:06):** I rise on behalf of SA-Best to speak on the Succession Bill 2022. It has been a long time coming, dating all the way back to the reform work initiated by then Attorney-General, John Rau, as has been mentioned, with the SALRI review commencing in 2014 and then again in 2017. As has been pointed out, much of this work was undertaken by the former Attorney-General, Ms Chapman, and many elements of the bill before this chamber share iterations of the former government bill.

It is a complex area of law. I am not going to stand here today and pretend that succession law was one of my favourite subjects at university or that I did very well in succession law.

**The Hon. R.A. Simms:** I bombed out.

**The Hon. C. BONAROS:** Did you bomb out?

**The Hon. R.A. Simms:** Yes.

**The Hon. C. BONAROS:** You were not the only one. I do note—I probably should not say this, but I am going to anyway—that it was considered one of the subjects, certainly when I was at university, that you could easily get a high distinction in if you applied yourself. If you did not apply yourself—perhaps there are two examples here—you could easily get away with a pass and I am a living example of the latter and not the former.

For many reasons, we are absolutely indebted to SALRI for providing us with the detailed body of work that informed the bill before us, not just for their exceptional expertise but I have to say also for their very witty titles, and I am going to quote them. The 2017 report starts with a quote:

'How sharper than a serpent's tooth it is to have a thankless child.' William Shakespeare, King Lear (Act 1, Scene 4)... Distinguishing between the Deserving and the Undeserving: Family Provision Laws in South Australia.

And then the second:

Riddles, Mysteries and Enigmas: The Common Law Forfeiture Rule.

Those are two of the titles that have formed that body of work. Thank you to SALRI not only for your expertise but your witty entertainment in titles.

We are also, of course, very grateful to the Law Society for casting its critical and lived experience eye over the bill and its predecessor. We are hopeful that succession law will soon become easier to navigate for those students who are studying today, following the repeal of the various acts and the introduction of one new coverall act—a simplified, modernised piece of legislation that better reflects the diversity of families today and into the future.

The Attorney has detailed much of what it does in a lengthy second reading explanation and explanation of clauses, and we are supportive of this critical piece of legislation in principle and have gone back and forth with the Attorney's office in relation to some of those more difficult issues that have been raised.

Laws surrounding family provision inheritance have not always proved effective in striking the right balance between the competing policy interests in this complex area. They have become increasingly problematic and contentious as they exist in the realm of human emotion. For most in our communities the occasion of running into the provisions of this piece of legislation will come after the death of a family member, so to provide in the face of that death what is a more cost-effective and simplistic—or as simplistic as it can be—and accessible legislative regime is essential.

It does contain critical SALRI recommendations which act to vastly reduce the costs and procedural burdens to claimants in the courts, such as introducing the deemed grant model for the administration of small estates to the value of \$100,000 or less as well as the provision allowing the Public Trustee to not have to apply for a formal grant of letters of administration and to instead be taken to have a deemed grant of administration.

Of course, there is a public accountability mechanism to accompany this change, with the Public Trustee being required to gazette the notices, if they are electing to administer an estate under the deemed grant, and have that published on a website approved by the minister.

When it comes to accountability and transparency I note also the government amendments addressing the issues relating to preferential legacy in the distribution of an asset to the spouse or domestic partner of the intestate deceased person and the mechanism used in delegating authority to when financial changes are made to the higher preferential legacies in any financial year.

The amendments, as I understand it now, remove the delegated power from the minister by way of notice of *Gazette* to be prescribed by regulation. Importantly, this will allow the Legislative Review Committee, a very important committee of this place, to have oversight as well as garnish greater practical benefit to legal practitioners in accessing any changes made to preferential legacy.

A considerable reform is the expanded inclusion and consideration of stepchildren and grandchildren and their rights to a claim. This is the position that currently exists in other jurisdictions like Victoria, Tasmania and Queensland, where stepchildren are not required to prove any dependency in order to be eligible.

The inclusion of stepchildren is critical among stakeholders in terms of modernising characteristics intended in the reformative piece of legislation, so it is important, I think, that we get right these particular provisions, which, again, are complicated. This includes careful consideration of the complex nature of the modern family infrastructure.

As the law currently stands, adult stepchildren have no entitlement to claim under the Inheritance (Family Provision) Act 1972. Our office was contacted last year by a constituent whose mother had passed away some 10 years before. His mother had remarried a gentlemen later in life, and upon her marriage she sold her house and used the proceeds to purchase a house with her new husband, with the understanding that upon their deaths the house would be split between the four children they had between them.

Unfortunately, the constituent's mother passed away 10 years before her husband, and the stepfather eventually decided to change his will, leaving his entire estate to his own biological children only, leaving his two adult stepchildren with nothing and no mechanism to apply to a court to have the matter dealt with. They essentially received no money flowing from the significant contributions that their late mother had made to the new family purchased home.

We had at the time drafted a bill to address this specific anomaly following our meeting with the constituent but are pleased to see that it is included in this bill, as it was in the previous version of the bill introduced by the former Attorney. It is unfortunate that it will not help our constituent and people who have already gone through this process, but I am glad to say that he has made peace with what has happened. His motivation was to prevent it from happening to other stepchildren who found themselves in similar situations.

We note amendments to clause 115 which deal with stepchildren provisions by addressing the public policy concerns raised by the Law Society which, without the change to include a former spouse or former domestic partner, would have assumed that only a person who is a stepchild of the deceased at the time of death would be captured within the eligibility criteria. This would have

represented a manifest inconsistency with the policy intention of the bill, so that is a welcome amendment.

It extends, as I said, to grandchildren of the deceased person being captured within the scope of the eligibility criteria. Some work has been done to this clause, as I understand it, to ensure that a grandchild of a deceased person is able to make a claim for family provision without both parents of the grandchild having to be deceased in order to be eligible, which was previously the case.

It seeks to put testamentary freedom at the core of the court's ability to determining whether to make an order for family provision by placing the wishes of the deceased person as a primary consideration for the court, which I will ask the Attorney about when we get to the committee stage, but we do refer to the Law Society's concerns regarding the issue of instructing the courts to consider the wishes of the deceased person as the primary consideration, given the clear departure from the established legal maxim where courts must balance testamentary freedom against the merits of a claimant's claim under legislation, which the court informs itself on a decision to alter a testator's wishes of their will only to the extent necessary to give effect to the statutory test for provision.

In a nutshell, the Law Society, I think, has raised concerns around potential unintended consequences the narrowing of the court's consideration may have and, of course, well established case law which, with a piece of legislation like this, goes back many years and the inevitability that that will lead to more litigation around the meaning of those provisions. These are, again, matters that I am hoping the Attorney will address in the committee stage.

We note the provisions that address costs of proceedings for unmeritorious claims by allowing the court to order costs to a party if there is, in the court's view, a claim for family provision that is made without merit, or the party is unwilling to negotiate a settlement of claim provision. At present, there is no such mechanism, and time and time again we see disputes progressing through the courts that are light on merit but that nonetheless attract a right to challenge, which only acts, in practice, to deplete the assets of the deceased estate. So, from this point, I think these amendments are well intended in terms of discouraging or preventing those unmeritorious claims.

A significant change also is the introduction of those provisions that clarify the rules that will apply when there are simultaneous deaths—and we will have some questions around that: the death of a spouse, spouses or domestic partners—which seek to align South Australia with other jurisdictions in codifying these provisions rather than rely, as we do now, on common law. These new provisions seek to codify the presumption of survivorship, which determines when two or more persons die in circumstances where it is not possible to determine the order of death.

Initially, we had a situation where—we have had some changes in this area in terms of whether it should be in terms of seniority of age or whoever dies first. In fact, I think it is probably better to say that this has been the subject of quite lengthy correspondence with the Law Society. So, at the risk of completely misquoting them, I would seek to table both letters from the Law Society that have been provided to members, one dated February 2023 and one dated March 2023, so that as a matter of public record we can have some clarity around the issues that have been raised and also seek clarity from the Attorney about the amendments which seek to address the issues around section 126 and section 127 in accordance with the most recent correspondence dated March 2023. I seek leave to table those documents.

Leave granted.

**The Hon. C. BONAROS:** Just finally, as part of assessing the bill, I have filed an amendment—and I apologise for the late notice—for consideration that addresses a critically important oversight function, which is to provide a five-year review of the operations and functions of the act, and a report to be tabled in parliament. I think that is only warranted given that this has been the subject of the SALRI reports that have been referred to but also such lengthy debate in this place, and also given the complex nature of the legislation that we are dealing with.

I think five years provides adequate time for these provisions to have become operational and for us then to check whether we got it right in terms of those changes. I note also that I had drafted amendments originally which dealt with some of the other requests that the Law Society had made or concerns that the Law Society had raised.

Some of them dealt with the lack of substantial provisions in the bill and leaving things to regulation, but I think the Attorney might be able to clarify that the reasons for not going down this path relate more to the application of commonwealth legislation and therefore regulations are the most appropriate vehicle for those.

I am going to leave it there and ask the Attorney some questions. I will close by saying that we all know that where there is a will there is a relative and the complexity of this bill, and indeed succession law in general, is very indicative of that. Again, I wish to thank SALRI for their reports, which have certainly assisted us. For my part, and all my success in succession law, I will perhaps just end by saying that I will continue to tell people to be crystal clear on what they would like in their wills, what their final wishes are, to be as clear as you can but, ultimately, you will be dead so do not kill yourself over preparing your will.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:21):** I thank all those who contributed on this bill. The poor puns, the mum and dad jokes, were not as appreciated as the sensible discussion and, for the record, I have not got a clue what grade I received way into the last century when I studied succession law.

It is a very important area. It is an area of law that most people will come into contact with at some stage as family members and loved ones pass away. It is an area that can cause great personal conflict within families and it is an area that involves much emotion and, where you get that combination of things, also substantial litigation.

That is why, way back in 2011, former Attorney-General at the time, John Rau SC—and I have had that confirmed by way of communication with the former Attorney-General—asked SALRI to start looking at this. Between 2014 and 2017, SALRI produced seven reports that go towards what we are doing today. It is a bill that repeals a number of different bills: the Administration and Probate Act, the Wills Act, and the Inheritance (Family Provision) Act and brings it all together in one area.

It is certainly something that has crossed over a number of governments. I think three attorneys-general and one planning minister exercising the powers and functions of the Attorney-General have all traversed this area. It is, as members have indicated with reflections and examples, a difficult area that often involves much emotion at some of the most difficult times in people's lives.

To codify, where possible, disparate and difficult areas of the common law and to bring together three acts into the one area, I think, will be a worthwhile thing that will, amongst other things, try to help make this simpler and reduce disputation. With that, I commend the bill to the chamber and look forward to answering questions during the committee stage.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The Hon. C. BONAROS:** I raised a few issues during my second reading contribution. I suppose the first is just to clarify, given we did not proceed with amendments around regulation-making powers, that the government's position was: because we are relying on commonwealth legislation, regulations were actually more appropriate in this instance than providing those provisions in the substantive bill.

**The Hon. K.J. MAHER:** Yes, I thank the honourable member for her question. I guess the answer is yes, that particular area first prescribed agreements under the Family Law Act. Given that is a part of commonwealth legislation that could change via an act of the commonwealth parliament, we thought it preferable to have them under regulations so that we could more easily change them should that particular element change in commonwealth law.

**The Hon. C. BONAROS:** I might just ask these now at the outset so that we can get them out of the way. I think one of the other issues that I mentioned was about the wishes of the deceased

person as the primary consideration for the court and the concerns, I suppose, that we have now noted that the society has raised, that this has the potential to result in further litigation. Can the Attorney clarify what consideration was given to those concerns and indeed whether we think there might be the potential for further litigation as a result?

**The Hon. K.J. MAHER:** This is the result of recommendations from SALRI reports that have placed the testator of primary importance for the court to consider. There is a likelihood that initially that could be tested and could initially lead to, because this is a departure from how it is currently considered, an initial increase in litigation. But I think there is an expectation that over time, because you are making that the primary consideration, that would lead to a decrease in litigation.

Whenever we pass something here, it has the potential to be tested through litigation in courts. But certainly, it is a policy decision to give effect to the recommendations of the SALRI reports and with an intention to, certainly over time, make it easier and to clarify for the courts.

As I mentioned in my second reading summing-up, this always is a balance. I think many people expect that the wishes of someone, when they are alive and expressed in a will, will be given effect to. Of course, there are meritorious and justifiable claims that do not expressly affect those wishes, and they are not prohibited, and that is what over 100 clauses of the bill go through to describe, but it is a positive decision to give effect to recommendations from the SALRI reports.

**The Hon. C. BONAROS:** I am not sure if the Attorney's preference is if I continue now at clause 1, but there were some points raised in relation to section 116(6) regarding parents of a deceased person and concerns raised by the society about the eligibility criteria for parents.

A parent is most unlikely under the present law to have a viable claim for family provision if their deceased child has a spouse, domestic partner or children, and that is because the greater moral duty on the deceased child would be to leave the person's estate to their own spouse, domestic partner or own children. The major situation is where the child dies without having a spouse, domestic partner or children but the parents survive the deceased child and the parents have provided money or assets to the child and the parents are the reason why the deceased child has died having an estate.

The issue that I suppose I am asking the Attorney is: was it one of the SALRI recommendations, or why did the government not elect to follow the broader definition as opposed to the narrower definition in that respect?

**The Hon. K.J. MAHER:** I thank the honourable member for her question. Yes, it was part of the SALRI recommendations to narrow, essentially, the field of those potential claimants. The situation is that parents are currently automatically regarded as a class of people who can make a claim. Again, with the SALRI recommendations to narrow the field of potential claimants, parents as an automatic claimant were removed from having that ability after submissions from the Law Society. We will be discussing that later on, if we wish, but it might be taken care of in clause 1.

We filed government amendment No. 9 [AG-1] that restores part of a right for a parent to make a claim where that adult parent relied on the child to financially support them. We have made that amendment to the bill as a result of discussions with the Law Society, but it certainly was part of the SALRI recommendations to effectively narrow those who were automatically entitled to make a claim.

**The Hon. C. BONAROS:** Just going back a couple of provisions to clause 102, which relates to the election by the spouse or domestic partner to acquire an interest in the dwelling, there were recommendations made in relation to that also which I understand the government chose not to adopt. Was that in line with SALRI's recommendations or an executive decision by the government?

**The Hon. K.J. MAHER:** I thank the honourable member for her question about clause 102, the election by a spouse or domestic partner to acquire interest in a dwelling. I am happy to inform the member that they came about as a result of the SALRI report on intestacy, particularly recommendations 27, 30, 31, 35 and 37; and in relation to 102, particularly 102(8) and recommendation 38 in relation to 102(2)(b); and recommendation 39 also informed other parts of clause 102.

The Law Society in their 2023 submission submitted that the form of the notice in relation to this should be included in the act as opposed to the regulations. Forms and notices are, unusually, included in the act rather than the regulations partly so they can change over time more easily. We did not support the Law Society's submission to suggest that the change to the form and notice be included in the legislation rather than the regulations, so we departed from the view of the Law Society in relation to whether the form of that notice should be in the act or the regulations. We think it is better placed, as it would be usually, in regulations.

**The Hon. C. BONAROS:** One of the other issues that I raised during my second reading contribution was the issue of stepchildren and also step-parents. I note that there were concerns raised about the definition, or the lack thereof, of step-parent. Was that also a SALRI recommendation, or is that something that the government thinks does not need to be addressed?

**The Hon. K.J. MAHER:** I thank the member for her question. We have in the legislation defined stepchild, so by extension the definition of step-parent is gained from the parent of a stepchild. So it would be redundant to define that as well in the interpretation section, but we have defined stepchild.

**The Hon. C. BONAROS:** I just note the concerns raised by the society about a stepchild not being able to be a child of a former spouse or former domestic partner. That is canvassed in the correspondence that I have tabled already.

**The Hon. K.J. MAHER:** Before the honourable member goes on, in relation to the issue that the Law Society raised in terms of a stepchild of a former spouse or former domestic partner, we have taken into account the Law Society's concerns with amendment No. 4 to take into account the concerns that the Law Society have raised.

**The Hon. C. BONAROS:** If I can just turn to those two letters that I tabled earlier, perhaps the Attorney can provide some clarity, because it is extraordinarily complex. Even the correspondence is extraordinarily complex, so I think for the record it would be useful if the Attorney could provide some clarity around that issue of survivorship and simultaneous deaths and also the joint ownership provisions that are equally relevant.

**The Hon. K.J. MAHER:** I thank the honourable member for her question. Clause 126 in relation to survivorship is a suggestion that was made by correspondence back in 2020 from the Law Society, which is included in the bill. I think it was in February of this year that the Law Society wrote to me as Attorney-General and, I assume, to other members, asking why section 126 is in the bill, to which we responded, 'Because you asked for it back in 2020.' The Law Society, to summarise, said, 'Yes, okay, we did ask for that back in 2020 and we understand why that's in there.'

However, a question was raised in relation to non jointly owned property, and we have an amendment at amendment No. 11 that is an abundance of caution amendment to take into account the views of the Law Society most recently, earlier this year. That is a note that says, 'This section applies subject to the operation of section 127 in respect of jointly owned property.' It is possibly strictly not necessary, but we think it reflects the views as put forward most recently, this year, by the Law Society in relation to the issue of survivorship.

**The Hon. C. BONAROS:** I think that is important, just for the record, because of the confusion in the correspondence.

**The Hon. K.J. MAHER:** Yes. I got confused when they wrote in against their previous submission.

**The Hon. C. BONAROS:** I have one question in relation to clauses 18 and 19 of the bill, which talk about the end of a marriage. I do not know if we can answer this one or not, but the question that has been put to me is whether that applies at the time of separation or divorce, or whether we have any guidance in relation to whether that applies at the time of separation or divorce? It simply talks about the ending of a marriage.

**The Hon. K.J. MAHER:** I am happy to take that on notice for the honourable member. This is not something that was canvassed in any of the SALRI reports, and has been carried over from how the language was used in previous legislation. I suspect it might be that it is producing evidence

to a court for the end of a marriage rather than the different stages through the dissolution of a marriage. However, we will take that on notice and bring back a response because like most of these things, and given it has carried over from language that has previously been used, I am sure it has been the subject of litigation. We are happy to provide an answer to the honourable member.

**The Hon. C. BONAROS:** Thank you. The remainder of my questions—there are only three—relate to whether there are any anticipated costs for the courts in relation to the changes and, if so, do we have any idea what they may be? Also, again this is not specifically canvassed by the bill, but two issues have certainly been raised. One is consideration of a will's register, and also e-wills. What consideration has been given to those, if any, by the government?

**The Hon. K.J. MAHER:** I thank the honourable member for her question. We are not aware of any anticipated additional cost for courts on top of what courts already do in this area. Certainly, with most pieces of legislation, including this one, courts are consulted about legislation. Also, once legislation passes, courts are then consulted about implementation.

One area that is likely to be required is some form of information or education for practitioners in relation to the changes. This is an area where there are specialist practitioners, but it is certainly an area where generalists who practice law come into contact with the area of wills and estates occasionally—some more frequently than others—so education of practitioners and the production of brochures is something that is being considered in this area. There is not a global wills register, but my advice is that the Law Society maintains for wills that are drafted by practitioners a register of wills.

One other thing that was contemplated but excluded in the SALRI review was the prospect of e-wills, which may help with the ease of registry but was not recommended by the SALRI review, and obviously for good reason: the authenticity of these sorts of documents is paramount. I hope that answers the honourable member's question in relation to the cost of registering.

**The Hon. C. BONAROS:** Certainly, and those comments in relation to e-wills as well. Finally, one of the issues that was in the public just recently and falls within the realm of these disputes, I suppose, concerned an argument over the body or ashes of a deceased person. I think we have heard recently a case where there was an argument between the living parents of the deceased and the widow of the deceased and ultimately the court decided to share the ashes equally between both parties because it was very convoluted and complicated.

That issue falls within the realm of this but also within funeral industry reforms, potentially. Is that something that was canvassed during the context of this debate at all, or something that is on the government's radar in terms of addressing?

**The Hon. K.J. MAHER:** It is something that we could consider in the future, and certainly how the funeral industry is regulated is much more the area that this would be considered in. That was not considered as part of these reviews. Human remains, as I am advised, are not considered property in terms of wills and probate. Testators often express an intention of what their desires would be, which certainly will help inform next of kin and family, but that is not a binding part of the property that is dealt with under a will.

Clause passed.

Clauses 2 to 33 passed.

Clause 34.

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

Amendment No 1 [AG-1]—

Page 20, lines 2 to 5—

Delete 'made or accepted for the purpose of assessing succession duty or any other form of death duty, that reference is, if the valuation contemplated by the reference is not required under the law of this State or of any other place,' and substitute:

to be made for the purposes of the will, that reference is

I advise that this government amendment to the bill is being undertaken as a result of feedback received from the Law Society. This provision was replicated from the existing legislation, however, the Law Society noted that succession and death duties no longer exist and so it suggested that this provision could be reworded so it refers to valuations for the purposes of the will, and we have done so in the form of this amendment.

**The Hon. J.M.A. LENSINK:** My understanding is that this amendment, as the Attorney has indicated, is at the urging of the Law Society and I understand that a number of other amendments are also at the request of the Law Society and the Liberal Party will be supporting them.

**The Hon. C. BONAROS:** For the benefit of the chamber, our position is the same. We will be supporting the package of amendments that is going to be put by the government.

Amendment carried; clause as amended passed.

Clauses 35 to 38 passed.

Clause 39.

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

Amendment No 2 [AG-1]—

Page 21, line 28—After 'resident' insert 'or domiciled'

Again, this is an amendment after our submissions and discussions with the Law Society, noting that a person may not be a resident and in place of it may be domiciled there, so this amendment incorporates that, noting the approach taken in other jurisdictions, such as New South Wales.

Amendment carried; clause as amended passed.

Clauses 40 to 104 passed.

Clause 105.

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

Amendment No 3 [AG-1]—

Page 50, line 1 [clause 105(2)(b)(ii)]—Delete 'Minister has, by notice in the Gazette, determined' and substitute 'regulations prescribe'

This provision was drafted so that the amount of the preferential legacy could be increased by notice in the *Gazette*. This approach was taken to allow for maximum flexibility to ensure that the amount keeps pace with increased costs generally to keep pace with inflation. The Law Society in their submission indicated that prescribing the amount by regulation would allow for greater scrutiny than a notice in the *Gazette*, including disallowance by this or the other chamber. The government has accepted this feedback, so this amendment makes the change by allowing for this to be prescribed by regulation rather than by notice in the *Gazette*.

Amendment carried; clause as amended passed.

Clauses 106 to 113 passed.

Clause 114.

**The Hon. K.J. MAHER:** This was an area that was canvassed by the Hon. Connie Bonaros in clause 1. I move:

Amendment No 4 [AG-1]—

Page 55, line 15 [clause 114(1), definition of *step child*]—After 'partner' insert ', or of a former spouse or former domestic partner,'

Amendment carried; clause as amended passed.

Clause 115.

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

Amendment No 5 [AG-1]—



Page 56, line 1 [clause 115(2)]—After 'A former spouse or' insert 'former'

This amendment is very similar to amendment No. 4; that is, after 'A former spouse or' insert 'former'. This amendment arises from the Law Society submission and it is intended to avoid any doubt that reference to the section is intended to be read as a former spouse or a former domestic partner.

Amendment carried.

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

Amendment No 6 [AG-1]—

Page 56, line 2 [clause 115(2)]—Delete 'spouse or domestic' and substitute 'former spouse or former domestic'

Amendment No 7 [AG-1]—

Page 56, line 4 [clause 115(2)]—Delete 'spouse or domestic' and substitute 'former spouse or former domestic'

Again, these amendments are very similar. They do the same thing: they delete 'spouse or domestic' and insert 'former spouse or former domestic' partner to make abundantly clear it refers to both of those rather than having to read it as both of those by virtue of them being together. So it is a wording change, as suggested in consultation with the Law Society.

Amendments carried.

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

Amendment No 8 [AG-1]—

Page 56, line 23 [clause 115(5)(a)]—Delete 'parents died' and substitute 'parent, being a child of the deceased person, died'

This amendment to clause 115, which we have canvassed briefly in discussions already—and it arises from the Law Society submission—provides that a grandchild of the deceased person is eligible to make a claim for family provision where the parent who was the child of the deceased person has died, rather than requiring that both the grandchild's parents are deceased.

Amendment carried.

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

Amendment No 9 [AG-1]—

Page 56, lines 32 and 33 [clause 115(6)(b)]—Delete paragraph (b) and substitute:

- (b) in any other case—
  - (i) the parent cared for, or contributed to the maintenance of, the deceased person immediately before the person's death; or
  - (ii) the parent was maintained wholly or partly by the deceased person immediately before the deceased person's death.

This amendment again is as a result of submissions of the Law Society, which indicated that they had concerns that parents who relied on their adult child, most likely to support them financially, may be left without a way to make a claim for family provision if they had not been providing care for the child at the time of the death of the child. We canvassed this in clause 1, with the Hon. Connie Bonaros raising questions.

Amendment carried; clause as amended passed.

Clauses 116 and 117 passed.

Clause 118.

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

Amendment No 10 [AG-1]—

Page 58, lines 32 to 38 [clause 118(7) and (8)]—Delete subclauses (7) and (8) and substitute:

- (7) A copy of an application for a family provision order must be served on all parties to the proceedings in accordance with the rules of court.

Again, this came by way of representations of the Law Society. This amendment changes the provision dealing with the service of applications for family provisions. For consistency and simplicity it will refer back to the service provisions in the court rules that apply to family provisions claims.

Amendment carried; clause as amended passed.

Clauses 119 to 125 passed.

Clause 126.

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

Amendment No 11 [AG-1]—

Page 61, after line 6—Insert:

Note—

This section applies subject to the operation of section 127 in respect of jointly-owned property.

This is the explanatory note that was canvassed in clause 1 to make it clear that this section applies subject to the operation of the next section in respect of jointly owned property.

Amendment carried; clause as amended passed.

Clause 127.

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

Amendment No 12 [AG-1]—

Page 61, line 7 [heading to clause 127]—Delete 'in case of simultaneous deaths' and substitute 'where order of death uncertain'

This is simply an amendment to the section heading to more accurately reflect the contents of the provision.

Amendment carried.

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

Amendment No 13 [AG-1]—

Page 61, line 9—Delete 'within 30 days of each other or'

This amendment to clause 127 is being undertaken after consultation with the Law Society. It removes the 30-day survivorship period, which was part of the relevant recommendation from SALRI. This formulation without the 30-day period is a closer codification of the current law used in South Australia.

Amendment carried; clause as amended passed.

Clauses 128 to 139 passed.

New clause 140.

**The Hon. C. BONAROS:** I move:

Amendment No 1 [Bonaros-3]—

Page 64, after line 20—Insert:

140—Review of Act

- (1) The Minister must cause a review of the operation of this Act to be conducted, and a report on the review to be prepared and submitted to the Minister, after this Act has been in operation for a period of 5 years.
- (2) The Minister must cause a copy of a report submitted under subsection (1) to be laid before both Houses of Parliament within 12 sitting days after receiving the report.

I note that I will not be moving the other amendment that was filed. It is self-explanatory. I have spoken to it already. It requires a review of the operation of the changes and the reforms in a five-year period. I think five years is a more appropriate time frame given the complexity and significant nature of these changes. It would be good to make sure that we come back here and ensure that we have got it right.

**The Hon. R.A. SIMMS:** I briefly indicate that the Greens are supportive of the amendment for the reasons the Hon. Connie Bonaros has indicated. In our view it does make sense to review a substantial change like this after five years. Given the potential implications, it gives us an opportunity to make changes if we have got anything wrong, so a review certainly makes sense from our perspective.

**The CHAIR:** The Hon. Ms Lensink?

**The Hon. J.M.A. LENSINK:** Ditto.

**The Hon. K.J. MAHER:** I indicate that the opposition and crossbenchers are very fond of these calls for reviews, as occasionally are governments, and we will be supporting this amendment.

New clause inserted.

Schedules (1 to 4) and 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) (17:02):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**RESIDENTIAL TENANCIES (PROTECTION OF PROSPECTIVE TENANTS) AMENDMENT BILL**

*Introduction and First Reading*

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

At 17:04 the council adjourned until Wednesday 3 May 2023 at 14:15.

*Answers to Questions***URGENT MENTAL HEALTH CARE CENTRE**

**217 The Hon. S.L. GAME** (8 February 2023). Can the Minister for Health and Wellbeing advise:

1. In relation to Neami's Urgent Mental Health Care Centre on Grenfell Street:

(a) What is the average monthly patient visitation of the Urgent Mental Health Care Centre?

(b) What capacity per month was the centre intended to assist in forward planning?

(c) What capacity per month is the centre currently funded and staffed at?

2. In the event that the centre is not currently operating at budgeted capacity:

(a) What is the government's plan to increase usage of the Urgent Mental Health Care Centre?

(b) How can the centre be reformatted to include young people (teenagers) while capacity is not optimised?

(c) What other initiatives does the government have for urgent/acute mental health care for young people (teenagers) in metropolitan and regional South Australia?

**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 that:

1. (a) As of 31 December 2022, there has been an average of 473 referrals per month to the centre since 1 July 2022, or an average 15.4 per day.

1. (b) The centre's capacity is to provide services for up to 24 people per 24-hour period.

1. (c) From March 2022 the Urgent Mental Health Care Centre, has been staffed and funded to accept people 24/7, 365 days a year to meet the needs of 24 people.

2. (a) The Department for Health and Wellbeing is currently working with the supplier to increase usage by:

- Working closely with key stakeholders on referral pathways and access eg SAAS and SAPOL.
- Monthly governance meetings.
- Investing in marketing to improve the centre's public visibility.

2. (b) The centre's target group includes young people aged 16 years and over. The scope of practice for the clinicians, model of care and building design were developed for this age group. The equivalent service for people under the age of 16 years is Headspace. The federal government has also committed to a Head to Health Centre focused on a younger cohort.

3. (c) Other initiatives for young people include:

- An additional six speciality mental health nurses at the Women's and Children's Hospital.
- Recruitment of an additional 10 child psychologists and five child psychiatrists working in the Child and Adolescent Mental Health Service.
- Women's and Children's Hospital—an additional 10 mental health beds for the new hospital.
- Employing a central pool of 100 new mental health and learning support specialists to work at public primary and secondary schools, to ensure students and teachers get the help they need.

**COMMUNITY GRANTS**

**229 The Hon. H.M. GIROLAMO** (9 February 2023). Can the minister advise:

1. What was the quantum amount (number and dollar value) of community grants budgeted for 2022-23 in the 2022-23 budget?

2. What was the quantum amount (number and dollar value) of community grants budgeted for 2022-23 in the 2022-23 mid-year budget?

3. What is the quantum amount (number and dollar value) of community grants distributed so far in 202-23 and to which community groups?

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

1. Grants SA provides grants to community based, not for profit organisations. In 2022-23 an amount of \$2.599 million was budgeted for community grants.

In 2022-23 Grants SA budgeted a further \$100,000 for the 2022-23 Port Pirie Community Lead Abatement Grants.

In 2022-23, the exceptional needs unit (ENU) budgeted \$250,000 for the 2023 training and development support grant.

In 2022-23 the SA Youth Week 2023 grants budget was \$70,000.

In total, \$3,019 million was budgeted for community grants in 2022-23.

2. In the 2022-23 mid-year budget, there was no change to the total amount of \$3,019 million budgeted for community grants.

3. The following community grants were distributed in 2022-23 from Grants SA rounds conducted in 2021-22.

Organisation	Funding Allocated
Access2arts	\$9,367
Actnow Theatre Inc	\$8,750
Adelaide Bike kitchen	\$9,014
Adelaide Tamil Association Incorporated	\$9,600
Afghan Australian Women Association Incorporated	\$16,876
African Women's Federation of SA	\$9,899
Allan Campbell And W C H House Inc	\$10,000
Australian Red Cross Society	\$10,000
Australian Vietnamese Association Incorporated	\$2,497
Australian Young Christian Workers Movement Inc	\$9,504
The Beltana Progress Association Incorporated	\$8,120
Blue Light SA Inc	\$6,000
Bosniaks' Association of South Australia—Bosniaks' Masjed Adelaide Inc	\$5,290
Carrickalinga Board of Management	\$1,595
Catholic Church Endowment Society Inc	\$1,348
The Charles Sturt Memorial Museum Trust Incorporated	\$2,660
Church Of Christ Blair Athol Inc	\$10,000
Careworks Inc	\$19,000
Cirkidz Inc	\$10,000
Clare Valley New Life Church Ltd	\$7,859
Coffin Bay Progress Association Inc	\$10,000
Colours Of Orroroo Arts Incorporated	\$14,376
Community Health Onkaparinga Inc.	\$10,000
Community Help and Togetherness Incorporated	\$3,370
Community House Port Lincoln Inc	\$10,000
Coonalpyn Community Hub Incorporated	\$6,428
Co-Opera Incorporated	\$25,000
Copley & Districts Progress Association Inc	\$2,000
Copley & Districts Progress Association Inc	\$7,748
Crystal Brook Golf Club Inc	\$10,000
Cummins & District Enterprise Committee	\$5,700
D Faces of Youth Arts Inc	\$10,798
Disability Rights Advocacy Service Incorporated	\$10,000
Elizabeth Church Of Christ Incorporated	\$9,841
Employment Options Inc	\$20,684
Employment Options Inc	\$7,890

Organisation	Funding Allocated
Friends of the Barossa Bushgardens Incorporated	\$7,033
Glass Jar Australia Limited	\$10,000
Healthy Cities Onkaparinga Incorporated	\$8,097
Heart & Soul Community Group Incorporated	\$20,843
Heart & Soul Community Group Incorporated	\$9,499
Hills Community Options Inc	\$2,444
Holiday Explorers Inc	\$9,096
Hope Foundation International Inc	\$3,260
Hope Foundation International Inc	\$4,311
The Ileostomy Association Of South Australia Inc	\$6,100
Jabuk Community Hall Inc	\$9,999
Jamestown Apex Club	\$2,000
Junction Australia Ltd	\$9,885
Kadina Agricultural Horticultural & Floricultural Society Inc	\$9,043
Kura Yerlo Incorporated	\$24,238
Lifeline South East (Sa) Incorporated	\$9,091
Limestone Coast Work Options Incorporated	\$4,818
Living Water Community Church Inc.	\$9,911
Long Plains Soldiers Memorial Hall Incorporated	\$8,840
Lower Eyre Peninsula Community Child Care Services Inc	\$7,647
Macclesfield 'Community Association	\$10,000
Magwi Development Agency Australia Inc	\$23,618
Magwi Development Agency Australia Inc	\$10,000
Mannum Men's Shed Incorporated	\$2,378
Marra Murrangga Kumangka Inc	\$9,600
Mid Murray Suicide Prevention Network Incorporated	\$9,999
Mid North Archers	\$10,000
Mil LeI Memorial Park Inc	\$19,537
Mount Barker Family House Inc	\$18,822
Mt McKenzie Hall	\$7,264
Murray Bridge Agricultural and Horticultural Society Inc	\$7,865
Murray Bridge Community Centre Incorporated	\$10,000
Murray Lands Homes for The Aged Incorporated	\$8,642
Muslim Women's Association of South Australia Inc	\$10,000
North East Community Assistance Project Inc	\$5,591
Northern Area Community and Youth Services Inc	\$6,095
Onkaparinga Dementia Friendly Alliance of South Australia	\$2,255
Operation Flinders Foundation Inc.	\$9,883
Pinnaroo Fitness Health and Wellness	\$3,500
Plaza Youth Centre Inc	\$6,039
Point Pearce Aboriginal Corporation	\$25,000
Price Progress Association Incorporated	\$10,000
Probus South Pacific Limited	\$1,300
Puddle Jumpers Incorporated	\$24,695
Radio Televisone Italiana Sa Inc	\$9,815
Regency Community Men's Shed	\$9,628
Riverland Youth Theatre	\$10,000
Rotary Club of Mawson Lakes Inc	\$3,500

Organisation	Funding Allocated
The South Australian Country Women's Association Inc	\$5,100
The South Australian Country Women's Association Inc	\$10,000
Seacliff Community Recreation Association Incorporated	\$10,000
Seeds Of Affinity—Pathways For Women Incorporated	\$6,671
Soldier On Limited	\$9,900
Sonder Care Limited	\$24,545
SOS Copper Coast Suicide Prevention Network Inc	\$2,155
South Australian Rainbow Advocacy Alliance	\$10,000
Southern Yorke Peninsula Agricultural Society Incorporated	\$3,037
St Johns Youth Services Inc	\$9,725
St Vincent De Paul Society (Sa)	\$9,005
Stable Help Incorp	\$3,330
Strath Neighbourhood Centre Incorporated	\$7,133
Surf Life Saving South Australia Inc	\$10,000
The Synod of The Diocese of The Murray of The Anglican Church of Australia Inc	\$4,063
Tailem Bend Football Club Inc.	\$10,000
Tea Tree Gully Craft Workshop	\$8,980
The Food Centre Inc	\$7,540
The Gogo Foundation Limited	\$9,500
The Gold Foundation Incorporated	\$20,225
The Port Germein Village Project Association Inc	\$8,227
The Reily Foundation Incorporated	\$24,900
The William Kibby Vc Veterans Shed Association Incorporated	\$3,271
The Woodchester Tennis Club Incorporated	\$10,000
Two Wells Football & Netball Sporting Clubs Inc	\$7,646
Ucare Gawler Incorporated	\$7,246
Ucare Gawler Incorporated	\$9,880
Ugandan Community of South Australia Inc	\$3,800
Uniting SA Ltd	\$10,000
The Uniting Church in Australia Property Trust (SA)	\$8,670
The Uniting Church in Australia Property Trust (SA)	\$7,878
The Uniting Church in Australia Property Trust (SA)	\$2,500
Uniting Communities Incorporated	\$21,000
Waddikee Community Sports Club Incorporated	\$9,460
Welcoming Australia Ltd.	\$24,997
Whitelion Youth Agency Ltd	\$14,967
Whitelion Youth Agency Ltd	\$9,888
Whyalla Fm Public Broadcasting Assoc Inc	\$4,840
Whyalla Men's Shed	\$1,436
Whyalla Men's Shed	\$2,925
Woodcroft Morphett Vale Neighbourhood Centre Incorporated	\$5,975
Yarredi Services Incorporated	\$9,092
Yongala & District Hall Committee Incorporated	\$6,765
Community Care and Transport Incorporated	\$20,000
Total	\$1,208,667

A total of \$63,570 was distributed in 2022-23 to the following seven successful applicants to the 2021-22 Port Pirie Community Greening Grants:

Organisation	Funding Allocated
Uniting Country SA Ltd sponsoring Woodward Park Upgrade	\$10,000
Uniting Country SA Ltd	\$9,695
Port Pirie Amateur Anglers Association Inc.	\$10,000
Port Pirie Equestrian Club Inc.	\$8,642
Port Pirie Kennel Club	\$9,500
Port Pirie Community Garden	\$8,654
Mid North Archers	\$7,079
Total	\$63,570

Grants SA recently completed the 2022-23 Community Sheds funding round for which 42 applications were funded to a total value of \$616,852.

The 2022-23 Community Sheds funding round is distributing grants to the following community organisations:

Organisation	Funding Allocated
American River Progress Association Inc	\$24,846
Ardrossan Progress Association Inc.	\$23,137
Australian Plants Society—South Australian Region Incorporated	\$12,189
Berri Community Men's Shed Inc	\$22,700
Camden Community Centre Incorporated	\$22,243
Cleve and Districts Men's Shed Inc	\$21,406
Crystal Brook Community Men's Shed	\$10,164
Cummins and District Enterprise Committee	\$4,460
District Council of Coober Pedy sponsoring Coober Pedy Community Garden	\$3,133
District Council of Karoonda East Murray—Sponsoring Karoonda Men's Shed	\$25,000
Edwardstown Baptist Church Ltd.—Grumpies Bloke's Shed	\$22,686
Eudunda Community Hub and Shed Inc	\$25,000
Kadina Agricultural Horticultural and Floricultural Society Inc	\$4,273
Kapunda Shed Inc	\$16,942
Kura Yerlo Inc	\$24,932
Macclesfield Men's Shed Inc	\$17,192
Mallala & District Men's Shed Inc.	\$13,800
Mannum Men's Shed Inc	\$16,958
Marra Dreaming	\$6,583
Men's Shed Parafield Inc	\$25,000
Milang and District Historical Society Inc	\$2,299
Mount Barker Family House Inc	\$13,264
Mount Gambier Men's Shed Inc	\$11,100
Naracoorte District Men's Shed Inc	\$25,000
Owen Community Centre Committee Inc	\$9,873
Penola Men's Shed	\$16,023
Peterborough Men's Shed Inc	\$7,797
Playford Men's Shed Inc	\$18,906
Port Germein Progress Association \$22,747	\$22,747
Port Neill Progress Association Inc \$4,002	\$4,002
Regency Community Men's Shed \$19,446	\$19,446
Rosefield Community Shed Incorporated \$9,979	\$9,979
Strathalbyn Wood Craft Group Inc \$2,098	\$2,098
St John Ambulance \$5,812	\$5,812
Tatiara Men's Shed Inc \$20,258	\$20,258



Organisation	Funding Allocated
The Uniting Church in Australia Property Trust (SA)—Sponsoring Seeds Men's Shed Aberfoyle Park	\$4,845
The Uniting Church in Australia Property Trust (SA)—Sponsoring Blackwood Uniting Church	\$16,821
The Uniting Church in Australia Property Trust (SA)—Sponsoring Victor Harbor Men's Shed	\$9,555
Whyalla Men's Shed	\$4,723
Woodville West Community Garden Incorporated	\$5,721
Wudinna Districts Men's Shed Inc	\$25,000
Yankalilla and Districts Community Men's Shed	\$18,939
Total	\$616,852

SA Youth Week 2023 grants closed on 19 January 2023 with 35 applications being funded to a total value of \$70,000. This round is open to both community organisations and local government associations (LGA's) to apply.

The list below contains only community organisations who will be receiving SA Youth Week 2023 funding and does not include successful LGA's:

Organisation	Funding Allocated
One50 incorporated	\$2,000
Aboriginal Family Support Services	\$2,000
Edmund Rice Community Services Limited	\$2,000
Friends of the Library, Mount Barker Incorporated	\$2,000
St Elias Antiochian Orthodox Parish Association Inc	\$2,000
Angas Go-Kart Club Inc.	\$2,000
Employment Directions	\$2,000
Scots Church Adelaide	\$2,000
Mount Barker Community Centre	\$2,000
Feast Queer Arts and Cultural Festival	\$2,000
St John's Youth Services	\$2,000
The Hut Community Centre Inc	\$2,000
SYC	\$2,000
headspace Berri	\$2,000
Kura Yerlo Inc	\$2,000
Nature Play SA	\$2,000
UN Youth South Australia Incorporated	\$2,000
Adelaide White Pointers Underwater Rugby Club	\$2,000
Lochiel Progress Association	\$2,000
With Love Formal Wear	\$2,000
Total	\$40,000

The 2022-23 Grants SA governance and sustainability round with a budget of \$1 million is currently open, closing on 23 March 2023.

The 2022-23 Port Pirie Community Lead Abatement Grants closed on 9 March 2023.

The assessment process for this round is still underway.

The ENU 2023 training and development support grant closes on 28 March 2023.

A further Grants SA round is planned for 2022-23, with timing currently being determined.

#### AUTISM SA

**236 The Hon. H.M. GIROLAMO** (22 February 2023). Can the minister advise:

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 of Human Services to Autism SA?

2. How much funding was provided to Autism SA by the Department of Human Services 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 of Human Services in the 2022-23 Mid-Year Budget Review?

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

1. 2018-19  
\$2,043,30—various programs
- 2019-20  
\$412,036
- \$62,036—board/lodging for voluntary out of home care (VOHC)
  - \$350,000—autism diagnostic service
- 2020-21  
\$513,661
- \$1,800—COVID-19 service and support transformation
  - \$10,000—Aboriginal cultural competency training
  - \$115,525—board/lodging for VOHC
  - \$386,336—autism diagnostic service
- 2021-22  
\$588,625
- \$278,625—board/lodging for VOHC
  - \$310,000—autism diagnostic service
2. \$353,725.81
3. Autism diagnostic service (\$310,000) and VOHC (\$43,725.81). Autism diagnostic funding is provided as a block whereas VOHC funding varies based on the number of young people supported in any given year, the duration of accommodation stays and the cost of individual homes.
4. Nil.

#### GREEN INDUSTRIES FUND

**239 The Hon. H.M. GIROLAMO** (22 February 2023). Can the Minister for Climate, Environment and Water advise:

1. As at 1 July 2022 how much money was in the Green Industries Fund?
2. As at 1 January 2023 how much money has been expended from the Green Industries Fund?
3. As at 1 January 2023 which groups have received grants from the Green Industries Fund and how much did they each receive?

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

1. As at 1 July 2022, the cash balance of Green Industry Fund was \$68,193,644.
2. As at 1 January 2023, a total of \$37,537 has been expended from the Green Industry Fund.

Expenditure includes salaries and wages, consultants and contractors, grants, transfers to other departments for climate change initiatives and other goods and services.

3. Information regarding recipients of funding through Green Industries SA's funding programs is available via the agency's website, its annual reports and in answers to estimates committee questions.

#### POLICE EMPLOYEES PSYCHOLOGICAL REVIEW

**240 The Hon. L.A. HENDERSON** (8 March 2023).

1. Have the 300 employees identified under the employee assistance section policy 14, who are in roles where there is higher psychological demand, completed their required annual psychological reviews in the past 10 years?

2. What does the psychological review entail?

**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:

A police employee's manager is accountable to monitor if an employee is fulfilling the requirements of their position information document (PID). The employee assistance section (EAS) facilitates these reviews, but the work group maintains their own records of compliance.

While the employee's manager has knowledge of whether the review has been completed, the content discussed remains confidential within EAS guidelines.

SAPOL does not have a centralised system to monitor compliance and cannot report the rate of compliance in the past 10 years.

A psychosocial review requires an assessment to be conducted. The review focuses on areas including work duties and relationships, stress management techniques, physical health and fitness and significant work and life experiences.

Where the clinician identifies any areas of concern, they will provide further support.

#### AUTISM SERVICES

**241 The Hon. H.M. GIROLAMO** (21 March 2023). Can the Minister for Human Services advise:

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 of Human Services to Novita for autism and autism-related programs?

2. How much funding was provided to Novita for autism and autism-related programs by the Department of Human Services in the 2022-23 budget?

3. What specific autism and autism-related programs did funding to Novita in the 2022-23 budget support and how much did each program receive?

4. How much funding was provided to Novita by the Department of Human Services in the 2022-23 Mid-Year Budget Review?

5. What specific autism and autism-related programs did funding to Novita 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 Human Services has advised:

1. 2018-19

\$1,284,329

2019-20

NIL

2020-21

\$136,113

2021-22

\$15,885

2. \$46,041

3. Non-residential pathway initiative—\$46,041.

4. Nil

5. Nil

#### EARLY INTERVENTION AND CHILD PROTECTION MATTERS

**242 The Hon. H.M. GIROLAMO** (21 March 2023).

1. How often does the Minister for Aboriginal Affairs meet with the Minister for Human Services, or the Minister for Child Protection regarding early intervention and child protection matters?

2. What dates in 2022 did the Minister for Aboriginal Affairs meet with the Minister for Human Services and the Minister for Child Protection regarding early intervention and child protection matters?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** I have regular discussions with my colleagues regarding these and other important matters.

Additionally, the Early Intervention Cabinet Committee meets regularly to discuss programs to support vulnerable families and ensure people are supported from early childhood to succeed and participate. The Minister for Human Services, the Minister for Child Protection and I are all members of this committee.

#### REGIONAL SOUTH AUSTRALIA

**246 The Hon. J.M.A. LENSINK (23 March 2023).** Can the minister advise:

1. What contingencies have the state government made with environmental flows to be released from Menindee Lakes into the Darling which will make its way into the South Australia via the Murray in the coming weeks?

2. Does the state government support the introduction of the carp herpesvirus to help manage increases of carp numbers?

3. How many of the six newly appointed Brand SA board members are from regional South Australia?

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

1. On 16 and 17 March, mass fish deaths occurred in the Darling River between Lake Wetherell Main Weir and Menindee town, New South Wales. The dead fish were predominantly bony herring, with some Murray cod, golden perch, and carp also affected.

On 28 March additional fish deaths in the Darling River between Menindee town and Menindee Creek were reported, including hundreds of dead golden and silver perch.

Emergency releases of oxygenated water from the Menindee Lakes are occurring to reduce the risk of further fish deaths. This water is being debited from environmental water accounts.

Monitoring by New South Wales, including water quality testing for dissolved oxygen levels and pesticides, will identify if the operations have been successful and will inform future decision-making.

Environmental water will flow directly into South Australia and will not be diverted to Lake Victoria. This is due to inlet constraints caused by flood damage, as well as accounting arrangements made with environmental water holders.

Over 200 gigalitres of environmental water will flow out of the Lower Darling, diluting water containing low dissolved oxygen and improving water quality.

Once the Lower Darling water arrives at the junction of the Darling and Murray Rivers at Wentworth, the addition of the River Murray flows will further improve water quality.

Current estimates are that dissolved oxygen levels will be 4 to 5 mg/L once the waters are mixed. This is double what was observed during the flood peak late in 2022.

In South Australia, higher flow volumes will be maintained throughout April, as environmental water releases continue to pass into the state.

Because of the additional environmental flows and mixing of water from the Darling River with water from the River Murray, it is not expected that fish kill events being experienced in New South Wales will directly impact on South Australia.

The risk of lower water quality and subsequent fish kills may increase slightly beyond April, when environmental flows are reduced, but lower temperatures typically experienced at this time of year will help mitigate these risks.

The Department of Primary Industries and Regions are continuing to monitor the event and are prepared to act in accordance with the Operational Response Plan if fish kills do occur in South Australia.

The Murray Darling Basin Authority and SA Water are assisting with monitoring water quality in South Australia.

2. The National Carp Control Plan, released November 2022, was funded by the Australian government and led by the Fisheries Research and Development Corporation, to assess the use of the carp virus as a biological control agent for reducing the impacts of carp.

Technical papers accompanying the control plan cover a range of topics, including understanding whether the carp virus could impact on other species, its effectiveness, and the social implications and views on releasing the virus.

The control plan gathered significant information and provided insights into the feasibility of the carp virus as a biocontrol agent. However, it also highlighted that uncertainties remain regarding the efficiency and effectiveness of the virus in safely removing carp from Australian waterways. All governments need to formally consider this information before deciding to proceed with this program.

As the agency responsible for managing risks and policies related to invasive species, the Department of Primary Industries and Regions, on behalf of the government of South Australia, represents the state on the Environment and Invasives Committee, National Carp Task Group.

The Carp Task Group met on 15 December 2022 and 13 February 2023 to discuss whether to further examine the potential release of the carp virus as a biocontrol agent to control carp, including the outcomes of the control plan.

The Department of Primary Industries and Regions has considered other control methods for carp. The alternatives have typically had limited effectiveness, highlighting the importance of a national approach.

3. The six members of the newly appointed Brand SA board are high calibre, passionate advocates for South Australia and its diverse regions. They reflect the make-up of our state and its regions in a far greater way than Brand SA could have ever done following its disbandment under the Marshall Liberal government in June 2019.

#### DEPUTY PREMIER STAFFING

**250 The Hon. H.M. GIROLAMO** (26 March 2023). Can the Deputy Premier provide:

1. The names, titles and salaries of departmental staff working in the Deputy Premier's office at any stage between 24 March 2022 and 22 March 2023?

2. The names, titles and salaries of ministerial staff working in the Deputy Premier's office at any stage between 24 March 2022 and 22 March 2023?

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

1. The following table lists public sector staff employed in the Deputy Premier's office at any stage between 24 March 2022 and 22 March 2023:

Title	ASO Salary Classification	Non salary benefits
Office Manager	AS08	Nil
Principal Ministerial Liaison Officer	AS07	Nil
Executive Officer	AS06	Nil
Ministerial Liaison Officer	AS06	Nil
Cabinet and Parliamentary Officer	AS05	Nil
Senior Administration and Freedom of Information Officer	AS04	Nil
Senior Business Support Officer	AS04	Nil
Business Support Officer	AS03	Nil
Business Support Officer	AS03	Nil
Business Support Officer	AS02	Nil

The following table lists staff seconded from the department to my office between 24 March 2022 and 22 March 2023.

Title	ASO Salary Classification	Non salary benefits
Business Support Officer	AS02	Nil
Freedom of Information officer	AS04	Nil
Ministerial Liaison Officer	AS06	Nil
Ministerial Liaison Officer	AS07	Nil

2. For ministerial staff employed as at 24 March 2022 the member is referred to the *Government Gazette*.

**SOUTH AUSTRALIAN SPACE INDUSTRY CENTRE PROJECTS**

**251 The Hon. H.M. GIROLAMO** (26 March 2023). Can the Minister for Defence and Space Industries provide a breakdown of projects currently being funded, supported or managed by the South Australian Space Industry Centre? (March 26)

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

A breakdown of projects currently funded, supported and/or managed by the South Australian Space Industry Centre can be obtained from state budget 2022-23 Agency Statements—Budget Paper 4, Volume 1. <https://www.statebudget.sa.gov.au/budget-papers>

**SPACE INDUSTRY EMPLOYEES**

**252 The Hon. H.M. GIROLAMO** (26 March 2023). Can the Minister for Defence and Space Industries advise:

1. How many people are directly employed in the space industry in South Australia?
2. How many people are indirectly employed in the space industry in South Australia?

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

The South Australian space sector currently represents employment of approximately 1,600 FTE.

Indirect employment numbers are not collected.

**DEFENCE SA PROJECTS**

**253 The Hon. H.M. GIROLAMO** (26 March 2023). Can the Minister for Defence and Space Industries provide a breakdown of projects currently being funded, supported or managed by Defence SA?

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

A breakdown of projects currently funded, supported and/or managed by Defence SA can be obtained from state budget 2022-23 Agency Statements—Budget Paper 4, Volume 1. <https://www.statebudget.sa.gov.au/budget-papers>

**DEFENCE INDUSTRY EMPLOYEES**

**254 The Hon. H.M. GIROLAMO** (26 March 2023). Can the Minister for Defence and Space Industries advise:

1. How many people are directly employed in the defence industry in South Australia?
2. How many people are indirectly employed in the defence industry in South Australia?

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

The defence sector (including Australian Defence Force) represents 1.7 per cent of South Australian total workforce, equating to approximately 15,000 jobs.

Indirect employment numbers are not collected.

**COASTAL MANAGEMENT**

**262 The Hon. H.M. GIROLAMO** (26 March 2023). Can the Minister for Climate, Water and the Environment advise:

Which minister has oversight in relation to coastal management decisions and beach replenishment activities in South Australia excluding the scientific review underway?

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

I refer the honourable member to my previous answers on this matter.

**AUSTRALIAN EDUCATION UNION**

**265 The Hon. H.M. GIROLAMO** (26 March 2023). Can the Minister for Human Services, advise:

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 of Human Services to the Australian Education Union (SA Branch)?

2. In the 2022-23 budget what funding or grants were provided to the Australian Education Union (SA Branch)?

3. List the programs and services and the funding amount provided by the Australian Education Union (SA Branch) with funding from the Department of Human Services in 2022-23?

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

1. Nil
2. None
3. None

#### SKYCITY ADELAIDE

In reply to **the Hon. C. BONAROS** (2 November 2022).

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

The government has noted the comments made by the chair of SkyCity Adelaide at its recent AGM of shareholders.

Any allegations of breaches of anti-money laundering and counter-terrorism financing rules and corporate governance failures are of considerable concern to the government and are being taken very seriously.

The Liquor and Gambling Commissioner has met with AUSTRAC during its investigation.

In accordance with Part 11 of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth), I am prevented from disclosing the detail of these meetings held with AUSTRAC.

The investigation by AUSTRAC is limited to SkyCity's compliance with commonwealth anti-money laundering and counter-terrorism financing laws.

The investigation by Hon. Brian Martin KC is being undertaken on behalf of the Liquor and Gambling Commissioner and in accordance with his terms of reference:

In answer to part 4 of the honourable member's question, if SkyCity Adelaide is found to be in breach of the casino licence or found to be not suitable to hold the casino licence, the commissioner currently has available a range of options available to him in including powers to:

- issue a compliance notice
- issue a default notice
- issue a reprimand, fine or give directions to the winding up of operations
- suspend the licence
- cancel the licence.

#### RENTER BACKGROUND CHECKS

In reply to **the Hon. R.A. SIMMS** (3 November 2022).

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

The Minister for Consumer and Business Affairs is concerned to hear about the practice of requiring renters to pay for their own background checks in order to receive a five-star rating when applying for a home.

The Minister for Consumer and Business Affairs has asked the Commissioner for Consumer Affairs for further information on this matter, including whether this conduct is prohibited under current provisions in the Residential Tenancies Act 1995 and if it is not, whether legislative amendment is required in this area.

The upcoming review of the Residential Tenancies Act 1995 will present an opportunity to examine the residential tenancies sector and ensure the fair treatment of tenants by third-party organisations.

#### 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.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

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

**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 (WCHN) advised the Office of the Minister for Health and Wellbeing about the decisions of the Royal Australasian College of Physicians.

Affected staff have been informed and work is already underway towards addressing the concerns raised.

Associate Professor Christine Dennis has recently been approved as the new chair of the Women's and Children's Health Network governing board. The minister has asked the new chair to review the clinical governance and engagement in the network.

We know that improvements are needed at the Women's and Children's Hospital and across our health system, which was neglected for years by the former Liberal government.

That's why we have committed \$31.6 million for 48 extra doctors for the Women's and Children's Hospital, including 17 senior specialists.

The commitment is part of a broader pledge to inject an extra 100 doctors across our hospitals, as part of our record investment into the health system.

Our government takes these matters seriously and will work collaboratively with WCHN and the college to ensure the recommendations are being addressed.

#### **AUTISM**

In reply to **the Hon. L.A. HENDERSON** (9 February 2023).

**The Hon. E.S. BOURKE:** I am advised that this personal matter has been managed directly with the family. Where members of the autistic and autism communities require support, I am happy to be contacted directly.

#### **AUTISM**

In reply to **the Hon. H.M. GIROLAMO** (9 February 2023).

**The Hon. E.S. BOURKE:** The Minister for Education has advised the current grant agreement between the Department for Education and Autism SA commenced in January 2022 and expires in December 2024. The department does not intend to change the current funding and service model within the term of the current agreement.

#### **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.



**CHILD PROTECTION**

In reply to **the Hon. J.M.A. LENSINK** (21 February).

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

I have not been briefed by my department in relation to this issue specifically.

I have received briefings from my department in relation to the use and authorisation of restrictive practices generally in South Australia.

**LOCAL GOVERNMENT ELECTIONS**

In reply to **the Hon. F. PANGALLO** (22 February 2023).

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

The Local Government (Elections) Act 1999 (the act) provides a process where council vacancies within the first 12 months of the periodic election can be filled by a re-count process. The act sets out the specific situations where this can occur.

Under the act, the re-count process cannot be used to fill vacancies in principal member positions (mayors), and it also cannot be used when an election was uncontested.

Therefore, it appears that at least 14 vacancies may require a supplementary election to fill the vacant position, as the re-count process would not be applicable. These elections could cost around \$7,000 to \$40,000, depending on the size of the council, with a total estimated cost in the order of \$240,000.

Considering this, it is the South Australian government's view that it is not acceptable that communities and ratepayers bear the trouble and the cost of replacing a large number of council member positions. Accordingly, specific legislation has been developed to address all 45 vacancies created through members' failures to lodge their campaign donations returns.

**AUTISM SA**

In reply to **the Hon. H.M. GIROLAMO** (22 February 2023).

**The Hon. E.S. BOURKE:** Autism SA has advised they receive funding from the Department of Human Services, the Department for Education and the Department for Child Protection.

I am advised that funding to Autism SA from the Department for Education has been detailed to the Legislative Council on 2 February 2023 and I direct the honourable member to *Hansard* for further detail.

The Minister for Human Services has advised:

1. Funding from the Department of Human Services to Autism SA was \$310,000 (excl. GST) in 2021-22 for the autism diagnostic service. A contract extension was executed that included identical diagnostic funding for 2022-23. In 2022-23, Autism SA has also been funded \$43,725.81 under the voluntary out of home care pathway.

2. An autism strategy is being developed in consultation with the autistic and autism communities that will inform future arrangements.

I am advised that funding to Autism SA from the Department for Child Protection has been detailed to the Legislative Council on 21 March 2023 and I direct the honourable member to *Hansard* for further detail.

**SILICOSIS**

In reply to **the Hon. C. BONAROS** (22 February 2023).

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

1. From 1 October 2020 to 1 April 2021, SafeWork SA undertook a compliance campaign focused on respirable crystalline silica (RCS) in the fabrication, construction, and mining industries. Inspectors conducted 199 site visits and 71 compliance audits.

During the last three years SafeWork SA has undertaken 26 investigations after receiving complaints and notifiable incidents relating to the risk of exposure to RCS. There were also several other routine inspections relating to other matters where inspectors determined that a potential risk to RCS was detected.

2. The RCS campaign resulted in a total of 102 statutory notices being issued where breaches of the work health and safety legislation were identified, consisting of 95 improvement notices and seven prohibition notices.

The largest area of noncompliance identified in the campaign was the failure to conduct air monitoring to determine the airborne concentration of substances or mixtures to which a workplace exposure limit applies. Identifying the hazards of RCS and implementing appropriate control measures were other main areas of noncompliance.

The reactive and routine investigations resulted in 13 prohibition notices and 43 improvement notices being issued. These notices related to safe work method statements; air monitoring; respiratory and personal protective equipment; maintenance of control measures for silica whilst undertaking concrete cutting; and training.

#### **ABORIGINAL CHILDREN AND YOUNG PEOPLE IN CARE**

In reply to **the Hon. S.L. GAME** (22 February 2023).

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

1. The Coroner is yet to hand down his report into the death of Zhane Chilcott. The timing of the report's release is a matter for the Coroner. The Department for Child Protection cannot intervene in the Coroner's inquest.

2. The Department for Child Protection (DCP) has taken action in response to Zhane's death from the time it occurred in 2016. While the report of the Coroner is likely to include recommendations for additional action, the department does not wait for a Coroner's report before making improvements to systems, policies or practice when a child in care dies or is seriously injured.

DCP has an adverse events review process that identifies important learnings from adverse events relating to a child or young person in care and identifies opportunities for improvement.

#### **MOUNT BARKER RAILWAY**

In reply to **the Hon. F. PANGALLO** (22 February 2023).

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

Yes. A decision has already been made to provide in principle support for the trial, which included providing a letter of support.

#### **SOUTH AUSTRALIAN JOBS**

In reply to **the Hon. L.A. HENDERSON** (22 February 2023).

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

The labour market in South Australia has never been stronger.

South Australia's unemployment rate has never been lower at 3.8 per cent, in seasonally adjusted terms. This was equal with Queensland and lower than Western Australia and the Northern Territory.

There are now a record 936,000 people employed in South Australia, in seasonally adjusted terms. This is up 4,400 from the previous month and almost 28,000 from when the Malinauskas government came to office.

Of these, 936,000 jobs, 614,200 are full time. This is also a record high and almost 16,000 higher than at the time of the March 2022 state election.

This record high employment and record low unemployment rate remarkably coincided with a labour force increase in participation in the month of 2,500 people to bring the participation rate to 63.8 per cent.

Impressively, population growth in South Australia is also at near record highs. In the year to the September quarter 2022, South Australia's population increased by over 25,000 in just one year. This was the second highest annual increase in population on record.

The increase over the year means the population grew by 1.4 per cent. This was a significantly higher annual rate of growth in population than what was seen in the previous three population releases, which either mostly or wholly covered the term of the previous government.

The main drivers of this near record annual growth in population were net overseas migration and net interstate migration. 19,562 people moved to South Australia from overseas over the year, the highest on record. Net interstate migration was 1,438, the second highest on record, and the highest since the year to June 1991.

The year to the September quarter recorded a substantial fall in the natural increase in the population, which hit its lowest ever annual increase on record of 4,196. Potentially explaining this result is that September was approximately nine months on from the December/January period when restrictions were reimposed on the community following the border reopening by the previous government.

The Malinauskas government is committed to a range of policies to support the economy and job creation in South Australia, as articulated in the lead-up to the recent state election.

We are also delivering on key election commitments that will create jobs, including construction of a new hydrogen electrolyser and one of the world's largest hydrogen plants to support the transition to renewable energy and sustainable jobs in the state, and unlock jobs in the renewable energy pipeline across South Australia.

The 2022-23 budget set aside nearly \$900 million over five years for new initiatives on jobs and the economy. Some of the initiatives we are undertaking include boosting tourism marketing, support for major events, contributing to the establishment of a space manufacturing hub and support for manufacturing innovation.

In addition to our election commitments to support and create jobs such as, the Premier had been actively lobbying to secure last week's announcement of Australia's nuclear submarine program finding its home in South Australia.

South Australia will be the home of Australian nuclear-powered submarine construction, delivering the single greatest upgrade for our defence capability starting this year.

South Australian industry will see a transformational step change in industrial capability and capacity uplift.

This will be one of our country's Australia's greatest industrial undertakings.

The submarine construction yard created for the build of our next generation nuclear-powered submarines will be almost three times larger than the yard forecast for the attack class program.

At its peak, up to 4,000 workers will be employed to design and build the infrastructure for the submarine construction yard.

A further 4,000 to 5,500 direct shipyard jobs are expected to be created to build nuclear-powered submarines in South Australia when the program reaches its peak. This does not include the additional jobs created in the supply chain for the construction or sustainment of submarines.

This is double the workforce forecast by the former government for the attack class program, which will have flow-on effects to the entire South Australian economy, including the building industry.

The Premier has taken singular responsibility for direct engagement with the Prime Minister and the defence minister to lock in the AUKUS investment and the opportunities it presents for our state.

Infrastructure development will be a key support to the economy and job creation over this period of government. Large projects that lead our infrastructure agenda include the north-south corridor upgrade, the new Women's and Children's Hospital, as well as numerous other road and hospital upgrades.

The government will also build five new technical colleges across the state, to ensure South Australians are equipped with the skills to take up jobs in industries currently facing shortages.

South Australia has, for a long time, seen some of its youngest and brightest leaving the state for opportunities interstate or abroad. More recently, however, we have seen changes in patterns of interstate migration with record positive net inflows while interstate and international borders have been fully open. The increasing diversity of the state's employment opportunities and our improving lifestyle choices, which include the expanding food and arts sector, have helped in this regard.

We are increasing what young people here and interstate know about the types of careers and lifestyle available through the New State of Mind campaign, which has increased South Australia's appeal—openness to move to South Australia increased by 8 per cent (from 38 per cent to 46 per cent), which is the greatest increase across all states/territories, and Adelaide's ranking as preferred place to live has jumped from 8<sup>th</sup> to 4<sup>th</sup> place.

Migrants are an essential part of our skills mix, and we are committed to ensuring culturally appropriate settlement services to migrants to our state so they can build their lives here as important contributors to our society. We are also backing it with the numerous initiatives I have outlined on jobs and the economy.

Our recently announced plan—A Better Housing Future—provides an immediate response to the significant pressures currently being experienced by many homebuyers and renters in the state. The plan, which includes the single largest release of residential land in the state's history, delivery of more affordable housing, and tax concessions to promote new housing activity, will provide substantial additional future housing capacity for those who want to live and work in South Australia.

Since coming to government, South Australian economy has improved markedly, indicating the increased confidence of South Australians in the economy.

The previous government left significant uncertainty within the South Australian economy through their mishandling of the border opening and the disastrous land tax changes.

Despite the global economy coming into an increasingly uncertain period, our economy and labour force approach this period from a position that has never been stronger.

#### **AUTISM SA**

In reply to **the Hon. J.S. LEE (Deputy Leader of the Opposition)** (23 February 2023).

**The Hon. E.S. BOURKE:** Again, Autism SA has advised they receive funding from the Department of Human Services, the Department for Education and the Department for Child Protection.

I am also advised by the Minister for Education there has been no reduction in funding to Autism SA from the Department for Education since agreements were executed in early 2022 and no changes are planned within their term of contracts.

The Minister for Human Services has advised that funding from the Department of Human Services to Autism SA was \$310,000 (excl. GST) in 2021-22 for the autism diagnostic service. A contract extension was executed that included identical diagnostic funding for 2022-23. In 2022-23, Autism SA has also been funded \$43,725.81 under the voluntary out of home care pathway.

I am also advised that funding to Autism SA from the Department of Child Protection has been detailed to the Legislative Council on 21 March 2023 and I direct the honourable member to *Hansard* for further detail.

#### TENNIS AUSTRALIA AND CHILD LABOUR LAWS

In reply to **the Hon. T.A. FRANKS** (23 February 2023).

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

The industrial rights and entitlements of workers in the private sector, including in relation to youth wages, fall under the national industrial relations system governed by the commonwealth Fair Work Act 2009. If there are concerns about an underpayment of wages these should be directed to the commonwealth Fair Work Ombudsman.

Noting that some Tennis Australia events have run late into the evening, young workers (including volunteers) are covered by the state Work Health and Safety Act 2012 which requires organisations to ensure their health and safety as far as reasonably practicable.

The commonwealth parliament is currently considering whether to ratify the International Labour Organization's Minimum Age Convention 1973. The Malinauskas government will consider what reform may be required pending the outcome of that process.

#### EYRE PENINSULA DESALINATION PROJECT

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (7 March 2023).

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

I have received the letters referred to by the member and have responded. In response to your other questions, please refer to the answers I provided the chamber in response to your question on 21 March 2023.

#### SA COURTS SYSTEM DELAYS

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

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** My response to this question is confined to the trials listed in the superior courts (the District and Supreme Courts). These are the matters which are the most serious, and which generally involve the most complex and long-lasting trials. I have also limited my response to criminal matters, given that the honourable member's question arose in the context of an applicant for bail.

Further, I have assumed that the honourable member's question concerns the time between arraignment in the higher court and the date on which trials are to commence.

I am advised by the Courts Administration Authority that, as at 16 March 2023 there were 53 criminal matters in which the trial is listed to commence 12 or more months from that date. All of those matters are before the District Court.

I am advised that there are many reasons why trials might not be capable of listing within 12 months of the date of arraignment. The Chief Justice mentioned some of these in the decision to which the honourable member referred. They include the availability of counsel and witnesses (sometimes including forensic or other expert witnesses); and the need for the trial to be listed for days or weeks, depending on the complexity and volume of the material to be presented.

#### SA COURTS SYSTEM DELAYS

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

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** I thank the honourable member for his question on the important issue of the support available to victims of crime as their matter progresses through the criminal justice system, particularly in relation to matters in which there is a delay while the matter awaits trial. Some of the support services available are provided by

the South Australia Police, which is obviously not within my portfolio. I will address some of those services in this response though, for the sake of completeness.

While there is always some time between the commencement of criminal proceedings and a trial, I am informed that the delays are often most significant in the higher courts, where the issues are generally more complex and the trial duration is longer. Those trials typically involve major indictable charges, which are prosecuted by the Office of the Director of Public Prosecutions. That office has a well-established witness assistance team, which comprises a group of highly skilled specialists who provide trauma-informed support for victims. This team liaises with the solicitors and prosecutors handling the case, to ensure that they have the most current information about the proceedings, to pass onto the victims. Their role is also to help victims (and those who support them) to understand the legal system and what to expect in terms of timeframes. They are also able to refer victims to external support service providers who can provide counselling and other services to those victims.

The South Australia Police includes victim contact officers, who provide support, advice and information to victims of crime. A police officer responsible for a particular investigation is also able to provide information to victims regarding their report, if the victim has told police at the time of making their report of the fact that they want to be kept informed about the case.

The Commissioner for Victims' Rights produces a number of resources to assist victims of crime, which are freely available on their website. One of those resources is a link to the South Australia Police website, where victims can enter a police report number and report date to see the status of their crime report.

The Victims Support Service facilitates access to support at court for victims and vulnerable witnesses who need to give evidence before courts once their matter gets to trial, through the Court Companion Program.

#### SA COURTS SYSTEM DELAYS

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

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** I have not been advised of any increase in the number of defendants on remand awaiting trial applying for bail, since the Supreme Court decision was delivered.

Bail authorities (including courts and police officers of certain seniority) are well placed to properly consider the relevant factors in determining whether a defendant should be granted bail. The exercise of this discretion will be made especially carefully in the case of prescribed applicants, for whom the presumption in favour of bail has been displaced under the Bail Act 1985.

If South Australia Police or the Director of Public Prosecutions is especially concerned about a particular defendant being granted bail, then there is an avenue to review that decision to the Supreme Court.

#### TIKTOK APP

In reply to **the Hon. D.G.E. HOOD** (7 March 2023).

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

1. The government is regularly briefed on national security matters.
2. It is not appropriate to comment further on specific state security matters.
3. This is a long-standing principle across Australia under successive governments of both political affiliation.

#### ATTORNEY-GENERAL'S DEPARTMENT

In reply to **the Hon. J.M.A. LENSINK** (7 March 2023).

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** I am advised that the answers to the honourable member's questions are:

1. 24.8 FTE.
2. 21.4 FTE.

These answers include policy staff across the Attorney-General's Department in administrative units which were in the department both prior to and following the 2022 state election. I have not included the policy officers in business units that they were not within the Attorney-General's Department under the previous government.

With respect to legislation, I note that many of the legislative reform proposals of the former Liberal government required significant amendment or revision prior to introduction to the Fifty-Fifth Parliament. In addition, I have introduced many bills which are new policy initiatives of the Malinauskas Labor government.

I thank all the staff who are working hard to implement the policy platform of the Malinauskas Labor government, which was comprehensively endorsed by South Australians at the last state election.

### CONVICTED ARSONISTS

In reply to **the Hon. C. BONAROS** (8 March 2023).

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

SAPOL are pursuing applications under the new legislation, which are yet to be put before the court.

This new legislation will work alongside current Operation Nomad methodologies to further reduce the risk of a person reoffending and causing widespread damage to property, potential injury and death, and interruption to business.

Implementation of this legislation is anticipated to reduce police resources in monitoring monitored bushfire offenders and emergency services resources responding to bushfires.

### REGIONAL RAIL

In reply to **the Hon. R.A. SIMMS** (8 March 2023).

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

The reactivation of regional rail is supported, where there is evidence that it sustainably meets a defined service requirement. Viterra and Aurizon's current investigation of Eyre Peninsula rail is an example of investigating rail, as part of a defined supply chain solution.

The Department for Infrastructure and Transport is assisting Viterra and Aurizon in their investigations and look forward to the outcome of their assessment and business case.

### LIVE SHEEP EXPORT

In reply to **the Hon. T.A. FRANKS** (8 March 2023).

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

The inquiry was initiated within the context of the live export trade in South Australia. It investigated how South Australian industries would be affected by industry changes, to ensure the South Australian industry remained strong and robust if live sheep export were banned or restricted at a federal level. The report on the inquiry into South Australian livestock industries was tabled in the House of Assembly and ordered to be published on 4 December 2019.

While a federal ban on live sheep export did not proceed, the South Australian sheep industry has remained strong and does not rely on the live export trade. There has been no consignments of live sheep exported by sea from a South Australian port since 2018.

The South Australian government works closely with the livestock industry, collaborating and assisting in identifying opportunities and addressing challenges. The government supports initiatives that will assist South Australia's livestock industries to achieve their strategic goals, implement innovation and support the development of premium product offerings.

The South Australian government also continues to support the enforcement of animal welfare laws that apply within South Australia while the Australian government continues to respond to emerging issues and set policy directions at the national level.

### POLICE COMPLAINTS

In reply to **the Hon. T.A. FRANKS** (8 March 2023).

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

SAPOL advised that the police commissioner is authorised to disclose this particular information under section 45(1) of the Police Complaints and Discipline Act 2016 (PCDA) and the PCDA does not set out any 'formal process' for authorising the disclosure of information under this section.

### 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:

Yes, SARDI's research and modelling work involved consultation with the aquaculture and fishing industries.

Initial consultation was undertaken through the SA Water-led stakeholder engagement process which included SARDI participation at SA Water Industry Reference Group meetings and the SA Water Stakeholder Risk Assessment Workshop.

Following this, consultation with Industry was undertaken through the site selection committee and independent Marine Science Review Panel established by SA Water.

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

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (9 March 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** Refer to answers given during question time on 21 March 2023.

#### **FORESTRY INDUSTRY**

In reply to **the Hon. R.A. SIMMS** (21 March 2023).

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

The scale of the issue requires a coordinated effort between government, industry and other stakeholders. A leadership group has been established to coordinate blue gum wildling control efforts across state government, involving staff from Department for Environment and Water, Landscape South Australia (Kangaroo Island) and Department of Primary Industries and Regions. I am advised that the Department for Environment and Water are working with Landscape South Australia (Kangaroo Island) to ensure industry are aware of their responsibilities under the Landscape Act 2019.

The Department of Primary Industries and Regions supports Landscape South Australia (Kangaroo Island) by publishing information on the internet that informs industry of their responsibilities in managing blue gum wildlings and that this is enforceable under the Landscape Act (2019). Landscape South Australia (Kangaroo Island) are responsible for weed control compliance.

#### **ROYAL AGRICULTURAL AND HORTICULTURAL SOCIETY OF SOUTH AUSTRALIA**

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (22 March 2023).

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

That the Department of Primary Industries and Regions (PIRSA) has partnered with the Royal Agricultural and Horticultural Society for many years and maintains close collaboration, most obviously through both a sponsorship of the Royal Adelaide Show and the provision of animal health and welfare services for the show.

PIRSA concluded its most recent sponsorship last year and is currently working with the society on its next four-year sponsorship package.

In addition to educating generations about primary industries and the importance of agriculture, PIRSA and the society work closely to ensure animal welfare, with veterinarians and animal health staff working with RAHS staff to ensure the treatment and welfare of animals is foremost.

PIRSA worked closely with the society in 2022 with the heightened biosecurity threats of foot-and-mouth and lumpy skin disease, utilising their critical partnership to educate exhibitors as well as the general public to these threats, preventative measures and why this is so important.

More generally, biosecurity awareness and education are an important component of PIRSA and the society's partnership with public activities and shared communications emphasising threats to agriculture and primary industries in South Australia.

The partnership between government and the society also enables greater industry collaboration with networking opportunities for primary industries offered throughout the duration of the show and also with events such as the hosting of country cabinet at the Royal Adelaide Show each year.

Further to the Royal Adelaide Show, PIRSA provides annual sponsorship for the Rural Ambassadors and Young Rural Ambassadors programs run through the society in South Australia. These ambassadors programs recognise and encourage people who are leaders in the agricultural and show movement enabling them to develop even closer links with primary industries in our state.

#### **MOBILE PHONE DETECTION CAMERAS**

In reply to **the Hon. D.G.E. HOOD** (23 March 2023).

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

1. The mobile phone detection camera road safety initiative is currently at tender stage by the Department for Infrastructure and Transport, and a trial is being conducted with two potential camera suppliers before a specific technology is procured.

2. Privacy will be protected as per current South Australia Police practice with the use of any images and information obtained from speed and red-light cameras.

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#### **DOWNY AND POWDERY MILDEWS**

In reply to **the Hon. S.L. GAME** (23 March 2023).

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries):** I am advised that persistent wet growing conditions across South Australia, and indeed, around the country, have created a deficit in supply of chemicals used to treat fungal infection in vineyards resulting in widespread blooms of downy and powdery mildew. This is compounded by the increase in cost of chemicals which have been driven up by the global freight crisis.

There are no plans to directly compensate primary producers for the treatment of their vines, however we are working hard to support the grape and wine sector to build resilience into their supply chain.

A few weeks ago, federal Minister for Agriculture, Forestry and Fisheries, Senator the Hon. Murray Watt and I jointly announced an extension of the Farm Business Resilience Program to South Australian grapegrowers, with pilot programs scheduled for the Riverland, in the South-East and in Langhorne Creek.

Grapegrowers can access subsidised learning and development opportunities in strategic business management, farm risk management and decision-making, natural resource management, and personal and social resilience valued at up to \$10,000 which is all designed to make their farms more resilient to the impacts of things like mildew outbreak. Grapegrowers are encouraged to contact the Wine Grape Council of South Australia to register their interest.

Other programs that PIRSA are leading which are specifically designed to increase resilience into the wine industry value chain include the recent opening of the government funded \$1.98 million No and Low Alcohol Wine Trial Scale Research Facility at the University of Adelaide's Waite Campus. The facility will support South Australian wineries to undertake new product development to meet the growing global consumer demand for no and low alcohol wine.

As a direct response to the oversupply, high input costs and falling grape prices, the government has provided a \$100,000 grant to Riverland Wine to undertake a 10-year strategic planning process to deliver the Riverland Wine Industry Blueprint.