

LEGISLATIVE COUNCIL**Tuesday, 13 June 2023**

The PRESIDENT (Hon. T.J. Stephens) took the chair at 14:17 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***SUMMARY OFFENCES (OBSTRUCTION OF PUBLIC PLACES) AMENDMENT BILL***Assent*

Her Excellency the Governor assented to the bill.

CRIMINAL LAW CONSOLIDATION (CHILD SEXUAL ABUSE) AMENDMENT BILL*Assent*

Her Excellency the Governor assented to the bill.

EQUAL OPPORTUNITY (DOMESTIC ABUSE) 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*.

*Parliamentary Committees***ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE**

The Hon. T.T. NGO (14:21): I bring up the final report of the committee on its inquiry into Aboriginal heritage.

Report received and ordered to be published.

The Hon. T.T. NGO: I bring up the annual report of the committee, 2022-23.

Report received and ordered to be published.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

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

The University of Adelaide—Report, 2022

Fees Notice under Acts—

Births, Deaths and Marriages Registration Act 1996

Regulations under Acts—

Fair Trading Act 1987—Motor Vehicle Insurers and Repairers—Exemption

Public Corporations Act 1993—Adelaide Film Festival—Annual Festival

Remuneration Tribunal Report and Determination—Overseas Accommodation and Daily Allowance Australian Judicial Officers Association Annual Colloquium

State Government support for persons required to install an Automated External Defibrillator under the Automated External Defibrillators (Public Access) Act 2022

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

Reports, 2021-22—

Adelaide Hills Wine Industry Fund
Apiary Industry Fund
Barossa Wine Industry Fund
Cattle Industry Fund
Citrus Growers Fund Management Plan
Clare Valley Wine Industry Fund
Grain Industry Fund Management Plan
Grain Industry Research and Development Fund Management Plan
Langhorne Creek Wine Industry Fund
McLaren Vale Wine Industry Fund Management Plan
Pig Industry Fund
Riverland Wine Industry Fund
SA Grape Growers Industry Fund
Sheep Industry Fund

Fees Notice under Acts—

Mining Act 1971

PRESIDENT'S STATEMENT

The PRESIDENT (14:30): Members will be aware that a matter has arisen where a staff member of a Liberal member of this council had been placed on an internal email distribution list titled 'All Labor LC'. The Clerk was asked to make inquiries into the matter and has advised that through an inadvertent error made by the Parliamentary Network Support Group at the time of the creation of the account of a trainee in the office of the Hon. Mrs Henderson, the trainee's name was placed on the distribution list.

Upon notification of the trainee's inclusion on the list, PNSG immediately removed him from the list. The trainee did not request to be added to the list. No other person requested for the trainee to be added to the list. The Hon. Mrs Henderson was not aware that the trainee was placed on the list until the last sitting week.

The trainee received three emails—one in December 2022, one in January 2023, and one in February 2023—where he was not an intended recipient and as a direct result of his membership of the 'All Labor LC' distribution list. The trainee did not tell the Hon. Mrs Henderson he was on the distribution list but did report it to his then office manager. Other than one email he forwarded to his office manager in February when reporting the matter, the trainee did not forward any emails to any persons.

The Clerk has advised that the trainee has been entirely cooperative during his inquiries, notwithstanding the significant impact the matter has had on him, and he is to be commended for his transparency and cooperation.

Question Time

AMBULANCE RAMPING

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:32): I seek leave to make a brief explanation before addressing a question to the Leader of the Government regarding election promises.

Leave granted.

The Hon. N.J. CENTOFANTI: South Australians continue to endure the worst ramping in this state's history under the Malinauskas Labor government. The most recent statistics show that

May ramping figures were up once again from April and that ambulances were ramped for 2,972 hours last month. My question to the Leader of the Government is: when will the Leader of the Government in this chamber, and the Premier, deliver on their key election promise to fix ramping?

The Hon. L.A. Henderson interjecting:

The PRESIDENT: Excuse me. I will call the Attorney-General. The question wasn't asked of you, the Hon. Mrs Henderson.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:33): I thank the honourable member for her question and her continual asking of questions that relate to another minister's portfolio in another place.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: You can just imagine the conversations when the opposition is planning question time.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: I understand that almost identical questions were asked in the lower house today, sir, and you can just see the—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —opposition up here get—

Members interjecting:

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

The Hon. K.J. MAHER: I am happy to take the question on notice and refer it to the relevant minister in another place. To the extent that the question has not been answered in answers that have been given on numerous occasions, I will seek to bring back a reply, and I thank the member for using questions continually that don't refer to anyone in this chamber.

SHEEP AND GOAT ELECTRONIC IDENTIFICATION

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:34): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development on sheep and goat electronic identification.

Leave granted.

The Hon. N.J. CENTOFANTI: In the minister's announcement on Thursday of last week for electronic identification for sheep and goats she said that despite some producers seeking exemptions from certain classes or movement, exemptions will only be granted for rangeland goats. In a radio interview about the government's rollout of the sheep and goat electronic identification, the CEO of Livestock SA said, and I quote, 'The discussion around exemptions continues.'

On the Livestock SA website, under the question, 'Will it be mandatory to tag sheep with eID that are going direct from the property of birth to the abattoir?' the answer is provided as follows:

The consultation process collected feedback from all areas of the supply chain including sheep going direct from property of birth to abattoir. This feedback has been provided to the state government who will decide on whether sheep going directly to slaughter from place of birth should be exempt from mandatory eID tagging.

Sheep going direct from the property of birth to the abattoir are currently required to have a property identification code (PIC) tag and a national vendor declaration form, which communicates the food safety and treatment status of every animal that moves along the value chain. The argument is that eID will not further improve traceability in these situations and will only add cost to the producer.

My question to the minister is: why doesn't the minister support the calls by Livestock SA and many sheep and prime lamb producers for a tag exemption for vendor bred to slaughter lambs consigned directly from the property of birth to the abattoir and will the minister grant this exemption?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:36): I thank the honourable member for her question. However, she has mischaracterised, in my opinion, the advocacy from Livestock SA.

Certainly, I have been very keen to be able to have the close engagement of Livestock SA as well as other sectors within the industry in terms of implementation of electronic identification. As we have mentioned on a number of occasions, this is an incredibly important initiative to improve livestock traceability that will assist with emergency animal disease responses should there be an outbreak in our state or, indeed, in our nation.

An important part of that is access to international markets. National consistency is considered to be a goal of eID in terms of a goal for traceability because, of course, many of our international trading partners see themselves dealing with Australia as a nation rather than individual jurisdictions. That, in fact, was a point that was raised with me last week by a producer.

The national consistency is incredibly important and the majority of states have ruled out, as far as I am aware, exemptions other than for rangeland goats, which is the situation that I am implementing here in South Australia. So rangeland goats will not be required to be mandatorily tagged for eID, but all others will. The implementation is such that from 1 January 2025, all newborn goats (or kids) and lambs will be required to be tagged with eID. From 1 January 2027, all those animals that are moving off property will be required to be tagged with eID.

As a result of that initiative, I was very pleased last week to be able to announce over \$9 million worth of funding to assist with this transition. That includes a 75 per cent subsidy for essential infrastructure across the supply chain for those who are implementing eID, as well as a tag subsidy for producers. That tag subsidy will be very important in terms of encouraging early adoption. I am very pleased to say that the response has been, on the whole, very positive. We have been able to assure producers that tags will be kept below \$1 each and the infrastructure subsidies have also been welcomed in many quarters.

SHEEP AND GOAT ELECTRONIC IDENTIFICATION

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:38): Supplementary: how will those subsidised tags improve things for producers who have lambs going direct from property of birth to the abattoir?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:39): I thank the honourable member for her supplementary question. I do feel like we have been here before. There has been ongoing consultation across industry. We have had a steering committee that has been able to look at all of these issues and come to the recommendation, which they provided to me, that there shouldn't be an exemption for direct-to-slaughter lambs. We have the Victorian experience that we have been able to draw upon. They have already implemented eID before any of the rest of the nation. So I think there is a body of evidence and a body of opinion—very overwhelming opinion—that the system as it is being implemented is the right one.

I am aware of course that there are some producers who do not necessarily agree with that. I am aware, for example, of Mr Duan Williams in the South-East, who has been very vocal on this. I have a lot of respect for Mr Williams, as indeed I do for his father, former Liberal MP for MacKillop, and it's certainly good to hear his point of view. I met with him in Mount Gambier earlier in the year. But I am also very keen to listen to the expertise and the overwhelming recommendation that I received from the steering committee, which was to roll it out in the way that has been described.

SHEEP AND GOAT ELECTRONIC IDENTIFICATION

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:40): Further supplementary: how can producers currently purchase these subsidised tags?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:40): They will be able to purchase the subsidised tags from 1 July, is the intent. However, I also announced that those who had already purchased tags from 1 January this year for this year's lambing season would receive a subsidy—in a way, a retrospective subsidy from 1 January this year.

There have been a number of producers who have been very forward thinking, who have been early adopters for electronic ID, in addition to those who have perhaps been using eID for a number of years for productivity purposes. I did announce in the package last week that that would include a subsidy for those who had already purchased. In terms of the mechanisms to do so, we are working through that with the department, and I will be able to make information very soon—

The Hon. N.J. Centofanti interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Are you finished? Thank you. We will be able to advise of the administrative arrangements in due course.

FERAL ANIMAL CONTROL

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:41): My question is to the Minister for Primary Industries and Regional Development regarding feral animal control. What new projects has the Malinauskas government committed to since coming into government to assist with feral animal control—new projects?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42): I thank the honourable member for her question. I think I have already spoken about this topic on a number of occasions, where, for example, we have had—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —new funding to extend programs, for example, for the important feral pigs initiative on Kangaroo Island.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: In fact, I am very pleased to be able to talk about Kangaroo Island, given that I was there just last Friday.

The Hon. K.J. Maher: Really?

The Hon. N.J. CENTOFANTI: Point of order, Mr President.

The Hon. C.M. SCRIVEN: Yes, just last Friday on Kangaroo Island to celebrate—

The PRESIDENT: Order! I have a point of order that I will listen to.

The Hon. N.J. CENTOFANTI: The minister is talking about extension of programs. I asked the minister specifically about new programs.

Members interjecting:

The PRESIDENT: Order! There is no point of order. I am sure the minister will address the substance of the question.

The Hon. C.M. SCRIVEN: As I mentioned, there was new funding to extend the program on Kangaroo Island because it's a really important program. Members may recall that prior to the terrible bushfires in 2019-20 there was estimated to be between 5,000 and 10,000 feral pigs on Kangaroo Island, and the destruction that they cause not only to agricultural production but also to the environment is incredibly important.

Members interjecting:

The Hon. C.M. SCRIVEN: I note the interjections of those opposite, where they obviously didn't provide adequate funding to complete the program. They provided a couple of years' funding, but they didn't provide adequate funding for the program to be completed. The additional funding that the Malinauskas Labor government has announced will enable that program to continue to ensure that those last few pigs, which are now down to four or fewer—so from 5,000 to 10,000 prior to the fires, down to an estimated number of less than four now, which is incredibly important. So the ongoing surveillance and the ongoing certification in terms of making sure that those final few pigs are eradicated is going to be enabled because of the additional funding that the Malinauskas Labor government has provided.

I have spoken on a number of occasions about other feral pest control programs, and I would refer members to my previous answers on those topics.

FERAL ANIMAL CONTROL

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:44): Supplementary: what is the minister's government doing to ensure that feral animal populations are controlled in the event of an exotic disease incursion?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:44): Certainly, that was an issue that was raised last year not only when there was the increased threat of foot-and-mouth disease but also when we announced the increased funding, the over \$6 million of funding which was announced towards the end of last year, for assistance to address the possibility of an emergency animal disease.

Some of that funding is provided for a range of different traceability issues, and certainly there has been work continuing. We do a lot of feral animal control in conjunction with the landscape boards, and they have been doing an excellent job. For example, with the feral deer in the South-East, I have been very pleased to meet with them as well about the issue and to see some of the improvements that we have made to programs.

The aerial culling, of course, is an important part of that. I was able to see that both when I was in the South-East looking at the deer culling and also last Friday when I was on Kangaroo Island to celebrate the excellent work that people have done there, not only in terms of the feral pigs but also in terms of some weed eradication programs, among others.

So we have done some very forward-thinking things. I'm very glad that we have been able to continue to build on those programs. Addressing the issues around feral disease control is really important now, because it's not only addressing the issues we have now but also preparing our state in the event of an emergency animal disease outbreak.

NAUO NATIVE TITLE CLAIMS

The Hon. I. PNEVMATIKOS (14:46): My question is to the Attorney-General. Will the minister inform the council about the resolution of the Nauo native title claims?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:46): I thank the honourable member for her question and it would be my pleasure to inform the chamber of the resolution of these native title claims. There have been other native title claims in that part of the world, Eyre Peninsula, that have been finalised in recent times, and I'm pleased to report to the council that the Nauo No. 1 and Nauo No. 4 native title claims were resolved by consent determination on Monday 5 May this year.

The Nauo claims are located on the south-western coast of Eyre Peninsula and include areas around the town of Coffin Bay and waters generally out to 10 metres seaward of the lowest astronomical tide. A native title trial was listed in the Federal Court for August 2021; however, after the Nauo applicants engaged in mediation and negotiation conducted by the Federal Court registry with the state and the commonwealth, the parties agreed to work towards a consent determination.

The terms of the proposed settlement have been actively negotiated between the key parties to the claims. In addition to the state and applicants (the principal parties), the commonwealth government, local government parties, Telstra, SA Power Networks and commercial fishing interests have been involved.

As I have said before in this place and on past occasions, Eyre Peninsula is noted as an area of a number of recorded violent incidents during colonisation in our frontier history, with settlement causing significant disruption to local Aboriginal people. From the mid 19th century there was likely extensive movement of Aboriginal people around the West Coast between settlements such as today's Streaky Bay, Port Lincoln and inland pastoral leases. In the late 1800s, the spread of cultivated areas also significantly affected Aboriginal people who are the subject of the area in this claim.

The connection to country that Nauo people have maintained in the face of such recent upheaval is testament to their tenacity and perseverance and the strength of their Aboriginal culture. The consent determination, which proceeded with the agreement of all parties, results in the formal recognition of the traditional and continuing relationship which the Nauo people have with this part of the country. It is recognition in Australian law of the important relationship with the land and the rights and interests held by the Nauo people as holders of native title in this area.

On the morning of 15 May this year, the Federal Court convened on the lawns near the Coffin Bay Yacht Club to make the formal determination in the Nauo No. 1 and No. 4 claims that concluded with the proceedings that were commenced in excess of 25 years ago. In addition to the consent orders being made by the Federal Court on behalf of the state, there is an Indigenous land use agreement entered into with Nauo giving certainty to existing interests and providing a simpler process for managing future land use. Together, the two determination areas cover an area of approximately 7½ thousand square kilometres of land and waters in the south-west of Eyre Peninsula.

The consent determination formally recognises traditional lands and the continuing relationship the Nauo people have with this part of the world. Up until Monday 15 May, the Nauo claim was the oldest native title claim still unresolved in South Australia. Justice O'Bryan recognised the efforts of the applicants and their legal representatives over such a long period and acknowledged the efforts of the respondent parties, including the state, commonwealth and local governments.

In making the determination on Monday 15 May this year Justice O'Bryan addressed a large crowd of people, many of whom were Nauo native title holders and others who included representatives of both the applicant and respondents in these matters. I am pleased to say that what was, up until last month, the oldest unresolved native title claim in the state has now been resolved by consent, and I particularly want to acknowledge and thank the people of the Nauo nation for their perseverance in working towards the resolution we saw.

PROTECTION OF PRIVATE COMMUNICATIONS

The Hon. R.A. SIMMS (14:50): I seek leave to make a brief explanation before addressing a question to the Attorney-General on the topic of protection of private communications.

Leave granted.

The Hon. R.A. SIMMS: On Saturday, the Adelaide *Advertiser* published an article on its front page under the heading, 'Cash, sex and frock'n'roll', where it revealed that a church leader had been—and I quote directly from the article—"living a double life, meeting men on gay sex app Grindr'. The article features screenshots of private messages sent by the app between the man and other men.

My question to the Attorney-General is: can the Attorney-General advise what protections exist for South Australians communicating on dating apps and social media apps, and are there any laws in place that prohibit the sharing of private messages and photos to third parties?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:51): I thank the honourable member for his questions; they are good questions. I will take on notice to bring back a more complete and fuller answer but telecommunications, or communications by electronic methods, are, I am pretty sure, the sole province of the commonwealth in terms of regulation. That will be part of the answer I will have to take on notice.

In terms of dating apps, I think my colleague in the other place the member for Reynell, Minister Katrine Hillyard, has attended at least one national forum on some of the difficulties with online dating apps and how issues surrounding them work. Again, I am happy to take on notice to bring back a fuller answer. Under South Australian law and offences created under the Summary Offences Act in terms of sharing invasive images, I don't think that extends to messages that might be covered by commonwealth telecommunications, but I am happy to have a look at that and take it on notice.

I have been to forums with my own teenage children, run by Sonya Ryan and others, and it does highlight the dangers faced with modern methods of communication. Once someone communicates on these sorts of apps, whether they are dating apps or apps generally, one tends to lose control of where they end up. Modern technology has made our life very easy in many ways, but it has created certain difficulties that people may not think about at the time.

It is a good question. I am aware of some of the areas, but I will take it on notice to bring back a fuller answer for the honourable member.

PROTECTION OF PRIVATE COMMUNICATIONS

The Hon. R.A. SIMMS (14:53): Supplementary: noting the minister's response, is the government considering further reform in this area?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:53): I thank the honourable member. There is work being done at a national level on privacy more generally, and I know the honourable member's colleague has talked about that, particularly in terms of facial recognition. We will continue to be a part of that federal work in terms of privacy generally.

ABORIGINAL EDUCATION STRATEGY

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:54): I seek leave to make a brief explanation before asking a question of the Minister for Aboriginal Affairs about Aboriginal children.

Leave granted.

The Hon. J.S. LEE: After extensive consultation, in 2018 the South Australian Liberal government developed the Aboriginal Education Strategy in order to support Aboriginal students in reaching their full potential. The strategy has the following key objectives:

1. To increase opportunities for children and young people across South Australia to engage in Aboriginal languages;
2. To create learning environments that respond to students' cultural needs; and
3. To develop detailed individual learning plans for Aboriginal learners at South Australian schools.

My questions to the Minister for Aboriginal Affairs are:

1. What direct advocacy work has the minister engaged in with the education minister to ensure that the strategy will be fully implemented?
2. Does the minister know how many Aboriginal children have benefitted from the Aboriginal Education Strategy?
3. How many detailed learning plans for Aboriginal learners were developed at South Australian schools?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:55): I thank the honourable member for her question. In relation to a Liberal Party policy, I'm not responsible for Liberal Party policies, but I do note that in the area of Aboriginal affairs many policies were brought together and just restated what departments were doing in any event as part of the work that they do. I'm not sure if this was an extension of that, in terms of the policy the honourable member is referring to.

One thing I can talk about in Aboriginal education that I have had extensive representations from the Aboriginal community and discussions with my colleague about is in relation to an exceptionally important institution of Aboriginal education, and that is Tauondi college in this state.

Tauondi turns 50 years old this year and for generations has been providing excellent educational services to Aboriginal people in this state. It was something that the former Liberal government completely and utterly cut block funding from—an attempt to entirely defund Tauondi college and have Tauondi college work solely on a fee-for-service basis, which was an exceptionally difficult thing for an institution that might be one of only two or three of its type in the whole of this country. That was something when we were in opposition that we were opposed to.

We have done work since we have been in government for a better way to fund Tauondi. I know that the Minister for Education has provided further block funding for Tauondi, and more is being worked on in that area, so I can say that the contrast between this government and the former government in terms of areas of Aboriginal education couldn't be more stark.

AGRICULTURAL TOWN OF THE YEAR

The Hon. R.P. WORTLEY (14:57): My question is to the Minister for Primary Industries and Regional Development. Will the minister update the chamber about the 2023 AgTown of the Year competition?

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. I'm very pleased to provide an update about where the AgTown of the Year process is up to for 2023. Although it was only weeks ago that celebrations took place to commemorate Mypolonga's 2022 win after celebrations were delayed by the flooding, the process is now well underway to find the 2023 winner, with nominations received from the public for 49 different towns.

It's a fantastic representation of towns and regions across our state, covering the width and breadth of our communities, from Koolunga to Kingscote to Kingston South-East and from Loxton to Langhorne Creek. The nominees are also a great representation of small towns and larger regional centres, each with their own stories and their own important roles across all the agricultural sectors. All seven Regional Development association areas are represented, with the highest number coming from the Yorke and Mid North with 14, followed by the Fleurieu and Kangaroo Island, with 10 towns nominated in that RDA area.

The public can now vote for their favourite town, with the top 10 from the public vote being announced in early July. From there, 10 will be refined down to three and the competition will really heat up to join past winners Cleve, Pinnaroo, Kimba and of course Mypolonga, before a final winner is announced in November.

As I have said on many occasions in this chamber, regional communities are the backbone of our state, and economy and agriculture are the backbone of our regional towns and communities. The two are inextricably linked, with nearly \$30 billion in economic activity coming from our regions each year, and that supports tens of thousands of good jobs that retain people in the regions.

I will never tire of talking about ways in which we can celebrate the contributions of agriculture and regional communities, and this award is one of the best ways we can do that, not only giving due recognition for the great things that are happening in every region across the state, but more than that, as we saw with Mypolonga this year, creating a real sense of town pride along the way, which is absolutely priceless. It's a shame that those opposite think instead that that is something to laugh at.

DEFENCE SHIPBUILDING

The Hon. F. PANGALLO (15:00): I seek leave to make a brief explanation before asking the Attorney-General, representing the Premier in another place, a question about Australia's \$45 billion Hunter class frigates project.

Leave granted.

The Hon. F. PANGALLO: *The Australian* newspaper has published a story today revealing an early draft of the Defence Strategic Review called for the entire project—the largest shipbuilding enterprise in Australia's history and with nine of the frigates to be built in Adelaide—to be axed. This was amid grave concerns the project risked undermining Australia's ability to defend itself against China's navy with poorly armed and overpriced warships. However, the review team changed tack in its final report to recommend an independent external review to determine the project's future.

There have been concerns about the future of the Hunter class project, which is already running at least 18 months behind schedule, following the release of a damaging report by the Australian National Audit Office last month that revealed a host of mismanagement and misinformation that led to the British-based warships' high-risk design being chosen ahead of other more suitable frigates from Italy and Spain. My questions to the Premier are:

1. Is the state government holding crisis talks with the federal government about the future of the Hunter frigates project following the release of the Defence Strategic Review final report?
2. Will the Premier give an assurance the future of the project is secure and the planned nine frigates will continue to be built in Adelaide, and if at all?
3. Has the government held talks with BAE Systems following the release of the final report?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:02): I thank the honourable member for his questions and I will refer them to the relevant minister in another place and bring back the honourable member a reply.

CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

The Hon. J.M.A. LENSINK (15:02): I seek leave to make a brief explanation before directing a question to the Attorney-General regarding industrial relations.

Leave granted.

The Hon. J.M.A. LENSINK: There have been multiple and ongoing concerns raised in numerous states across Australia, including South Australia, about the influence and impact of the leadership of the CFMEU. There are a number of articles that question the leadership's political influence, their impact on sector competitiveness and allegations of misconduct including serious accusations of bullying, coercion and corruption. My question to the minister is: how many times has he met with the leadership of the CFMEU since coming to government, and when did he meet with them most recently?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:03): I thank the honourable member for her question and I suspect she knows the answer to these questions, having put in FOI submissions that have been answered I think on a couple of times.

From memory—and if I am dramatically wrong on this I am happy to come and correct it—there would have been somewhere in the order of half a dozen meetings that would have included members of the CFMEU, maybe more. There are often meetings with representatives of unions. I know I have had meetings as recently as the last couple of weeks that have had members of various construction unions that include unions such as the Australian Manufacturing Workers' Union, the Communications, Electrical and Plumbing Union as well as members of the CFMEU. So there would have been a number of times—at least half a dozen—where representatives of the CFMEU would have been part of larger meetings.

As the honourable member would know from responses to FOI questions, there might have been two or three meetings since coming to government where I would have met with representatives of the CFMEU—and that's not necessarily all the construction division but things like the forestry division in the South-East—to hear of concerns.

In relation to leadership of the CFMEU, I think the honourable member mentioned either by name or by position the Victorian secretary of the CFMEU, John Setka; I have never met with that individual at all in my life, and haven't since we have come to government.

An honourable member: Why not?

CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

The Hon. J.M.A. LENSINK (15:04): Indeed, why not?

The PRESIDENT: The Hon. Ms Lensink, that's a supplementary question?

The Hon. J.M.A. LENSINK: Yes; sorry, sir.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:04): I thank the honourable member for her question. Because at meetings that have been attended by various unions, I have met with representatives and industrial officers from the CFMEU who are based in South Australia.

CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

The Hon. J.M.A. LENSINK (15:05): Supplementary arising from the original answer: has the minister met with the CFMEU more than any other union?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:05): In relation to discussions I have held with union officials, I would guess that there would be—I don't have tallies—dozens and dozens of meetings or telephone calls or discussions with union leaders, and I would doubt that the CFMEU would be the union that I have met with most.

ONLINE LEGAL SERVICES

The Hon. R.B. MARTIN (15:05): My question is for the Attorney-General. Will the Attorney-General please inform the chamber about the online legal services offered by the Legal Services Commission of South Australia?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:05): I thank the honourable member for his very important question and his interest in this area. While this Monday was a public holiday, South Australians continued to have access to quality legal information through the online initiatives of the Legal Services Commission. These areas of service include amica, amica one, 24Legal, and the online Law Handbook. I have previously mentioned in this place, on the occasion of the launch of amica one, the virtues of these virtual services.

Amica and amica one are secure digital services that have been developed by National Legal Aid, and legal aid commissions, including the Legal Services Commission of South Australia. These tools assist separating couples to navigate family law processes, including property settlement and parenting arrangements. Those using amica and amica one can seek information, education and assistance where needed, using artificial intelligence technology to suggest appropriate resolutions.

Amica one is a single-user version, while amica generates a proposed division based on the user's financials and an estimate of the partner's financial situation. Both of these, amica and amica one, have been valuable services for South Australians who are separating or separated, showcasing the best of what technology can achieve, but the assistance rendered to South Australians online from the Legal Services Commission isn't limited to these tools.

Through seed funding from the Law Foundation, the Legal Services Commission's 24Legal website has been providing South Australians with reliable legal information. The 24Legal project builds upon the Legal Services Commission's longstanding delivery of legal information to members of the South Australian public. 24Legal provides accurate information on over 60 areas of law about which inquiries are commonly made, including advance care directives, bankruptcy, community titles, strata titles, elder abuse, employment laws, issues to do with pets, family law, fencing and retaining walls, intervention orders, motor vehicle accidents, neighbour disputes, powers of attorney, unclaimed goods, wills, and consumer rights.

Individuals seeking help in relation to any of these topics are guided through a series of common questions and answers in plain English around the clock. Even more comprehensively, the Legal Services Commission publishes the Law Handbook, which covers off on many topics and is an invaluable guide in South Australia in relation to the application of our laws. These services are a crucial 24/7 supplement to the Legal Services Commission's free Legal Help Line, which provides a telephone advisory service on most legal matters. Links to these online resources can be found on the Legal Services Commission's webpage, which I would encourage all interested persons to visit.

Equitable access to justice has been an important part of the legal service's work over many decades, and access to our legal system should not be the preserve of only those who can afford it. I would like to thank everyone at the Legal Services Commission who works so hard behind the scenes to ensure all South Australians have access to vital legal information when they need it and commend them on their various online initiatives.

LIV GOLF

The Hon. T.A. FRANKS (15:09): I seek leave to make a brief explanation before addressing a question to the Attorney-General, representing the Premier, on the topic of the future of South Australia's contractual arrangements with LIV Golf.

Leave granted.

The Hon. T.A. FRANKS: It was reported late last week in the media that there has been a merger purportedly between the PGA Tour and LIV Golf. The truth of the matter, however, is somewhat different. There is no PGA Tour-LIV merger. What there has been is a significant deal agreed between the PGA Tour and the people who own and fund LIV, the Public Investment Fund (PIF) of the Saudi Arabian government.

What is proposed is a new enterprise to be created as some sort of subsection to the PGA Tour, which needs to keep its current organisational structure in some guise as its non-profit status allows for things such as the player pensions. This new organisation, however, is very much for profit and is what the PIF and the European world tour have now combined into.

The combined assets of those three existing organisations, including LIV, will be valued from that point that private investors could then claim stakes in that new company. The PIF will have effectively bought into the PGA Tour and the Saudis will have a seat at the board via the head of the PIF, Yasir Al-Rumayyan. Rumayyan is the new chairman of the PIF's combined venture with the PGA Tour and it's everything they wanted from the beginning. They might not own world golf, but they will have a substantial controlling interest in it.

Where does this leave LIV? The former PGA commissioner and part of the deal, the man who was in the room where it happened, says he doesn't expect LIV Golf to continue beyond this year. Greg Norman was not in the room where the deal happened—indeed, it's been reported he was only informed about it less than half an hour before the media conference was held, yet the Premier has gone on ABC radio, assuring South Australians that the contract for the tournaments to continue, he feels, is secure. He has been reported to have been in touch with Greg Norman and others in LIV Golf. As I have just explained to the council, LIV Golf is now not the entity going forward and Greg Norman was not in the room where it happened. My questions to the Premier are:

1. What efforts has he made to ensure the continuation of his pet project of the LIV Golf tournament in Adelaide into the future?
2. Who are the signatories to the current contracts between the South Australian government and LIV Golf?
3. What efforts have been made to ensure that any investment South Australia has made believing that we will have to have put up assets to be used for the next four years for this tournament are not now losses for South Australia?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:12): I thank the honourable member for her question. I would be most happy to pass those on to the Premier in another place and bring back a reply for the honourable member.

FORENSIC SCIENCE SA

The Hon. H.M. GIROLAMO (15:12): I seek leave to make a brief explanation before asking a question of the Attorney-General on Forensic Science SA.

Leave granted.

The Hon. H.M. GIROLAMO: In the Budget and Finance Committee last year in a question regarding the facilities, Professor Wilson-Wilde said:

Our issues are varied. The mortuary has exceeded capacity, so we have an offsite facility to assist with the body storage facility. The electrical board is full, so we can no longer add additional equipment. The amount of real estate space we have in that little area within the building is exceedingly tight for the people and equipment that are required to provide the service.

It's an old building. It doesn't meet current guidelines for WHS, and that proposes difficulties with some of the staff who have come into the facility. It doesn't have a lot of the facilities that a modern building would have, so that means it's not a pleasant working space for some of our staff to work in or a pleasant operating environment. Innovation is limited because we don't have any space to adopt [new] technologies.

My questions are:

1. Could the Attorney please provide an update on the current status of Forensic SA's facilities and progress of the new building?
2. When will it be completed?
3. Have any concerns regarding the risks to staff safety and security with the current location been raised with the Attorney?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:14): I thank the honourable member for her question. I have spoken about the current Forensic Science SA's building in this place before. The lease is up sometime in the next few years and, as I have spoken about in this chamber before, options are being investigated about what might be the most appropriate home for Forensic SA into the future.

That work does continue into where, if there was a change in location, that might be and what a new facility might look like should that happen. I toured Forensic SA in recent months and was exceptionally impressed by the standard of professionalism. I know that many of the areas in which Forensic SA is involved are not just nation leading but are leaders around the globe in terms of the science that is used and how that work is done.

Certainly, there are constraints at the Divett Place location, in terms of what can be expanded and what can be added to, and they certainly form part of the work that is being done in relation to where Forensic SA might be located, should that be vacated at the end of the lease, which I think is about 2027, but I am happy to check.

FORENSIC SCIENCE SA

The Hon. H.M. GIROLAMO (15:15): Supplementary: will additional funding be committed to Forensic SA in the upcoming budget to ensure that the state has appropriate and secure facilities available?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:15): I thank the honourable member for her question. The honourable member will be very pleased that there are only a couple of days to go until the budget is released this year.

What I can say, though, is that as recently as the Mid-Year Budget Review extra funding was provided to Forensic Science SA in terms of a number of areas: employing additional mortuary staff, looking at investigation of options to increase mortuary services in the short term and also looking at activating offsite storage facilities, which are currently utilised in the recent Mid-Year Budget Review, and that is in addition to funding that has previously been provided to look at the exact issues the honourable member has been talking about.

FISHERIES MANAGEMENT

The Hon. J.E. HANSON (15:16): My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the importance of fisheries management and the achievements of PIRSA staff in this area?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:16): I thank the honourable member for his question and his ongoing interest in fisheries matters. Our state is a leader in fisheries management, with a focus on long-term sustainability, and that is balanced with fair and equitable access that takes into account a huge range of variables, with so many species spread across such vast waters, and also takes into account the needs of different fishing sectors, with the overall aim of both enjoying and preserving our precious marine resources, both now and for generations to come.

In no small part our state's leadership in fisheries management is due to the dedicated PIRSA staff, stakeholders and industry leaders, who work together closely to enable strong, vibrant and sustainable commercial charter and recreational fishing sectors. By encouraging new and talented people into the field, and encouraging them to take opportunities to develop their skills and knowledge, my department, as well as the state's fishing sectors, will be well served for many years to come.

One of the great things about my job is highlighting the many achievements of our hardworking and talented public sector staff, and it is for that reason that I am pleased to highlight today the achievement of PIRSA fisheries management officer, Elisha Lovell, who recently won an FRDC sponsorship to take part in a five-day fisheries management course at the University of Wollongong.

The Fisheries Research and Development Corporation (FRDC) sponsored places in the program are aimed at those who are new to their careers in fisheries management, and with just four spots on offer and 200 applications from across the country it is a sought-after development opportunity that Elisha did exceedingly well to secure.

Some of the key learnings covered as part of the course included an overview of fisheries management in the context of its challenges around the world, governance and policy frameworks at the national and international level, harvest strategies and reference points, and how it relates to sustainable fisheries, ecosystem-based fisheries management that considers fish habitats and the marine environment, economic valuation of commercial fisheries, markets and the social aspect of management decisions, and much more.

While the learnings from the course are important, it was also a great opportunity for Elisha to network with her counterparts from around the country. It was clearly a valuable course that will further Elisha's skills and knowledge, which I am sure she will bring back to PIRSA as part of her role in our fantastic fisheries management team.

I think it is also important to note that these courses run by the University of Wollongong and the Australian National Centre for Ocean Resources have not only helped fisheries management experts in our state and our country but have also taught best practice and the most up-to-date information to many fisheries management operators around the world, importantly including a recent course for Pacific Islander fisheries managers and experts.

This further highlights the important worldwide role Australian and South Australian fisheries play as an example of some of the world's best practice that others seek to learn from. I congratulate Elisha and all those involved in this important program.

MEN'S HEALTH

The Hon. S.L. GAME (15:19): I seek leave to make a brief explanation before addressing a question to the Attorney-General, representing the Minister for Health and Wellbeing, on men's health outcomes.

Leave granted.

The Hon. S.L. GAME: On 2 May, I asked the Attorney-General about issues facing men and if the government would create an office for men's issues, and the response I received was, 'I don't need to refer that. I can inform the honourable member: no, we have not.' On 8 June, *The Advertiser* reported that almost half of Australian men are lonely and that men with high levels of loneliness are 8½ times more likely to have poor mental health.

Men account for six out of eight suicides, almost twice the number of deaths of our national road toll, and men face worse mental and physical health than women during a family breakdown. The 2022-23 federal budget allocated \$1.7 billion to gender-based violence but did not recognise that at least one-quarter of domestic violence victims are male.

Male life expectancy is approximately four years shorter than that of Australian women but despite this the National Health and Medical Research Council has invested in women's health five times more than men's health. My question to the Attorney-General, representing the minister, is: given the data we have, could the Attorney-General explain why the government will not consider making an office designed to tackle these issues, especially when there is a major disparity between men's and women's health funding and life expectancy?

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 for in-depth answers in relation to the internal workings and funding and structures within the health department. I need to refer the specifics to the health minister, but I do know that there are many areas that the honourable member has mentioned that do affect men, but also affect women, and that there are strategies and programs in place that are being developed, modified and introduced to tackle those areas. I am happy to refer that and get some specifics for the honourable member.

TREATMENT OF PRISONERS

The Hon. D.G.E. HOOD (15:21): I seek leave to make a brief explanation before asking questions of the Attorney-General regarding the treatment of prisoners in South Australia.

Leave granted.

The Hon. D.G.E. HOOD: Last week, it was reported that Mr Aaron Daniele was awarded some \$107,500 after he sued the state government for breaching its duty of care towards him. Apparently he had suffered post-traumatic stress disorder after being incarcerated in Yatala's G Division in Northfield in 2017. My questions to the attorney are:

1. Does the case presented by Mr Daniele in claiming such a significant amount of money from the state government for apparent stress caused by his incarceration create a precedent where any past or indeed current prisoner of Yatala's G Division may also be suitable for such a claim?

2. Is the Attorney-General satisfied that this is the best use of \$107,500 of South Australian taxpayers' funds?

The Attorney may want to take the next one on notice:

3. How many payments have been made to prisoners under these same provisions in the last two years?

4. Will the state government assist the victims of Mr Daniele's crimes in accessing at least some of this payment as potential partial compensation for their suffering as a result of his crimes?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:23): I thank the honourable member for his question. I will have to refer some of that to the corrections minister, who will have better details than me about matters that affect prisoners. I will take it partially on notice, but I will say that every claim that is made in civil litigation turns on the very specific facts of that claim. One claim does not set a precedent for generalised future claims, given they all turn on individual facts. I am happy to consult with my colleague the minister for corrections to answer the question the honourable member has asked about whether there are figures about any other such matters.

In relation to victims of crime, generally where someone qualifies for a victims of crime payment what usually happens is that the state, out of the Victims of Crime Fund—which is made up from the levies that are applied when someone is convicted of an offence or put onto an expiation notice—the victims of crime and sometimes family members are awarded payments from that fund and then the state has a right to recover, in the general course of things, from the offender.

In that respect, I am happy to have a look at this individual case because it may be possible that with that right of the state to recover from the offender that is possible, but I will have to get some advice for the honourable member on that.

ABORIGINAL VETERANS COMMEMORATIVE SERVICE

The Hon. T.T. NGO (15:25): My question is to the Minister for Aboriginal Affairs. Will the minister inform the council about the recent Aboriginal Veterans Commemorative Service held during Reconciliation Week?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:25): I thank the honourable member for his question and his strong interest in this area. As we heard earlier today, when he tabled reports from the Aboriginal Lands Parliamentary Committee, he has a very strong interest in matters affecting Aboriginal people in South Australia.

I was honoured to attend the Aboriginal Veterans Commemorative Service as part of Reconciliation Week recently at the Aboriginal and Torres Strait Islander War Memorial at the Torrens Parade Ground. The service poignantly acknowledged and commemorated all First Nations peoples who have served with the Australian Defence Forces valiantly and without hesitation since the Boer War, despite often enduring exclusion from Australian society as a whole.

We know in some cases Aboriginal people were refused permission to enlist and would go to the next town to enlist, such was their desire to serve their country in times of war. In some cases, Aboriginal people returned to Australia, their traditional lands having been taken from them while they were deployed overseas.

The keynote address at this year's Reconciliation Aboriginal Veterans Commemorative Service was by Flying Officer Jason Enchong, who hails from Mer Island in the Torres Strait and now serves as the Indigenous Liaison Officer at RAAF Edinburgh.

Flying Officer Enchong spoke about the hardships he has had to overcome during his time in the Australian Defence Force. He recalled cruelties he, his father and his sister, who also serve in the Australian Defence Force, have faced at the hands of their colleagues, including being told to take a dip in white paint to change the colour of their skin.

The very personal stories that were told serve as a stark reminder of the barriers Aboriginal people still face and are often overcome by Aboriginal and Torres Strait Islander people as they stand alongside their peers in the service of Australia. Flying Officer Enchong, along with his father and sister, are exemplary beacons of a commitment to serve their country and were deserving of recognition at this year's ceremony.

Once again, we were fortunate to hear the touching music delivered by Aunty Vonda Last, accompanied by the Navy Band, where she sang her original songs *For Love of Country* and *Home or Ngurra*, which she sang both in language and in English.

A number of members of this parliament attended and placed tributes at the ceremony, including the Minister for Veterans Affairs in another place, the Hon. Geoff Brock; the member for Waite, Catherine Hutchesson; the shadow attorney-general in another place, the member for Heysen, Josh Teague; and the shadow minister for veterans affairs, Adrian Pederick.

The service was presented by Aboriginal Veterans SA. Aboriginal Veterans South Australia undertake very important work and have been able to deliver a number of notable outcomes for Aboriginal veterans as well as be involved in these sorts of services. One such important work that Aboriginal Veterans SA has been involved in is curating the travelling *Call of Country* exhibition, which was on display at the Torrens Parade Ground after the service, creating a register of Aboriginal veterans and taking responsibility for Aboriginal veteran grave restoration.

I commend, in particular, the very important work of Aboriginal Veterans SA and thank Aboriginal Veterans SA for putting on another moving service during National Reconciliation Week.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. F. PANGALLO (15:29): I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Health and Wellbeing in another place, a question about the Women's and Children's Hospital.

Leave granted.

The Hon. F. PANGALLO: The state government has today announced it is investing \$20 million into what it has described as a significant upgrade of the Women's and Children's Hospital Paediatric Intensive Care Unit, otherwise known as the PICU, as part of this year's state budget. The funding commitment is part of \$27 million in sustainment works for the next 12 months for the current hospital, while planning continues for the new Women's and Children's Hospital—funding that has attracted significant criticism from frontline clinicians at the hospital.

It follows the revelation last year that the hospital lost its teaching accreditation following a scathing assessment by the College of Intensive Care Medicine of Australia and New Zealand. This assessment came following an earlier warning by college officials that the unit was at risk of losing its credentials to train young doctors in providing intensive care to children. At a subsequent select committee hearing, Women's and Children's Hospital chief executive, Lindsey Gough, and the hospital's Executive Director of Medical Services, Dr Gavin Wheaton, gave unconvincing evidence about their knowledge of the crisis. My question to the minister is:

1. What is the current status of all accreditations at the Women's and Children's Hospital?
2. Can he give a start date and completion date for the urgent works, as there is a real fear, given the PICU is no longer accredited for training, the hospital will struggle to attract new trainees, while present staff will get more disheartened and leave?
3. Does he have full confidence in Ms Gough and Dr Wheaton given the accreditation crisis impacting the hospital?
4. Does he believe the \$27 million for sustainment works is enough to address all the issues at the hospital—including ongoing serious issues in the hospital, including its provision of cancer services, or lack thereof—when clinicians believe the amount needed is more like \$100 million plus?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:31): I thank the honourable member for his question, and I will be most happy to refer those to the minister in another place and bring back a reply for the member.

WORKING HOLIDAY VISAS

The Hon. B.R. HOOD (15:32): I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development on working holiday-maker visas?

Leave granted.

The Hon. B.R. HOOD: With the Labor government recently releasing a final report into a review of Australia's migration policies, the National Farmers' Federation has expressed concerns regarding the recommendation to limit or scrap the requirement for working holiday-makers to work on a farm.

Introduced during the pandemic, the measure was initially implemented to provide temporary relief to the industry. With working holiday-makers forming an essential source of seasonal labour for farmers, National Farmers' Federation CEO Tony Mahar has suggested it would be disastrous to remove this requirement without an alternative visa stream and would deepen the farm labour crisis at critical seasonal times. Mr Mahar has also expressed frustration at the lack of consultation with

the agricultural industry about these changes. My questions to the Minister for Primary Industries and Regional Development are:

1. Has the minister consulted with the Local Government Association and regional councils to ensure our regions have appropriate infrastructure and opportunities for enticing migrants into regional areas?

2. Does the regional development minister share Mr Mahar's concerns about the review's recommendation to limit or scrap the requirement for working holiday-maker visa holders to work on a farm?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:33): I thank the honourable member for his question. We constantly see in this place those opposite wanting one minister in this place to be responsible for all other portfolios. I appreciate that the former Liberal prime minister, Prime Minister Morrison, decided that he should be responsible for pretty much everything in the federal parliament. That's not something that we do here. We have a very collegial approach to state government.

However, now we are finding that those opposite are going even further. They want South Australian ministers to also be responsible for federal matters. Perhaps the Leader of the Opposition in the other place, the Hon. David Speirs, has ambitions to be every minister in South Australia and every minister in the federal government as well. Perhaps that's the kind of approach that those opposite are taking. I have frequent discussions with many stakeholders about many issues, and I will continue to do so.

Bills

RESIDENTIAL TENANCIES (PROTECTION OF PROSPECTIVE TENANTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 4 May 2023.)

The Hon. J.M.A. LENSINK (15:35): I rise to place some remarks on the record in relation to this particular piece of legislation, which the Liberal Party is supporting, as honourable members would already be aware from our contributions in the House of Assembly. This particular bill has arisen because we are clearly in the middle of a housing crisis, including a rental crisis, in South Australia.

We have probably the tightest rental market in Australia. We know that following COVID a lot of people came to South Australia because it was, and had the reputation of being, a very safe place for people to live. Part of the impact of COVID, as well, is that people have been looking to new forms of dwellings to live in, so there has been a lot of movement in a fairly short space of time in the housing market generally.

As part of that we have seen a lot of people who were landlords who have sold their properties to owner-occupiers—and there is nothing wrong with that at all. We on this side of the house, in particular, are very much in favour of home ownership as a way to build wealth over the long term and develop some assets to give people independence.

In July last year, the Liberal Party provided a 10-point plan to assist people in the rental market as well as people who might potentially be experiencing homelessness—and I will talk about some of those elements in a minute. However, this particular bill is part of the government's response. It is a piece of legislation that will do a few things, but it is not something I would describe as a significant piece of legislation. It provides for prescribed information that cannot be requested of a prospective tenant, it provides some protections around tenant information, and it prohibits rent bidding and third parties charging prospective tenants fees for an assessment or rating of their suitability for tenancy.

In August last year, the Minister for Consumer and Business Affairs convened a forum with stakeholders in the rental sector, which led to a discussion paper covering a broad range of issues that was released for consultation late last year and closed on 16 December. I note that particular

discussion paper was very broad, and that is a good thing, because there are a lot of things often raised with members of parliament in relation to the Residential Tenancies Act, and we were quite hopeful there would be some broader attempts to provide some changes to the laws, something which has not taken place for some time.

There were a number of items in that discussion paper released by the government—including longer tenancies, residential bonds, rent bidding, rooming houses and shared accommodation, renting with pets, housing standards and retaliatory evictions, safety modifications and minor changes, start of tenancy requirements, domestic violence, water billing, illegal drug activity, third-party payments and modernisation of language—so the government's announcement, made in February, was disappointing. There was a series of three announcements, all in the same week in February, to demonstrate that they were actually doing something in this space, albeit something fairly minimal, but they have not attempted any of the difficult issues at all.

We have done our due diligence, as we do, and met with a number of stakeholders in relation to this piece of legislation and I would like to thank all of them. In particular, there is a coalition of SACOSS, Better Renting and Uniting Communities, which has also raised that there are a number of issues that have not been addressed in this discussion paper. We have also had discussions with the Real Estate Institute of South Australia and the Landlords' Association of South Australia.

I do note that the Real Estate Institute have a code of conduct and they state that rent bidding is prohibited by their code of conduct. They tend to represent professional landlords or those organisations that are managers, rather than individuals or what are often called private landlords. Within their code of conduct, organisations cannot be members of them and engage in that practice, therefore they say it does not take place very often. The Landlords' Association have similar views and also state that it does not take place very often, which sort of begs the question of why there have not been other issues that have been raised through this piece of legislation that are more pressing.

The issue that has been raised as the largest concern by landlords are changes to rental bonds. In our discussion paper, we did flag that there needs to be some discussion about rental bonds. My understanding is that in most other jurisdictions bonds are equivalent to four weeks' rent. The government is using regulation to increase the bonds and that is the biggest concern that those landlord organisations have on this particular matter.

There are also concerns that have been raised about the timeliness of processing of bonds to cover arrears. This has been an issue for some time, and I think it is very relevant. You hear lots of complaints about those particular processes. That is not a matter that would be addressed through legislation necessarily, but I do raise it as in the current climate we need to make sure those processes are happening as efficiently as possible.

In relation to the details of the bill, clause 3 inserts section 47B, which prohibits landlords or agents from requesting a prospective tenant disclose prescribed information, which is to be set by regulation with penalties attached. The prescribed information is not yet determined, but the government has indicated that there will be consultation to determine this. Possible prescribed information may include anything about an applicant that relates to a protected attribute under equal opportunity legislation.

Clause 4 of the bill would insert sections 52A and 52B. Section 52A would require a landlord or agent to advertise premises for rent at a fixed price, prohibiting price range advertising and inviting higher bidders, with penalties similarly attached. The new section 52B would prevent third parties charging prospective tenants for background checks and assessment or rating of their suitability for a tenancy if it is based on an offer of higher rent, essentially paying for a higher rating.

Clause 5 of the bill would insert Part 4 Division 14A—Tenant information, which contains provisions relating to privacy of tenant information. Specifically, a landlord or agent must destroy tenancy data three years after the end of a tenancy. Unsuccessful tenants' data must be destroyed within 30 days of a tenancy agreement on that property being executed, unless the prospective tenant consents to their data being held for up to six months to support further applications.

We do support the bill and are grateful to all the stakeholders for putting forward their points of view. I think they are all very fair and reasonable. In relation to the 10-point plan, there are some things that the government took up since that was released in July last year, but there are some things that I think deserve further exploration and some of these I would put in the urgent basket.

Firstly, we did indicate that we had a lot of complaints by prospective tenants about the frustration they have with applying for numerous private rental properties before they finally find one, if at all. We, therefore, have suggested that a template form for use by all real estate agents could simplify the application process, and that could be a form that has components to it that landlords or landlord agencies could add things to, but just to have some form of template process rather than people having to go through that frustrating process of constantly re-adding information that they have already done.

Secondly, we also urge that the government expand the expansion of the domestic and family violence crisis accommodation program from 31 to 100 beds, which we announced on 6 March 2022 in the election campaign. That was to utilise \$1.133 million of funding from the Homelessness Prevention Fund until 2023. The domestic violence crisis accommodation program is something that the former Marshall Liberal government commenced in 2018. It has been enormously successful because it provides better outcomes for families at a lower cost compared to the emergency accommodation. I note that the Minister for Human Services does talk about the emergency accommodation program on radio. Well, this is one way to get the funding in the right forms of accommodation at a much better price with a much better outcome.

Similarly to the domestic violence program—which I should say, rather than placing people in hotel-motel accommodation at a high nightly cost, what we were able to do in government was repurpose 31 properties so that they were used for families escaping from domestic and family violence. That meant they could leave very, very quickly, as those were dedicated places for them.

Clearly, living in a dwelling, even if it is in a unit, means that families have access to a kitchen, laundry, separate sleeping areas, and living and play spaces, rather than being in hotels and motels, which are often near main roads. They lack facilities, they are cramped and people often feel unsafe because of some of the other guests. So, similarly, we have proposed that this immediate accommodation program should be expanded to other family households in a similar model where specific places are set aside for families. Again, the cost is much lower, avoids the use of hotel-motel accommodation, and this is a much better outcome for family groups with children.

We also put in that policy that the affordable community housing land tax exemption program should be recommitted to, which was budgeted for to enable landlords to rent out their properties at 75 per cent of market rent in exchange for a land tax holiday for five years. I note that in one of Shelter SA's newsletters there are 15 homes being utilised through its partnership with Cornerstone Housing, so that is a very similar concept. Given the current crisis, this should be rebooted.

We also said that those people who stay in hotels and motels long term should be able to access private rental assistance by including this accommodation under the Residential Tenancies Act. I am aware that the SA Housing Authority receives requests from time to time to provide bonds into hotels, normally in the city, for provision of medium-term rental stays, which they are not able to do under their rental policy. This type of rental arrangement could offer an affordable option for customers who are having difficulty accessing the private rental market. If bond guarantees can be lodged with Consumer and Business Services, the authority could amend their policy to provide for this type of arrangement.

So we think some of these areas are within the remit of the bill that is open before us and others are government policy that the government could choose to change, and we would urge them to look into those rather than dismissing them. With those remarks, I support the bill.

The Hon. I. PNEVMATIKOS (15:49): I rise to speak today in support of the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill. All of us in this chamber here today will know people who are currently struggling, or have struggled in the last few years in particular, to secure a rental property in our electorates. If anyone here does not think they know someone in this boat, there is no need to look beyond the walls of this building. I would recommend they check in with their younger staffers and see how they are faring in Adelaide's rental market.

We have one of the tightest rental markets in the country, with a vacancy rate of less than 1 per cent—the lowest of all Australian capital cities. Rental bond data reviewed by SACOSS showed rents for two-bedroom units newly tenanted in the September quartile of 2022 were 12.1 per cent higher than at the same time the previous year. Rents for three-bedroom houses were 15.8 per cent higher. Comparatively, the general inflation rate for Adelaide was 8.4 per cent.

This rental increase has resulted in many South Australians experiencing housing stress for the first time. As is often the case, the most vulnerable in our society and those on the lowest incomes have been the most affected. According to SACOSS, 60 per cent of South Australian renter households were in the bottom two income quintiles. Of these low income renters, 29.9 per cent were in housing stress. Nearly all these renters were in the private market.

Believe Housing Australia (formerly AnglicareSA Housing) conducted a rental affordability snapshot survey in March of this year. The survey found only 1 per cent of rentals are affordable for someone working full-time on the minimum wage. For those on JobSeeker or Youth Allowance, the outlook is even more grim. The survey found that a couple living on the Age Pension could also only afford 1 per cent of rentals. It is worth remembering that the Age Pension is the most generous of all government payments. Older people are becoming more vulnerable to housing stress and homelessness due to declining rates of home ownership and an increase in the number of those retiring with a mortgage.

A shortage of affordable housing means that these vulnerable groups, who are a significant proportion of the population, are now competing in the same rental market as those on higher incomes. It also means that new categories of vulnerable people are created. Young people and young families are prevented from taking their first steps to independence. There are many who are experiencing housing insecurity for the first time in their lives.

In the last few years, various media outlets have reported on the high numbers of people attending open inspections. Properties often attract lines around the block and dozens of potential tenants. Skyrocketing costs and availability shortages have resulted in a market where rent bidding has become commonplace. There has also been an increase in requests for tenancy information that exceeds what a tenant would reasonably be expected to provide.

This bill addresses some of these immediate concerns in the market, to grant greater protection to tenants and prevent the exploitation of the basic human right to shelter. This bill takes the first step towards standardising rental application forms. It provides information to be prescribed in regulations that must not be requested of a prospective tenant. It also increases protection for what tenant information is collected.

As house prices have increased, so too has the amount required to be paid in bond moneys. This presents a significant challenge to those already struggling to secure affordable housing. This bill will create a more affordable bond option by raising the threshold under which a four-week rental bond is available. Finally, the bill bans the advertisement of rental properties as a price range rather than a fixed price and prohibits landlords or agents from inviting higher rent offers.

Owning an investment property is not a licence to print money. There are sufficient supports for landlords in our system. I should know, I am a landlord. Those same supports do not exist for renters, despite their more precarious position. The market should not be left so unregulated that people are left open to exploitation.

Housing insecurity creates a state of perpetual anxiety and fear at the most basic existential level. When someone is preoccupied with one of the most fundamental requirements for human existence, that being the need to secure shelter, it is understandable that they do not have full capacity to operate at their best in other areas of their life. In this way, an unfair rental system keeps people down and throws up unnecessary barriers to class mobility.

The roof over your head, the floor beneath your feet, the bed you sleep in every night, and the kitchen you cook in every day are literally the physical foundation you build your life on. When you struggle to find housing for yourself and for your family, your ability to fully participate in society is severely damaged. There are compounding effects on physical and mental health, on families and relationships. Some of these impacts, particularly on children, can last a lifetime.

I appreciate that people will want to own properties—that is a feature of the system we live in—but that ownership should be measured, and it needs to be subject to controls, so that people are not held to ransom by their rental prices. This bill represents the first step in the process of improvement.

The Hon. J.E. HANSON (15:56): In speaking to this bill, I just want to clear up one thing first. I notice there has been previous commentary in some newspapers that circulate around our town about who owns things and who does not, which seemed a bit odd. For some reason, I was reported in that as being unavailable or the number of homes I might own was unavailable, or something like that. I do not own homes. I have one home. I think in clarifying that, it adds a few things, which is some other speakers have identified quite clearly that they are a landlord, and I think that really starts to underline a point which we need to make in this debate.

We can all acknowledge up-front that there is clear and unambiguous evidence that everyone can acknowledge. The state of the rental market is a national problem, it is a state problem, it is a local problem. You can turn on the news, you can read the local paper, or you can just sit down with your mate and have a cup of coffee, but at some point I am betting—unless you are maybe a little more exciting than I am—the state of housing and how it affects your life or their life or someone's life that they know is probably going to come up.

It might come up in a form of benefit—someone has made some sort of profit on a house that they own or houses that they own—or it might come up that they are worried about their children; are they going to be able to afford a house? If you sit around a coffee shop for long enough you will hear things like that.

South Australia's rental vacancy rates are at a historic low. You might hear other speakers talk to that—certainly, some have already made that point. Worse than that, prices for rentals are at an all-time high. If you own multiple properties you might see that as great, but also if you own multiple properties you might see that as a problem for your children who do not own a property. In any event, both sides of that argument make pretty clear that there is a supply problem here. Those most vulnerable in our community to the pressures of a supply problem to create the competitive market are going to be squeezed the most, or the hardest.

Rent bidding, either as a cause or an effect of those problems, is probably going to add to what is already your supply nightmare. We have clear evidence and a cohesive understanding of the problem. I think the fact that just about every form of government, from local right up to federal, is taking steps in regard to the rental market really underlines how significant the level of understanding of the problem is.

So what are we doing here? We are going to take another step in the direction of acknowledging what is happening in our rental market: the enormous challenges that are being faced by those who are simply seeking to meet one of Maslow's hierarchy of needs. This bill reflects the immediate need to take some action. The action identified today arises out of what has been, I think, a pretty comprehensive review process that our government has undertaken and I understand that this is only stage 1 of a pretty significant rollout of what we are going to see.

I think it also probably behoves me to underline that it is in keeping with the promises that the Malinauskas government made at the past election. So what are we going to do today? This bill aims to prohibit rental properties from being advertised at a price range rather than at a specific price. Other speakers have spoken to that—I will not repeat what they had to say—but what does that mean? The aim of this bill is to end rent bidding. Further than this, the bill should also prevent landlords or any agent of theirs inviting higher rent offers.

Why would that work? There will be a large penalty put in place to deter such conduct. We know that penalties put in place to deter certain conduct work. A maximum amount of \$20,000 is being put in place, with an additional expiation fee of \$1,200 per offence. Furthermore, there are provisions relating to third parties intended to address conduct involving, say, a prospective tenant who wants to rig the game a little and say they have a better background check or an assessment rating and might want to offer a little more money. We are putting in checks around that too.

This should prevent prospective tenants having to pay for their background checks and the practice of offering higher rents is being prohibited to acquire that lease, but we are not limiting, if you like, the range of this bill to the deterrence of rent bidding alone. We are also extending this deterrence to further areas. The amendment bill we have here today also provides for prescribed information that cannot be requested of a prospective tenant.

What does that mean? We are standardising what can and should appear on the form that is provided by a tenant. In this regard, it is worth highlighting that there will be further targeted consultation on the information that is to be prescribed, but some of the items which may potentially be included are, for instance, the applicant's rental bond history, a statement from a credit or bank account containing daily transactions, and any information about the applicant that relates to a protected attribute under equal opportunity legislation.

Furthermore, this bill aims to protect tenant information by prohibiting information from being disclosed without the consent of the tenant. This information obtained for a successful tenant is required to be destroyed after three years, and the information obtained for a tenant who is unsuccessful is required to be destroyed within 30 days of a tenancy agreement being executed. This bill also puts in place a maximum penalty for the failure to do any of those things. Again, we see that deterrence factor come in for people who have failed to do that to a maximum of \$20,000 and an expiation fee of \$1,200.

Lastly, this bill aims to take steps in the area of residential tenancy bonds. The Hon. Ms Pnevmatikos went to this to some extent and it is certainly an area which I am pretty happy to elaborate on further. The current status is that where the rent is \$250 or greater, then six weeks' worth of rent rather than four weeks can be sought by a landlord as a bond. This applies both regionally and in terms of metro. Obviously, I think for both instances \$250 a week is becoming increasingly rare, to put it lightly. In any event, very few of those seeking to rent have six weeks' worth of rent to hand; it is becoming pretty clear that that is maybe a bit of an egregious amount.

In line with the election promises taken by the Malinauskas government to the last election, this bill raises the bond threshold to \$800, to ensure that for the majority of rental properties in South Australia in reality only a four-week bond will be required. Certainly we will see how that will progress.

That is a pretty moderate change, but probably the most simple of changes that can be made to assist with up-front charges and keep bonds at a four-week expectation. What kinds of savings might that look at? Currently, for instance, if you had a unit in metropolitan Adelaide and you were looking at a bond amount of \$2,130, it would save you \$710. In regional South Australia, if you had a bond amount of \$1,590 you would save \$530. Consistent with equity principles and how that will apply, I think that is pretty fair. I think that no landlord will miss out on that small amount of money in the short term, but certainly any person fronting up to rent will be pretty happy with seeing \$710 or \$530 respectively that they do not have to find.

It will also have a degree of retrospectivity, so the new bond amount will apply to any bond paid or payable under an agreement entered into on or after 1 April 2023—an interestingly chosen date, but I will leave that one there. Any bond paid before this date will remain lodged with Consumer and Business Services (CBS) until the conclusion of the tenancy agreement. The reforms in this bill represent the Malinauskas government's priorities and immediate actions. It is important to underline that. It is about priorities; they were outlined in the housing policies taken by the Malinauskas then opposition to the election and now form part of the immediate actions, that we are taking to rental problems. It will not be the last thing we do in this space.

The Hon. R.A. Simms: Good.

The Hon. J.E. HANSON: We will be introducing further amendments to the Residential Tenancies Act later this year. The Hon. Mr Simms, I hear your interjection: it is good. It is good to hear that it is good. The CBS currently is preparing a report based on, I think, 5,000 responses and 150 submissions received through the YourSAy public consultation recently performed. I hope you made a submission, the Hon. Mr Simms.

The Hon. R.A. Simms: I did actually.

The Hon. J.E. HANSON: Excellent—we are glad to hear that.

The Hon. R.A. Simms: You can't find it on the website; it's all confidential.

The Hon. J.E. HANSON: Oh dear; I won't address that. There is more to come as there is more to deal with in this space. Just a few things are renting with pets, longer tenancies, evictions and further regulations around deterrents are required. I look forward to welcoming further reforms later this year. I commend the immediate action being taken in this bill, and I look forward to further debates with such members as the Hon. Mr Simms, perhaps over a coffee or maybe in here.

The Hon. R.B. MARTIN (16:08): There should be broad agreement in this place that the current state of the rental market merits action by government. Indeed, reforms to tenancy laws have been initiated by governments right across the nation, so that belief would be in keeping with the demonstrated efforts of other jurisdictions to bring change in this important area.

Responding to immediate community need is the intent of this amendment bill. Its provisions have arisen out of the comprehensive review process our government has undertaken. This process identified a range of areas for potential change, and this amendment bill focuses on immediate priorities for us to act upon. This amendment bill is one part of the Malinauskas government's plan for A Better Housing Future, responding to some of the challenges being experienced by many South Australians in the rental market.

I believe it is true to say that those challenges are well understood by this government. We recognise the severe nature of the current market circumstances and their impact on our community, particularly on people who may already be disadvantaged and vulnerable.

Demand for rental housing is strong and South Australia's residential vacancy rates are at historically low levels. The supply shortage of rental properties has put upward pressure on rental prices and it has created an environment where renters are struggling to secure rental properties in a highly competitive market. These circumstances have also led to the practice of rent bidding and to requests for information being asked of tenants that exceed what a tenant should reasonably be expected to provide.

The amendment bill prohibits rental properties being advertised at a price range rather than at a specific price, and prevents landlords, agents or third-party organisations from inviting higher rent offers. Provisions relating to third parties are intended to address conduct involving prospective tenants being charged fees for background checks, and an assessment or rating of their suitability being provided to the landlord or agent.

This is in view of reports that in some instances prospective tenants who were paying for the background check and offering higher rent have been afforded a higher rating. The amendment bill prohibits rent bidding by the landlord or agent, and it prevents a person in trade or commerce from providing an assessment or rating of a prospective tenant that is based on an offer of higher rent, and disallows a person from receiving or requiring a prospective tenant to pay for an assessment or rating of their suitability for a tenancy. A maximum penalty of \$20,000 is proposed to apply, with an expiation fee of \$1,200.

The amendment bill also provides for prescribed information that cannot be requested of a prospective tenant. It also takes first steps towards standardising what should appear on rental application forms. There will be further targeted consultation on the information that is to be prescribed which may potentially include the applicant's rental bond history, a statement from a credit or bank account containing daily transactions, and any information about the applicant that relates to a protected attribute under equal opportunity legislation. Exemptions will apply where certain information is required to determine tenant eligibility for the provision of housing assistance.

This amendment bill contains measures to protect tenant information by prohibiting tenants' information from being disclosed without their consent or, as required by law, the tenancy agreement, a court or a tribunal. The information obtained for a successful tenant is required to be destroyed after three years and, for unsuccessful applicants, within 30 days of a tenancy agreement being executed. However, such persons are able to consent to their information being held for up to six months to support looking for another tenancy. The amendment bill also regulates the disclosure and destruction of prospective tenant and tenant information provided for the purposes of applying

for a tenancy. A maximum penalty of \$20,000 is proposed to apply, with an expiation fee of \$1,200 for this.

The fourth immediate priority announced as part of the Malinauskas government's plan for A Better Housing Future relates to more affordable residential tenancy bonds, which has been progressed through amendments to the Residential Tenancies Regulations. Because of across the board rental price increases, renters of even moderately priced housing are currently required to provide a six-week rental bond rather than four weeks. This can present great difficulty, particularly for those in challenging financial circumstances.

Currently, landlords can claim residential bonds equivalent to a maximum of six weeks' rent when the weekly rent is \$250 or greater. Only properties falling below that threshold have a four-week bond attached. Increasingly fewer properties fall below this threshold. The bond threshold will now be raised to \$800 to ensure that, for the majority of rental properties in South Australia, only a four-week bond will be required. This change will reduce up-front costs for tenants. The new bond amount will apply to any bond paid or payable under an agreement entered on or after 1 April 2023. Any bond paid before this date will remain lodged with CBS until the conclusion of the tenancy agreement.

Consumer and Business Services is currently preparing a report based on the 5,000 responses and the 150 submissions that were received through the YourSAy public consultation. The reforms in this amendment bill represent the Malinauskas government's immediate priorities. We are committed to delivering better outcomes for tenants and landlords in a range of areas, which is why we will be introducing further amendments to the Residential Tenancies Act later this year.

Issues addressed through further legislation may include renting with pets, longer tenancies and retaliatory evictions, for example. We know it is important to strike the right balance between protecting the interests of tenants and those of property owners, and the extensive consultation we have undertaken will help to guide our further decision-making. We know that this is an area in which a responsible government takes action. Our community certainly deserves the better outcomes this amendment bill aims to promote and support.

The Hon. R.P. WORTLEY (16:14): I am standing up today to support the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill 2023. The Malinauskas government is reforming the Residential Tenancies Act 1995 to better meet the needs of today's rental housing market, improve protections for renters and ensure landlords can continue to manage properties effectively. Rental reforms have been initiated in all Australian jurisdictions and the Malinauskas Labor government will ensure that South Australian tenants are not left behind by implementing regulatory safeguards that protect households.

Last year, as part of the reform of the RTA, the Minister for Consumer and Business Affairs announced a review of the RTA, with the release of a discussion paper marking the start of the most comprehensive review of the RTA since 2014. However, the Malinauskas government has identified immediate priorities to be introduced now to assist renters with affordability, protect tenants' rights and privacy and improve the housing outcomes for people in South Australia through our recently announced housing package, A Better Housing Future.

As the Premier has said, every South Australian deserves to have a roof over their head and to be safe and secure in a place they call home. The government recognises the extraordinary pressure the current housing market is placing on vulnerable South Australians. The bill is one part of the Malinauskas government's plan for a better housing future, which provides an immediate response to the challenges being experienced by many South Australian renters.

South Australia's economy has been performing well and our population has been growing more strongly in recent years, with more people moving to South Australia from other states. This has contributed to strong demand for housing across all sectors and in both metropolitan areas and regional towns. South Australia's residential vacancy rates remain at historically low levels. The supply shortage of rental properties has caused rents to increase substantially and has created an environment where renters are struggling to find rental properties in an increasingly competitive market.

The shortage of rental properties has also led to rent bidding and requests for tenancy information that exceeds what a tenant would reasonably expect to provide. This bill will address the issue of rent bidding and other priorities identified as part of the government's plans for a better housing future, including taking the first step towards standardising rental application forms by considering the type of information on the rental application form and protecting tenant information.

The bill proposes priority changes to the Residential Tenancies Act 1995 as part of the government's broader housing strategy. The amendment bill provides for prescribed information that cannot be requested of a prospective tenant, protects tenant information and prohibits rent bidding and third parties charging prospective tenants fees for an assessment or rating of their suitability for tenancy.

The amendment bill provides for information to be prescribed in the regulations that must not be requested of a prospective tenant. There will be further targeted consultation on the information prescribed, which may potentially include the applicant's rental bond history, a statement from a credit or bank account containing daily transactions and any information about the applicant that relates to a protected attribute under equal opportunity legislation.

After consultation with key stakeholders on the draft bill, based on feedback that was received, we have included a technical amendment to ensure the intent of the exemption under section 47B(2) is intended to only apply to a landlord or agent who is also a housing assistance provider to ensure the prohibition does not interfere with a housing assistance provider requesting information required to determine a tenant's eligibility. The amendment bill proposes that an expiation fee of \$1,200 or a maximum penalty of \$20,000 apply for these offences.

In light of recent cybersecurity incidents where individuals' personal information was accessed, the amendment bill contains measures to protect tenant information by prohibiting tenant information from being disclosed without their consent or, as required by law, the tenancy agreement, a court or a tribunal. Tenant information for a successful tenant is required to be destroyed after three years and within 30 days of a tenancy agreement being executed for unsuccessful tenants. Prospective tenants are able to consent to their information being held for up to six months to support looking for another tenancy.

The amendment bill also regulates the disclosure and destruction of a prospective tenant and tenant information provided for the purposes of applying for a tenancy. Once again, the maximum penalty of \$20,000 is proposed to apply, with an expiation fee of \$1,200.

The amendment bill prohibits rental properties being advertised at a price range and prevents landlords or agents inviting higher rent offers. In addition, third parties, which often include websites facilitating tenant application forms, are prevented from engaging in rent bidding. Provisions relating to third parties are intended to address conduct involving prospective tenants being charged fees for background checks and an assessment or rating of their suitability being provided to the landlord or agent. There are reports that in some instances prospective tenants paying for the background check and offering higher rent have been afforded a much higher rating.

The amendment bill prohibits rent bidding by the landlord or agent, prevents a person in trade or commerce from providing an assessment or rating of a prospective tenant that is based on an offer of higher rent, and disallows a person from receiving or requiring a prospective tenant to pay for an assessment or rating of their suitability as a tenant. Once again, the maximum penalty will be \$20,000, with an expiation fee of \$1,200.

The fourth immediate priority announced as part of the Malinauskas plan, A Better Housing Future, relates to more affordable residential tenancy bonds, which has been progressed through the amendments to the Residential Tenancies Regulations 2010. Because of rent price increases, renters of even modestly priced houses are currently required to provide a six-week rental bond, rather than a four-week rental bond, a significant challenge for those looking for affordable housing.

Currently, landlords can claim residential bonds equivalent to a maximum of six weeks' rent when the weekly rent is \$250 or greater, with only a four-week bond entitled to be claimed for properties falling below that threshold. Increasingly fewer properties fall below this threshold. The

bond threshold will now be raised to \$800 to ensure that for the majority of rental properties in South Australia only a four-week bond will be required.

This change will reduce the amount of up-front costs for tenants by between \$500 and \$1,600, depending on the amount of rent they are paying. For example, based on the median rental price for a house in the metro area, the current bond amount would be \$2,790. With the changes we have made to the residential bond amount from 1 April, the bond amount will be \$1,860, a saving for tenants of \$930.

The new bond amount will apply to any bond paid or payable under an agreement entered on or after 1 April 2023. Any bond paid before this date will remain lodged with CBS until the conclusion of the tenancy agreement. The consultation on the RTA review has concluded, and Consumer and Business Services is currently preparing a report based on the 5,000 responses and 150 submissions the government received from the YourSAy consultation.

The reforms in this bill are the government's immediate priorities, with further consideration and consultation on the broader review of the Residential Tenancies Act 1995, which includes issues such as renting with pets, longer tenancies and retaliatory evictions, to take place before reforms are introduced to parliament later this year. The Malinauskas government is serious about delivering on better outcomes for tenants and landlords, which is why we will be introducing further amendments to the RTA later this year.

The government's announcement last year to begin the most comprehensive review of the RTA since 2014 seeks to ensure a modern, contemporary and robust legislative framework that strikes the right balance between protecting both tenant and landlord interests. The broader review that is currently underway will also consider how best to promote a sustainable residential tenancy sector that supports retaining existing landlords and attracting prospective landlords who are considering entering the sector.

Members may recall that the Minister for Consumer and Business Affairs kicked off an RTA review by hosting the South Australian RTA Review Forum on 3 August 2022 to hear firsthand the issues currently impacting the residential tenancy sector. In attendance at the forum were key interested parties and stakeholders, including SACOSS, Shelter SA, Uniting Communities, the Real Estate Institute of South Australia, the Landlords Association of South Australia, the South Australian Housing Authority, and the Department of Human Services.

The forum informed the development of the discussion paper, which invited comment on the priority issues identified by the sector. The discussion paper was released for public consultation through a six-week period between 8 November 2022 and 16 December 2022. Some of the issues identified to be included in the discussion paper for public consultation were:

- renting with pets;
- a crackdown on the practice of rent bidding;
- the maximum bond amount;
- standardising application forms;
- whether the minimum notice required for not renewing a fixed term tenancy agreement should be increased;
- new requirements for rooming houses and share accommodation;
- housing standards;
- tenants making safety modifications and minor changes; and
- support for renters experiencing domestic violence.

The consultation received an enormous response, which reflects how important these issues are for tenants and landlords, with, as I previously said, over 5,000 people completing the YourSAy survey and over 150 submissions received. This feedback from that consultation will inform further policy

development in discussions with stakeholders and interested parties to inform further RTA reform. With that, I seek that the bill receive the support of the chamber.

The Hon. R.A. SIMMS (16:26): I rise to also speak in favour of the bill, although of course the Greens do have some concerns that it does not go nearly far enough and will be moving a number of amendments to strengthen the bill. I will not talk about all the elements of the bill—they have been thoroughly ventilated through the government's speaking notes—but I will put on record some of the concerns the Greens have around the approach that has been taken by the Malinauskas government.

To say that their approach to this crisis has been slow and piecemeal is an understatement. There is no denying that South Australia is in the middle of a full-blown housing crisis. People are struggling to find rental accommodation and, once they finally find it, they just cannot afford it. The statistics in this area are bleak, but even more devastating are the human stories. Every day we see numerous stories of renters who were evicted for no reason whatsoever, whose rent has been increased for no reason, who have had poor maintenance standards in their homes. Winter is now upon us and many will be living in properties that have substandard energy standards.

Housing is a fundamental human right. Everybody deserves a decent home regardless of their location, their income, their employment or their health. What we are seeing at the moment in our country is very disturbing because rent is increasing faster than wages, and the Greens have been calling for the power balance between landlords and renters to be addressed. This bill is a very small step forward to protect renters, but it does not go far enough.

Every week there is a new report on the concerning statistics about the number of people queueing for rental homes due to low vacancy rates and the increase in rents faced by renters. On 17 May, Mission Australia released its Homelessness and Stable Housing Impact Report, which demonstrated that there was a 103 per cent increase in people living in impoverished homes, tents and rough sleeping, and a 40 per cent increase in people living in short-term temporary accommodation. This shows us what happens when people are in desperate need, but the housing crisis is actually impacting across all sectors of society and across all demographics.

The median rent of houses in SA has increased by 25 per cent over two years. Over the same period, the cost of renting a flat has increased by 18 per cent and in 2022 wages grew by only 3.5 per cent. Anglicare's Rental Affordability Snapshot of 18 March this year reveals that zero rental properties were affordable and available for a single person receiving JobSeeker, Youth Allowance or a parenting payment, just two rental properties were affordable and available for a couple receiving JobSeeker and only nine properties were affordable and available for a single person trying to live on the minimum wage in our state.

The Greens welcome the review that the Malinauskas government has been conducting into the Residential Tenancies Act. A few of the speakers on behalf of the government have referenced a round table that I was invited to attend. I was delighted to receive the invitation, along with the Hon. Mr Pangallo, but was surprised that my role was to sit as a silent observer on a separate table to the other participants, particularly given the significant work that I have done in this place in terms of advocating on rental reform.

As many in this place know, I do hold concerns about the secrecy that has surrounded this review, with the submissions and the report remaining secret, and I have a motion before this chamber to call on the government to release this information. If members of the community have gone to the effort of making a submission to an inquiry—and I disclose to you, Mr President, that I made a submission on behalf of the Greens—surely they should have this published on a government website and surely they should have access to the report and the findings of the review.

Months and months have passed and we still do not know what the review concluded and we still do not know what the key recommendations are. All we have is a very modest piece of legislation that addresses some small aspects of the rental crisis that we face. The Greens believe in transparency, and we have called for the government to release the review.

One of the elements in this legislation that I think is worth addressing in a bit more detail are the claims that have been made about rent bidding. Upon the introduction of this bill, the government

issued a media release titled 'Rent bidding to be banned in South Australia' and the minister Andrea Michaels was quoted as saying:

The practice of rent bidding unfairly drives up prices and is contributing to the current rental crisis by making it more and more difficult for South Australians to find affordable rental accommodation.

I agree with the minister that rent bidding should be stamped out. Sadly, this bill does not achieve that objective. What the bill does is stop landlords or agents from soliciting rents above the asking price and we welcome that, but it does not prevent renters who can afford it from offering above the asking price. It does not prevent landlords or real estate agents from accepting a higher offer. Effectively, the bill only addresses half the problem of rent bidding; it does not ban it outright. It is a case of being all sizzle and no sausage.

To properly address the practice of rent bidding, I will be moving an amendment to ensure that no offers above the asking price can be accepted. This will ensure that renters know what they are getting into when they are applying for a rental property and it would effectively ban rent bidding, which the government claims was their intention.

We do welcome the focus of this bill on protecting renters' data and we are very pleased with the work that the government has done in that regard. Members will recall that there has been some media reportage around breaches of personal information recently and, in order to rent a property, renters are required to give over a substantial amount of their personal information.

At a forum that I held in the inner west on renting, many people spoke to me about the concerns they had about supplying their personal information to landlords, agents and third-party apps when they are not given any indication around how that information will be protected. One renter said to me that it was unreasonable to have to give a prospective landlord their car registration number, their dog chip number and other personal information before they had even been granted a lease on the property, and if they do end up renting the property what happens to their data?

This bill does ensure that renters' personal information must be destroyed after a stated amount of time, depending on their circumstances. Additionally, this bill allows for certain types of information to be prescribed, in effect ensuring that a prospective landlord or agent cannot ask for certain kinds of personal information. We welcome that, and I commend the government for taking that step.

It is worth noting here some of the concerns that have been expressed by the sector in terms of the approach the government has taken. A number of organisations have been calling for more protections, other than just the meagre action that the government is taking on rent bidding. Organisations such as Shelter SA, SACOSS, the Anti-Poverty Network and RSPCA have all made submissions, calling for reforms to make rentals more pet friendly, the abolition of no cause evictions, an opportunity for a tenant resource organisation to be established, minimum energy efficiency standards, mandatory disclosure of how much a property will cost to run, and of course vacancy taxes. To address these calls on behalf of the housing sector, I intend to move a number of amendments at the committee stage.

In addition to the amendment that I have already foreshadowed to ban rent bidding, I will also be moving amendments to require landlords to disclose conflicts of interest. This is an important transparency measure that would ensure that all conflicts of interest are out in the open, especially those that relate to the relationship between the landlord and their real estate agent.

One of the other elements of the bill that the Greens are seeking to change is to give the minister the power to apply rent controls so that the minister of the day can move quickly to deal with skyrocketing rent prices. Rent controls have been used in many places around the world, and indeed in Australia under the Menzies government. I know that some of the commentary around rent capping is that it is a radical concept. I would hardly call Mr Robert Menzies a bastion of the radical left, but his government did have rent controls in place to deal with some of the challenges that were being faced in the housing market at that time. It has been used in places like Spain, Berlin, New York and Ireland.

We are also moving to establish a default position in favour of renting with pets and, of course, we are moving to try to end no cause evictions because no cause evictions lead to tenants

being fearful of raising issues with their landlord. It can create that power imbalance where a potential tenant is concerned about raising issues for fear their lease may not be renewed.

I should say that it is one of the elements I am very passionate about. These days I own my own home but I lived in a rental for years. I was in the rental market for about 15 years after I finished university up until I was in my mid-30s. During that time, I experienced a number of issues with rental tenancies that were less than satisfactory, such as toilets not working, holes in ceilings that were bringing mould into the home, problems with gas connections in the property; I even lived in a place that had a rat infestation at one point.

One of the real challenges that we faced as renters in that system was the fact that the landlord held all of the cards and always had the Damocles sword hanging over the tenant to say, 'If you kick up too much of a fuss, we may not renew your lease at the end.' It is one of the reasons why banning no cause evictions is so important. Sadly, it is not a feature of the government's bill but the Greens have an amendment to put it in.

We are also wanting to establish an independent tenants' advocacy organisation or a tenant advocate. We think that is really important and we are proposing that that could be funded from the interest on bond money, and we have an amendment to seek to do that. Such organisations already exist in other jurisdictions: New South Wales, the ACT, Victoria and Queensland. It is worth noting that Victoria's was established 45 years ago, New South Wales' was established back in 1976 and Queensland establish theirs in 1986. These could play a really important role in advocating for tenants, particularly at a tribunal level, and also in pushing for research and awareness raising around some of the issues that renters face in our system.

So just to recap, we welcome this bill. We welcome the fact that the government is taking some action, but they are not going nearly far enough. I am moving a range of amendments to try to beef up this bill to see renters being given the protections that they deserve. I indicate that I plan to call divisions on my amendments.

I appreciate members of this place who have spoken to me about the position of their respective parties. I regret that no-one from the government has let me know their approach to the Greens' priorities, so I will just have to wait and see how that plays out. I do, as I say, appreciate the government taking some action on these issues, but we need to do better. We need to do so much better: so, Malinauskas government, get cracking.

The Hon. F. PANGALLO (16:40): I rise on behalf of SA-Best to speak in support of this bill, the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill. I note the Greens also have some amendments and I shall address them shortly.

May I begin by declaring my own interest in property. We do own a rental and, like so many other aspirational property owners, it was intended to be a wealth creation tool as we head into our retirement years of being self-funded. It is mortgaged, and during the period of stable low interest rates, along with excellent tenants, we have not raised the rent in almost 10 years, but just like many landlords around the country this now requires to be reviewed following the Reserve Bank's 12th straight rate rise.

Landlords are not all filthy rich as the Greens would want you to believe. Australia's rental market is almost entirely owned by mum-and-dad investors who will need to also bear the rising costs just to keep their investment viable. More financial pain on renters across the country will be unavoidable because of the current economic storm sweeping the country: the higher cost of living, the higher cost of housing with higher interest rates, higher power bills, higher costs to industry and business, and higher costs to primary producers; it is a sorry forecast.

Economists warn a national recession looms large. Banks are expecting large numbers to default on their mortgages now that lenders have come off their fixed low rates. There is undoubtedly a housing crisis in this country, and it seems to be getting worse by the day. We have a federal government that seems to be fixated on other less important matters than the one that truly counts for Australians, and that is keeping a roof over their heads or finding one that is affordable. I would have thought the time for an urgent national housing summit was long overdue. Australia has not

had a national housing policy strategy since World War II, and the federal government needed to act with the states to form one.

As part of its housing package, the federal government announced a 15 per cent increase to the maximum rate of the Commonwealth Rent Assistance program. That is up \$31 a fortnight, and this comes in from September as part of the government's recent budget, saying it would help more than a million low income Australians manage the rising cost of living. It is welcomed, but it may not be enough. However, the package, which also includes funding for 30,000 social and affordable homes over five years, is under threat if the Greens stick to their guns and insist on a nationwide freeze or cap on rents.

The Hon. Robert Simms has included this move as part of his amendments to this bill. While I do commend the Greens on their advocacy for more affordable housing measures, we will be opposing this amendment. Economists argue it would be a disincentive for further investment. Joey Moloney, from the Grattan Institute, says that while there is a case to limit how much rents can increase by in the current economic climate, it does come with big risks. The economist believes there could be an adverse effect to rental control by reducing people's tendency to move, thereby remaining long term in housing that does not suit their needs. If that happens and there is no flow of new housing for people to move into, he says it can increase the risk of homelessness in the community.

Bruce Djite of the Property Council recently wrote a compelling opinion piece arguing that laws that would dictate what you can and cannot do with your own property are not the solution to the housing crisis and that it was vital to keep the confidence of investors in turbulent times like this. He wrote, and I quote:

There is a big problem—the cost and risk of supplying rental property has materially increased. Potential investors right now are weathering higher interest rates and a significant decrease in their borrowing capacity... This kind of policy encourages investors to convert their rental properties into short term accommodation—but then they also want to tell you that you're not allowed to do that either. So, what happens? Investment slows. Play stops.

Mr Djite, like SA-Best, welcomed the state government's recent announcements to free up land for housing developments. He was also very supportive of tax measures by the federal government to encourage build-to-rent housing projects, which have been effective in countries like Singapore where 80 per cent of the population was able to buy a subsidised home through the government. Quoting Mr Djite again:

Removing the tax hurdles that acted as investment constraints for build-to-rent is a way to turbo charge the supply of rental stock in Australia without just relying on mum and dad investors to do all the heavy lifting for the market. It will also alleviate the strain on Governments to build taxpayer funded housing.

A recent study by Ernst and Young, commissioned by the Property Council, showed that by levelling the withholding tax rate, an extra 150,000 Australian rental properties could come online over the next decade. Regional Australia is also feeling the brunt with soaring prices and rental shortages. This has been accelerated by property owners turning to short-term accommodation rentals like Airbnb to increase their investment returns. Experts say the short-term answer is to build more homes.

Australia is not alone here. The housing crisis could impact 1.6 billion people by 2025, according to the World Bank. Shortages of land, lending, labour and materials are some of the factors fuelling the housing crisis. Sound familiar? The world needs to build 96,000 new affordable homes every day to house the estimated three billion people who will need access to adequate housing by 2030, according to the UN-Habitat.

Efforts to build more affordable homes are underway in countries including the United States, India, Scotland and Africa. As we know, of course, Australia is tagging along. In a study of 200 cities globally, 90 per cent were found to be unaffordable to live in, with the average home costing more than three times the average income.

A shortage of land, lending, labour and materials since the financial crisis in 2008 are the main causes for the US housing shortage, according to Moody's. This has driven up costs and cut the profit margins builders can take. They have less incentive to build more homes, 'particularly lower priced housing with lower margins', Moody's Analytics says.

Of course, it would apply here too. Not a week goes by that we hear of a number of building construction companies, homebuilders, going under. In fact it is an alarming figure—something like five or six, perhaps, a day around the country. That is a significant number. Of course, it again contributes to the fact that there is a slowdown in the construction of housing.

Rising housing costs, as we know, mean people have less money to spend on other essentials like groceries, bills, transport and looking after their families, so it is harder to get by. Unaffordable housing also fuels homelessness. An estimated 100 million people globally do not have a home, according to UN-Habitat, the United Nations program for human settlements and sustainable urban development, and a quarter live in conditions that are harmful to their health, safety and prosperity.

When housing costs climb, it also pushes up inflation, the price of goods and services and depresses economic growth. Lack of affordable housing forces low income workers to live farther away from their jobs, requiring long and costly commutes and reducing productivity, according to Moody's Analytics in its study. So, we are not alone.

The government's bill claims to reform rental laws and provide relief to tenants, including making bonds more affordable, banning rent bidding and protecting tenants' rights and information given to landlords, property owners and agents. They seek to improve tenure security. While it might be welcomed by the vast majority of renters who abide by the terms of their leases, landlords and property managers might now feel aggrieved by having to deal with recalcitrant tenants through the complicated and protracted maze of the SACAT system. Landlords were under-represented at the forum co-hosted by the Minister for Consumer and Business Affairs, the Hon. Andrea Michaels, and the commissioner, Mr Dini Soulio, last August.

I attended the forum with my colleagues the Hon. Connie Bonaros and the Hon. Robert Simms, although we were relegated to the far back of the room, unable to contribute to any of the discussions; however, it appears that the forum was the genesis for this bill. While it is a start, it really provides bandaid solutions that fall well short of tackling the rental crisis, although we understand that another tranche of reforms is imminent.

The Hon. J.M.A. Lensink: Later in the year.

The Hon. F. PANGALLO: Well, imminent.

The Hon. J.M.A. Lensink: End of the year.

The Hon. F. PANGALLO: Well, imminent, end of the year, whatever—it's coming. In the meantime, I would like to acknowledge some correspondence I received and I believe other MPs received from Jo Cullinan, a property manager. Jo is strongly opposed to lifting the threshold level of \$800. If I can quote from the letter sent to us on 15 February 2023, Jo says:

Any raising of the bond threshold needs more consultation with stakeholders and needs to take into account the current timeframes for rent arrears, vacant possession and ultimate eviction. This timeframe at present is longer than 6 weeks and therefore exhausts any bond held on behalf of the property.

A SACAT hearing for example is at least a 3 week wait until it is listed and this is even asking for an urgent hearing. Making it a 4 week bond for majority of properties then the hearings need to be heard within 7 days.

Any increase in the threshold which would make the vast majority of rental properties only eligible for a 4 week bond would result in less protection for landlords and a strong likelihood that landlords will exit the investment market which they are already doing.

Jo goes on to say:

Why is this law not reflecting our median house prices?

This is a backward step for investors WHO ARE THE PEOPLE HOUSING PEOPLE! Without investors we would have a further CRISIS of accommodation and more people on the street, is this what is warranted?

SA have had the 6 week bond legislation for a long time now, why take a backward step?

Further it will push those properties marketed for between \$700 to \$800 over the \$800 mark just to achieve the 6 week bond for security to the landlord.

It will also push insurance premiums for landlord insurance due to the reduction in bond.

I seek leave to table that document, if it has not been done already in another place.

Leave granted.

The Hon. F. PANGALLO: As I said earlier, Australia desperately needs to formulate a national housing policy, in concert with the states, as a priority. As to the amendments proposed by the Greens, I indicate that we will be supporting the move to establish an independent advocacy group for tenants and also supporting greater transparency in declarations of conflicts of interest by agents and landlords who might otherwise have other building or development interests.

However, we will not be supporting amendments designed to impose rent freezes and caps, for reasons as I have outlined already, and measures relating to keeping pets, which take control out of the hands of property owners who already must bear all the risks of any damage or financial losses.

In closing, I would like to address a recent article in *The Advertiser* which published addresses, images and details of investment homes owned by members, in relation to this bill. While we are all required to—and must—declare our interests in the registry of interests, this article was invasive to some members and an overreach in a bid to serve the paper's narrative in attacking or exposing their interests to attract condemnation and derision from its readers, which it succeeded in doing.

My investments are my personal business and are as a result of being productive in the workforce for more than 50 years. It is my understanding that some images included housing rented to victims of domestic violence. Publication of those images may have exposed those tenants to unwelcome attention, and the same applies to the owners of those properties.

These are challenging times when politicians are often subjected to menacing threats and concerns for their safety and that of the staff who also work in this place, which *The Advertiser* ironically highlighted in another story about antisocial behaviour in this precinct the other day. Politicians, like other citizens, have a right to privacy too, and I would hope that the media respects this in future.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:57): I thank honourable members for their contributions during the second reading debate. It is an issue that is obviously important to all of us in this chamber.

As has been outlined by a number of government speakers, this is the first tranche of reforms. There will be further reforms in the not too distant future, and I think the Hon. Frank Pangallo just alluded to that. There will be things that will be traversed, and particularly that the Hon. Robert Simms on behalf of the Greens will be moving, that we are not necessarily opposed to, but in the not too distant future we will be looking to address some of that. That having been said, I look forward to the committee stage of the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The CHAIR: There are five clauses and a schedule, with a number of amendments lodged. There is an amendment in the name of the Hon. Mr Simms at clause 1. I am wondering whether we can postpone clause 1 with agreement, because I think a number of your amendments actually reflect back. Are there any contributions at clause 1 before we move on? The Hon. Mr Simms, you have a contribution at clause 1?

The Hon. R.A. SIMMS: Yes, thank you, Chair. I was going to propose the same course as the one you have outlined, so that is fine. I do have a few general questions about the bill. The minister and many other speakers have referenced a second tranche of reforms that will be coming to this place. I am wondering if the Attorney could give the committee an indication of the time frame that the government has in mind—when we will be seeing that draft bill and its scope.

The Hon. K.J. MAHER: I thank the honourable member for his question. I am advised that the government has previously said by the end of this year, but of course if there are elements of that we can do sooner, that is something we are actively engaged in looking at.

The Hon. R.A. SIMMS: Of the submissions that were received into the government's review, how many advocated for things like rent capping and other more meaningful action on the rental crisis?

The Hon. K.J. MAHER: I thank the honourable member for his question. I am advised that there were quite a number of submissions, particularly from various groups, and there were a number that did advocate for rent capping.

The Hon. R.A. SIMMS: Will the government make these submissions publicly available, along with the recommendations of Commissioner Soulio?

The Hon. K.J. MAHER: I thank the honourable member for his question. I am happy to take that on notice and see what possibility there is to publish the ones that—I am advised that there will be some that requested confidentiality, which of course ought to be respected, but I am happy to take that on notice and see what can be published outside of those that are marked confidential.

The Hon. J.M.A. LENSINK: In a similar vein, there are reports that would have been compiled by the commissioner—or hearsay, whoever collates it—which would have given a breakdown of the issues raised and the number of submissions that each covered. Is the government able to provide some of that statistical data to advise this chamber what issues received a proportion or a particular number of submissions?

The Hon. K.J. MAHER: I thank the honourable member for her question. Again, I am happy to take that on notice. I do not have in front of me right now what the breakdown would be but, like the answer to the last question, I am happy to take it on notice and see what can be provided.

The Hon. R.A. SIMMS: Many of the speakers on behalf of the government have talked about the bill banning rent bidding. Can the minister explain to me how precisely the bill bans rent bidding when landlords and real estate agents are still able to accept an offer that is made above the asking price?

The Hon. K.J. MAHER: I thank the honourable member for his question. On my advice, what this bill proposes is that it will not allow landlords to solicit offers of higher rates than what is advertised. It will not stop acceptance of higher rates, but it will prohibit the soliciting of rates higher than what is advertised.

The Hon. R.A. SIMMS: Yes, I accept that, but how precisely does this ban rent bidding? Is rent bidding only the practice, in the government's mind, of advertising for rents higher than the asking price? Surely the bidding is when the individual is able to actually put in a bid that is higher than the asking price. Can I ask why that was not addressed?

The Hon. K.J. MAHER: I thank the honourable member for his question. I do not have a lot more to add, but what this bill seeks to do is to prohibit the soliciting or asking for higher prices. It does not prohibit the acceptance of it, but it prohibits asking for that and therefore promoting people to do that.

The Hon. J.M.A. LENSINK: In relation to rent bidding, if my hearing served me correctly, I think I heard some of the government contributions refer to rent bidding as an increasing practice. On what basis, what advice has the government received that that is actually the case, particularly given that REISA bans their members from engaging in it?

The Hon. K.J. MAHER: I thank the honourable member for her question. In relation to individual members' contributions, I am happy to go away and find out if there are statistics that may lay behind that. I do not have that information in front of me, but I am happy to go and have a look.

The Hon. J.M.A. LENSINK: Clearly, we are going to be debating this this afternoon, so when is the Attorney committing to provide this information to the chamber?

The Hon. K.J. MAHER: I am happy to provide it as soon as possible. If I can get some information before other information, I am happy to provide that to honourable members as soon as I am able to.

The Hon. R.A. SIMMS: Webster's Dictionary defines a bid as 'to offer a price for payment or acceptance' or as a verb 'to make a bid; to say what one will pay'. In light of that definition, how precisely does the government's bill ban rent bidding if actually all it is doing is banning the advertising of a rent price above the asking price?

The Hon. K.J. MAHER: I thank the honourable member for his question. I am advised that in effect what the legislation does is ban the practice by agents; that is, it stops agents going out to solicit or attempt to have potential tenants offer higher amounts.

The Hon. R.A. SIMMS: The Webster's Dictionary definition of the word bid is 'to offer a price for payment'. Does the minister therefore concede that the bill does not actually ban the bid?

The Hon. K.J. MAHER: I thank the member for his question and his use of semantics and wording but, as I have said, the advice is that it stops landlords engaging in this sort of behaviour.

The Hon. R.A. SIMMS: Who did the government consult with before developing the bill?

The Hon. K.J. MAHER: I think it is on record that there were a large number of submissions put forward in relation to this bill. I am advised that in terms of higher rents being offered or solicited, under what we are proposing, we are now in line with the vast majority of other jurisdictions that have moved towards or are moving towards what we are proposing in this bill. I move:

That consideration of clause 1 be postponed and taken into consideration after all other clauses and proposed new clauses.

Motion carried; clause postponed.

Clause 2 passed.

New clause 2A.

The Hon. R.A. SIMMS: I move:

Amendment No 2 [Simms-1]—

Page 2, after line 8—Insert:

2A—Insertion of section 47

Before section 47A insert:

47—Agent of landlord must disclose conflict of interest

(1) Before entering into a residential tenancy agreement, a prospective tenant must, if an agent is acting for the landlord in respect of the proposed agreement, be advised in writing by the agent of any direct or indirect interest that the agent has in the residential premises or in a party to the proposed agreement.

(2) If an agent of a landlord contravenes subsection (1), the agent is guilty of an offence.

Maximum penalty: \$5,000.

This is an amendment that relates to requiring agents to disclose conflicts of interest. It is an important transparency measure. This would ensure that all conflicts of interest are out in the open, especially those that relate to the relationship between the landlord and the agent or any potential developer.

The Hon. F. PANGALLO: I rise on behalf of SA-Best to say that we will actually support this measure, even though the government has tried to give me an argument saying that it was not necessary and doubling up. I do not think that is actually the case. There is nothing like having transparency. It is not just in what we would consider the normal real estate transaction between tenant and landlord, I understand that there are also issues when it comes to residential villages, where there could be potential conflicts of interest when prospective tenants are actually signing agreements there. SA-Best will be supporting this.

The Hon. K.J. MAHER: I thank the honourable member for bringing this amendment to us. I am advised it was not a measure that was raised in submissions to the review of the act, and I am advised that the proposal is not consistent with laws in other jurisdictions of Australia. The government appreciates the intent behind it, but we will not be supporting this amendment at this time.

The Hon. J.M.A. LENSINK: The Liberal Party has not received any representation asking for this particular amendment; therefore, we will not be supporting it.

New clause negatived.

Clause 3 passed.

New clause 3A.

The Hon. R.A. SIMMS: I move:

Amendment No 3 [Simms-1]—

Page 3, after line 14—Insert:

3A—Amendment of section 49—Residential tenancy agreements

Section 49—after subsection (1) insert:

- (1a) It will be taken to be a term of every residential tenancy agreement entered into after the commencement of this subsection that the landlord, any agent of the landlord and the tenant must comply with an order of the Tribunal under Division 6A relating to the residential tenancy agreement.

This amendment would allow the minister to apply rent controls. Members of this place will be familiar with the arguments the Greens have made in relation to rent controls before, so I will not repeat them, suffice to say, if ever there was a time for rent control, this is it. This would not force the government to control rents, it would give the minister the power to step in and control rents in circumstances if they saw fit.

The Hon. J.M.A. LENSINK: The Liberal Party will not be supporting this amendment. I think it is worth making some remarks about how markets operate. There is nothing that scares investors away more from a particular investment class, if I can use that term, than something like this, which could potentially arbitrarily change the laws at a whim. We certainly appreciate the difficulty that a lot of people are finding themselves in. This is not the solution. What we need is greater supply in the market.

We have seen a tightening of the market. I think there is a whole range of factors that have led to that, including the banking royal commission nationally, which has driven a lot of investors out of the market. This will have unintended consequences. I am sure it is not the intent of the honourable member to have this effect, but I firmly believe it would firmly tighten the market as more mum-and-dad investors particularly would leave the market, which would actually increase the amount of homelessness in our state.

I think there is often a tendency to reach for solutions which might make sense in some circumstances, but there is a very broad set of factors at play which has led to the current housing crisis. This certainly will not assist.

The CHAIR: Just before anybody goes any further, the Hon. Mr Simms, we think you might be talking to your new clause 4A, and I think, the Hon. Ms Lensink, you responded to new clause 4A, and the Attorney was about to jump on new clause 4A. How about we go back to new clause 3A?

The Hon. R.A. SIMMS: I have some inconsistent notes here. I apologise for that.

The CHAIR: Amendment No. 3 [Simms-1]:

Section 49—after subsection (1) insert:

- (1a) It will be taken to be a term of every residential tenancy agreement entered into after the commencement of this subsection that the landlord, any agent of the landlord and the tenant must comply with an order of the Tribunal under Division 6A relating—

The Hon. R.A. SIMMS: This is the pets element. I am sorry, Mr Chair; apologies for that. This amendment relates to a presumption in favour of renting with pets. Apologies for the confusion.

The Hon. J.M.A. LENSINK: I am happy to make some remarks while other members are considering their position. I am very sympathetic to pets. I have had pets my whole life. I have rented with pets and lived with pets and know how important they are to everybody, but this does reverse the onus so that landlords will not be able to refuse to have pets unless the tribunal ultimately agrees. Again, placing these restrictions on people, notwithstanding the situation people often find themselves in, will have the impact of forcing people out of the market if they were to come under this circumstance.

I note from a number of emails I have received—I think we have probably all received very similar emails about pets—that people are talking about litters and kittens. That is actually more to do with desexing issues, something our parliament has dealt with and something I am very strongly in favour of, both compulsory desexing and clamping down on puppy farms and also people who do not respect animals enough to ensure they have them desexed so that they do not breed and produce unnecessary litters.

I am certainly very sympathetic, and we have looked at the issue of pets in rentals before. I think at one stage I proposed that we could potentially have bonds to cover that issue, and I think a lot of landlords would feel much more comfortable if they were able to apply a bond. However, we do not believe this measure is in any way going to assist the situation, it will just further tighten the rental market.

The Hon. K.J. MAHER: I indicate that we will not be supporting this amendment, but it is certainly one of the issues that is being considered as we look at further reforms to the residential tenancy scheme. There were submissions from, in particular, the Law Society, the RSPCA and Shelter SA that advocated for some form of consideration in relation to pets as part of rental agreements, and it is something we will further consider.

In relation to the questions that were asked earlier, I have had further advice and can confirm that there is an intention to release those submissions in the coming weeks—of course, with the caveat of those who have asked to remain confidential.

The Hon. F. PANGALLO: I indicate that we will be opposing this amendment, and the consequential ones afterwards, about pets. As I outlined in my speech, it seems there is legislation that is intended to take control away from the actual property owner and their ability to make decisions on whether or not to rent to tenants who have pets, bearing in mind that they have to bear the enormous costs of any damage that might be incurred. You are really taking away protections from the landlords in relation to safeguarding their own properties.

The best way to approach this would be consensus between the landlord and the tenant, for them to be able to talk it through. I have done that previously. As a renter myself, I have discussed with my landlord the possibility of being able to have our pets with us, and we came to an amicable agreement when we were able to talk it through. To take away the right from the landlord and instead leave it up to a tribunal to decide I am afraid I cannot agree with, and we oppose it.

The Hon. T.A. FRANKS: Obviously, I rise to support this amendment by the Greens to make it easier for tenants to keep their pets, particularly if they change rental properties and already have those pets. What it does, by changing the onus, is change the balance of power just that little bit and gives a tenant some power in having that conversation before they move into a property, before they have proven themselves to be a good tenant. Having the default position that they should be allowed to have pets and that it does not require the landlord to let them have pets simply changes the premise on which the conversation starts in the first place.

Throughout all this, all I hear is that the market is the important thing in this equation, not the people actually looking for adequate housing and those people who do have pets. We have a crisis with animals in shelters at unprecedented levels at the moment, and we have a crisis with people seeking housing. To put yet another burden on people who often have pets they much love, to be faced with having to give up those pets simply because they need to find a house, is something we should be grappling with in this conversation.

Noes.....18
Majority16

AYES

Franks, T.A. Simms, R.A. (teller)

NOES

Bourke, E.S.	Centofanti, N.J.	Game, S.L.
Girolamo, H.M.	Hanson, J.E.	Henderson, L.A.
Hood, B.R.	Hood, D.G.E.	Hunter, I.K.
Lee, J.S.	Lensink, J.M.A.	Maher, K.J. (teller)
Martin, R.B.	Ngo, T.T.	Pangallo, F.
Pnevmatikos, I.	Scriven, C.M.	Wortley, R.P.

Amendment thus negated; clause passed.

New clause 4A.

The Hon. R.A. SIMMS: I move:

Amendment No 5 [Simms–1]—

Page 4, after line 21—Insert:

4A—Insertion of section 55A

After section 55 insert:

55A—Minister may impose rent control measures

- (1) The Minister may, if satisfied that it is in the public interest to do so, by notice in the Gazette, impose measures for the purposes of regulating or controlling rents, or variations to rents, payable under residential tenancy agreements (*rent control measures*).
- (2) Without limiting subsection (1), rent control measures may—
 - (a) regulate, limit or prohibit variations to rent payable under residential tenancy agreements; and
 - (b) impose other measures relating to rent that the Minister considers appropriate.
- (3) Rent control measures may apply to a specified class of residential tenancy agreements or to residential tenancy agreements generally.
- (4) Despite any other provision of this Act—
 - (a) rent control measures imposed under this section apply according to their terms; and
 - (b) it will be taken to be a term of every residential tenancy agreement (whether entered into before or after the commencement of this subsection) that the landlord, any agent of the landlord and the tenant must comply with rent control measures under this section.

This is the amendment I foreshadowed earlier that would give the minister the power to impose rent control measures. I know some members are concerned about rent controls, but this amendment would actually allow the minister to impose rent controls if they are satisfied that it is in the public interest to do so and they would therefore be able to regulate or control rents for a set period of time.

I know some members have said that could have unforeseen consequences. It would be for the minister of the day to weigh those factors, and I have a lot of faith in the minister. I am sure she would make the right call, but why not give her the capacity to make that decision, particularly given some of the challenges that we face at the moment.

The Hon. F. PANGALLO: I want to indicate that SA-Best will be opposing this amendment by the Hon. Robert Simms. While I again acknowledge the merit in some of the things that the Greens put up, sometimes they do not make sense to the free market economy that we enjoy in this country.

Also, as I pointed out when I was speaking, the last thing you want to do is to have a disincentive for investment in property. It is the mum-and-dad investors who are the ones who are putting their money into property and creating rental properties, but we have seen gradually, as a result of poor government policy over decades, that they have not supplemented additional social housing, low economic housing, and also the implementation of extraordinary planning measures have caused a logjam of applications for properties to be developed. Again, it is turning people off. Even now, I am getting complaints in my office in relation to the new planning code and just how difficult it has been for people to get a house built on time—the times have blown out.

I am surprised that the government, considering how it goes for all these populist measures, is not supporting this one. It seems to support anything else that would make it quite popular. Again, as I said, it would be a disincentive for investors. I am not going to let the Liberals off the hook here, because they introduced the land tax two or three years ago that also saw many investors move out of the market. In closing, I am opposing it.

The Hon. T.A. FRANKS: Could the minister clarify whether or not we already have rent control in this state?

The Hon. K.J. MAHER: My advice is that I am not aware of anything within the Residential Tenancies Act that would do that.

The Hon. T.A. FRANKS: Could the minister clarify that we already had rent control in this state under the Housing Improvement Act?

The Hon. K.J. MAHER: I do not have advice in relation to that, but I am happy to go away and find out for the honourable member.

The Hon. T.A. FRANKS: To save the minister time, is the Attorney aware that under the Housing Improvement Act this state already has rent control for substandard housing in this state and, indeed, there the minister takes responsibility for ensuring rent control? So this would simply be an expansion of that particular approach and is not something novel or new for this state.

The Hon. K.J. MAHER: I thank the honourable member and, as I said, I am happy to take that on notice and go away, but I am not sure that I would characterise it as a mere minor expansion of something that already exists, allowing the possibility of rental control over any single property in the state.

The Hon. J.M.A. LENSINK: I made that speech before I was following on the lead from the Hon. Mr Simms. I should know better than to follow his lead, but the speech I made on a previous clause related to rent control. This gives me another opportunity to speak about something which is in the city of New York, where rent control exists. There is a situation where for those properties that are under rent control, they do not get the sort of investment that they need so a lot of them are not in a great state of repair.

You have this huge disparity between those people who happen to be in a rent-controlled apartment where they might be paying reduced rent but the maintenance is not done properly and in huge contrast there is a huge gap between those properties and the other ones. As we know, they have very expensive real estate in New York. I think these things can seem to have the effect that people want. We need more supply in South Australia and we need more landlords as part of that. We do not need rent control.

The committee divided on the new clause:

Ayes	2
Noes.....	18
Majority	16

AYES

Franks, T.A. Simms, R.A. (teller)

NOES

Bourke, E.S.	Centofanti, N.J.	Game, S.L.
Girolamo, H.M.	Hanson, J.E.	Henderson, L.A.
Hood, B.R.	Hood, D.G.E.	Hunter, I.K.
Lee, J.S.	Lensink, J.M.A.	Maher, K.J. (teller)
Martin, R.B.	Ngo, T.T.	Pangallo, F.
Pnevmatikos, I.	Scriven, C.M.	Wortley, R.P.

New clause thus negated.

Clause 5 passed.

New clause 6.

The Hon. R.A. SIMMS: I move:

Amendment No 6 [Simms–1]—

Page 6, after line 12—Insert:

6—Repeal of section 83

Section 83—delete the section

I only need to move new clause 6, because the new insertion has been dealt with. This new clause is a repeal of section 83, which would involve a deletion of section 83, which in effect would allow for or end no-cause evictions in South Australia, which is an issue the Greens have been very concerned about over a long period of time. I have outlined the reasons for the amendment; I will not reventilate them.

The Hon. K.J. MAHER: I rise to indicate that the government thanks the Hon. Mr Simms for bringing this amendment to the chamber. This issue certainly was ventilated, I am informed, in submissions and one, as I said, that is being actively considered and how that might apply in the second tranche of reforms being looked at in relation to the residential tenancies scheme, and that work is ongoing. Although we are not standing here saying that we completely oppose the concept and the idea, it is something we are considering ourselves, so will not be supporting this amendment at this time.

The Hon. J.M.A. LENSINK: My understanding of the way the current laws operate, and what the honourable member is seeking to delete in clause 83, is that a landlord can terminate a lease without specifying grounds. I think there are probably other ways to achieve what the honourable member is talking about, including things like providing longer terms for people to have tenancies and potentially providing clauses for tenants so that if they are notified that their lease is to be terminated, they can seek to end it early so that they themselves are not left in a position where they are paying two sets of rent. They are things that should be further explored.

The Hon. F. PANGALLO: I indicate that SA-Best will oppose this amendment, and we look forward to what the government may propose in the next tranche of reforms.

The committee divided on the new clause:

Ayes	2
Noes	18
Majority	16

AYES

Franks, T.A. Simms, R.A. (teller)

NOES

Bourke, E.S.	Centofanti, N.J.	Game, S.L.
Girolamo, H.M.	Hanson, J.E.	Henderson, L.A.
Hood, B.R.	Hood, D.G.E.	Hunter, I.K.
Lee, J.S.	Lensink, J.M.A.	Maher, K.J. (teller)
Martin, R.B.	Ngo, T.T.	Pangallo, F.
Pnevmatikos, I.	Scriven, C.M.	Wortley, R.P.

New clause thus negatived.

New clause 7.

The Hon. R.A. SIMMS: I move:

Amendment No 1 [Simms-2]—

Page 6, after line 12—Insert:

7—Amendment of section 101—Application of income

Section 101(1)—after paragraph (a) insert:

- (ab) for the benefit of an industrial association or organisation registered under a law of the State or of the Commonwealth that the Commissioner is satisfied has a primary purpose of advocating for and representing the interests of tenants, rooming house residents and residents of residential parks; and

This is the final amendment, members will be relieved to know. This amendment relates to giving the commissioner the power to establish an independent advocate for renters and tenants. Certainly, feedback that I have had overwhelmingly in engaging with the sector is that this is something that is long overdue for South Australia. At the moment, the act gives the commissioner the power to allocate interest from bond money on a range of projects, but this would actually give the commissioner the power to establish an independent body to advocate for renters and I think would go a long way in terms of addressing some of the imbalances that can exist within our rental system.

The Hon. F. PANGALLO: I rise to indicate that SA-Best will be supporting this amendment.

The Hon. J.M.A. LENSINK: I would like to make some remarks in relation to this amendment, which we also will be supporting. We believe there is a gap in the market that has been identified by both people who speak on behalf of tenants and also some of the people who speak on behalf of landlords, and if I could just elaborate on that little bit. There are a range of services that operate in this particular space. The Marshall Liberal government re-tendered for the advocacy services under the public Housing Authority, which went to a combination of Uniting Communities SA and Service to Youth Council who operate the RentRight service, which is largely a telephone advice service with information available on their website.

However, there are many people who advocated for an expanded tenant mediation service, which would assist both landlords and tenants to be clear about their respective rights and options and to thereby reach a resolution on issues before needing to resort to SACAT, which can be quite lengthy. In particular, mediation and dispute resolution would be quite a useful service before both parties get, for want of a better word, frazzled and angry at SACAT.

A lot of the issues that arise are with the private landlords who can self-manage issues, so to be able to provide more advice and education to them would be useful to make sure they understand their requirements in terms of things like that they should do things using licensed trades instead of trying to get someone who might not know what they are doing to do some repairs.

I have also had advice from some in the real estate sector that they see particular value in assisting people to prepare their tenant applications—something a little bit like a mortgage broker. The way it has been explained to me is that a prospective landlord wants to actually be able to see someone's income in terms of that the tenancy is financially sustainable. Sometimes people will provide one part of that, such as their part-time work, but they might omit that they also receive Centrelink income or child support for a landlord, for instance, or an agent that uses a rule of thumb,

such as 33 per cent of gross income. They could also take into account if the prospective tenant has savings, which would assist them to make their tenancy viable.

This is quite similar to what SAHA do when they have people come in to talk to them about the private rental affordability program, where they will look at someone's income and then determine what their affordability range is. I think it probably does not take place enough and we certainly see that there is a gap in that range of services between the NGOs that run rental support, SAHA and SACAT. There is certainly space for something which will assist people to first of all know what their viability is and then for mediation and dispute resolution for people who get caught in difficult situations.

The Hon. K.J. MAHER: I rise to say that we are happy to look at this. We are not making a commitment that this will be necessarily supported or that we will not seek to change how it is worded when it gets to the lower house, but we are happy—not to oppose it in this chamber but with a view to having a look at it between the houses.

New clause inserted.

Clause 1 passed.

Schedule and title passed.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (17:52): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ENVIRONMENT PROTECTION (OBJECTS OF ACT AND BOARD ATTRIBUTES) AMENDMENT BILL

Introduction and First Reading

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

NATIONAL PARKS AND WILDLIFE (WOMBAT BURROWS) AMENDMENT BILL

Final Stages

The House of Assembly agreed to the bill without any amendment.

At 17:54 the council adjourned until Wednesday 14 June 2023 at 14:15.

*Answers to Questions***FREEDOM OF INFORMATION PROCESSING**

266 The Hon. T.A. FRANKS (3 May 2023). Can the Minister for Climate, Environment and Water advise:

1. Regarding FOI request (F0003207570) made by the mover, an amount of \$6,063 and a processing time of 107.5 hours was provided in the answer. This FOI was looking into a single issue, over a 9-month period. In calculating this processing time, what tasks were anticipated?
2. What award rate was the 107.5 hours of processing time calculated at, given the processing time appears to cost \$56.40 per hour?

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 advised:

1. The Department for Environment and Water (DEW) has advised that processing times associated with F0003207570 anticipated tasks including:

- finding
- sorting
- copying
- compiling
- conducting consultations in relation to the release of information concerning the affairs of third parties.

2. The fees and charges for FOI request F0003207570 were calculated by DEW in accordance with the Freedom of Information (Fees and Charges) Regulations 2018 (regulations) and the Freedom of Information (Fees) Notice 2020 published in the *Government Gazette* (No. 48) on 4 June 2020.

DISABILITY SERVICES

270 The Hon. R.A. SIMMS (3 May 2023).

1. What is the government doing to support people living with disability when navigating the legal system?
2. Will the government implement the recommendation from the South Australian Law Reform Institute's report titled 'Providing a Voice to the Vulnerable: A Study of Communication Assistance in South Australia' that called on the government to provide a publicly funded service to be available to people with complex communication needs when interacting with the justice system?

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

I have been advised:

1. My department provides National Legal Assistance Partnership 2020-25 (NLAP) funding to the Legal Services Commission of South Australia, the Aboriginal Legal Rights Movement and community legal centres for the provision of legal assistance services to key cohorts identified as national priority client groups under the NLAP, which includes people with a disability or mental illness.

Specifically, the department provides (non-exhaustive):

- NLAP funding to Uniting Communities Law Centre to deliver the Welfare Rights Service, which provides legal advice and representation to clients with social security matters, including those in the Administrative Appeals Tribunal (AAT). This includes matters relating to the disability support pension.
- State funding to LSC to deliver the Disability Information and Legal Assistance (DILA) unit. The DILA unit provides specialist information and legal advice for South Australians with disability, including those with cognitive or mental impairment, their carers and advocates.
- In addition to the services funded by the department, Uniting Communities receives state funding from the Department of Human Services to deliver the Disability Advocacy Service. The Disability Advocacy Service provides education and assistance to people trying to access the National Disability Insurance Scheme (NDIS) system or who are seeking reviews of their NDIS plans. The service also assists with appeals lodged in the AAT regarding a NDIS decision, or in the South Australian Civil and Administrative Tribunal regarding a guardianship order.

Further, there are several initiatives in place to support people with disability and complex communication needs to navigate and engage with the justice system. They include (non-exhaustive):

- Vulnerable witness provisions are available to specified people, including people with a mental disability, to help make the experience of giving evidence in court less stressful. This could include giving evidence from a separate room (including via closed-circuit TV—CCTV), having a court support volunteer present or having a canine court companion to accompany the witness while giving evidence.
- The Office of the Director of Public Prosecutions' Witness Assistance Officers and Victim Support Services' volunteer Court Companions are available to provide trauma-informed support for victims who may need assistance to participate in the prosecution process, including those with a disability. This may also involve assisting victims to understand information about legal rights and processes and providing practical support so that they can participate in the criminal justice system to the best of their ability and can access appropriate community-based support services.
- Canine Court Companions are also available to reduce the stress and anxiety of vulnerable victims and prosecution witnesses. Court Companions is a joint initiative between the Office of the Director of Public Prosecutions and Guide Dogs SA/NT.

2. Ensuring that people with complex communication needs can access the justice system is of the utmost importance to the government and is an ongoing consideration.

The communication partner service is currently provided by qualified communication specialists whereby a person with complex communication needs is entitled to receive communication assistance for support with speech, language and communication needs to facilitate communication with the justice system, including police, criminal defence lawyers, courts or prosecution services.

The government will continue to monitor the impact of the available range of communication assistance strategies to ensure they are operating as effectively as possible.

YOUTH JUSTICE SERVICES

271 The Hon. R.A. SIMMS (3 May 2023).

1. How many children between the ages of 10-14 have been detained in the justice system in the last 12 months?
2. Of those children, how many are between the ages of 10-12?
3. What is the government doing to progress the Optional Protocol to the (United Nations) Convention Against Torture (OPCAT) which prevents the torture, illegal treatment, and deprivation of human rights for detained people?
4. How much funding is being provided by the South Australian government to implement OPCAT?
5. Is the government providing extra financial and human resources to the Office of the Guardian for Children and Young People to provide oversight for children and young people to the international standard required by OPCAT?

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

1. Between 10 May 2022 and 9 May 2023, a total of 41 children aged from 10 years to 13 years and 11 months were admitted to Kurlana Tapa Youth Justice Centre.

Cumulatively, these children spent a total of 275 nights in custody along with two children who were admitted to Kurlana Tapa but did not remain overnight.

2. Between 10 May 2022 and 9 May 2023, eight children aged from 10 years to 11 years and 11 months were admitted to Kurlana Tapa Youth Justice Centre. These children spent a cumulative 13 nights in custody over the past year.

Table 1—Admission of children aged 10 to 13 years to Kurlana Tapa Youth Justice Centre between 10 May 2022 and 9 May 2023

Child age on admission	Number of children	Custody nights	Number of admissions
10	2	0	2
11	6	13	7
12	10	41	19
13	27	221	92
Total	41	275	120

Please note the sum of the 'number of children' column is 45 but the total number of individual children comes to 41. This is because four children had subsequent admissions after their birthdays.

3. As I have indicated previously in this place, South Australia, like other jurisdictions, stands prepared to implement OPCAT when the commonwealth government provides proper and ongoing funding to do so. The South Australian government continues to work closely with the commonwealth government to progress the implementation of OPCAT and issues concerning funding. OPCAT remains a priority item on the Standing Council of Attorneys-General (SCAG) meeting agenda for 2023. At the 28 April 2023 SCAG meeting, all participants affirmed their commitment to continue to work together towards full implementation of OPCAT obligations. I welcome this commitment from the commonwealth government and look forward to continuing to progress efforts to support the full implementation of OPCAT.

4. The South Australian government's position is that funding to implement OPCAT is a matter for the commonwealth government. The South Australian government continues to work closely with the commonwealth government to resolve issues relating to funding for the National Preventive Mechanisms (NPMs) to ensure that they are able to effectively carry out their functions and powers under OPCAT.

5. The Training Centre Visitor (currently Ms Shona Reid who also holds the office of Guardian for Children and Young People) was nominated in January 2022 by the former government to be the NPM for training centres when OPCAT is implemented. The implementation of OPCAT, including the passage of legislation needed to confer NPM functions on the Training Centre Visitor, remains subject to resolution of issues related to federal funding.

SCHOOLS, SPECIALIST SUPPORT

In reply to **the Hon. H.M. GIROLAMO** (30 November 2022).

The Hon. E.S. BOURKE: The Minister for Education, Training and Skills has advised the Department for Education funds various organisations to deliver services under the Child and Students with Disability Program, as distinct from NDIS services provided.

The minister has also advised there has been no reduction in funding for these organisations with the introduction of the autism inclusion teachers, and no changes are planned through the term of their contracts.

AMBULANCE RAMPING

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (21 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 been advised:

In response to the heatwave, hospitals and SAAS implemented their hot weather policies to ensure patients were rapidly and safely offloaded from ambulances into emergency departments.

AMBULANCE RAMPING

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (7 March 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 Malinauskas Labor government has been very clear, both before and after the election, that our number one priority is to fix the ramping crisis.

The Liberals left the health system in disarray and now our government is doing the hard work to turn the system around.

We are opening every hospital bed possible to improve patient flow, and we are investing a record \$2.4 billion to open more than 550 additional beds, recruit hundreds more doctors, nurses and ambos and build and upgrade key health infrastructure to provide the capacity our healthcare system needs.

NOVITA

In reply to **the Hon. L.A. HENDERSON** (7 March 2023).

The Hon. E.S. BOURKE: The Minister for Education has advised there has been no reduction in funding for Novita since the agreement was executed in early 2022 and no changes are planned within the term of the contract. Additionally, there has been no reduction in funding from the Department for Education to Novita with the introduction of the autism inclusion teachers.

Further, the Minister for Human Services has also advised:

Since the 2022 election, the Department of Human Services (DHS) has provided Novita with individualised funding to support the non-residential pathway.

- 2021-22: \$15,885 (GST excl).
- 2022-23: \$46,041 (GST excl).

The DHS Equipment Program has also used Novita Tech to repair equipment, conduct home modifications and customise pieces of equipment.

- 2021-22: \$62,000.
- 2022-23: \$18,000 (year to date).

The DHS Equipment Program will continue to use Novita Tech for equipment repairs and customisation and home modifications, via a payment on invoice funding arrangement.

This funding and work is separate to other program and policy initiatives that seek to address autism and other disabilities.

Additionally, the Minister for Child Protection has advised:

Novita has been and continues to be an important disability service provider for DCP. Funding provided during 2021-22 and 2022-23 is as follows:

- 2021-22: \$938,120.
- 2022-23: \$194,334 (as at 6 June 2023).

In 2020, Novita advised DCP that its organisation intended to gear down their service in relation to providing disability residential care services to children and young people under guardianship of the chief executive.

Long-term transitional arrangements were put in place to ensure minimal disruption to any existing care arrangements. The reduction in funding reflects the care arrangements transitioning from Novita to other disability service providers. Novita continues to provide clinical and other support services to children and young people under guardianship of the chief executive through NDIS or DCP funding.

APY LANDS TUBERCULOSIS OUTBREAK

In reply to **the Hon. H.M. GIROLAMO** (7 March 2023).

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

I was provided with a copy of a briefing addressed to the Minister for Health and Wellbeing from his department informing him of the tuberculosis (TB) cluster in the APY lands. This briefing was sent to my office on 27 December 2022. A briefing addressed to me as Minister for Aboriginal Affairs, from the Minister for Health and Wellbeing, was received on 7 February 2023 regarding the TB outbreak in the APY lands.

My department (through Aboriginal Affairs and Reconciliation) will continue to receive updates from the Department for Health and Wellbeing on this situation and will provide advice as required.

The Minister for Health and Wellbeing has advised:

As of 24 April 2023 there are 13 confirmed active cases of tuberculosis (TB) reported with links to the APY lands. The potential of further spread of TB in the APY lands is dependent on ensuring cases are appropriately treated, and identifying further cases not yet diagnosed through contact tracing and screening to enable treatment. Planned screening deployments in the upcoming months to the APY lands aim to better understand the scope of the outbreak.

The exact origin of this outbreak may not be identified. TB has a long incubation period, and in some cases, from the time of infection it can take years for the disease to activate and become infectious. TB has not been eliminated in Australia, with approximately 1,300 cases of TB reported per year.

Prior to this outbreak there were no cases of TB reported in the APY lands since 2018 and no notifications of TB in Aboriginal persons in South Australia since 2021. SA Health is working with SA Pathology and interstate counterparts to use whole genome sequencing (WGS) to identify any genetic links between cases in this outbreak and previous outbreaks in South Australia and interstate.

SA Health staff are engaging with community members and the local health service to provide a culturally appropriate response to the outbreak. The response is being led by SA Health, in collaboration with other government departments.

An executive coordination committee, chaired by the Chief Public Health Officer, with representation from agencies outside SA Health, including Aboriginal Health Council of SA, National Aboriginal Community Controlled Health Organisation, Aboriginal Affairs and Reconciliation (Attorney-General's Department), Department for Correctional Services, SA Housing Authority, Department for Child Protection and Department of Human Services.

Key public health measures are supporting vaccination of children aged under five years, undertaking contact tracing and broader screening to identify cases of active and latent TB, and ensuring appropriate treatment.

AUTISM

In reply to **the Hon. J.S. LEE (Deputy Leader of the Opposition)** (8 March 2023).

The Hon. E.S. BOURKE: The Minister for Education, Training and Skills has advised:

The Department for Education does not currently record autism related qualifications centrally for staff in government preschools. However, work is underway to put in place a system to collect this information.

The Department for Education has updated the position descriptions for preschool directors and early childhood workers to include qualifications in special education or other relevant qualifications, or equivalent experience in working with and teaching children with autism as desirable. This criterion is also used on all recruitment advertisements for preschool teachers across the state. Work is underway to update school support officer role descriptions.

Preschool staff can access professional development opportunities through a range of autism-specific organisations that specialise in education and support. The department is exploring a range of options to make training more accessible and/or relevant for early years educators.

VALO ADELAIDE 500

In reply to **the Hon. F. PANGALLO** (8 March 2023).

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

The South Australian Motor Sport Board, who are the entity responsible for running the VALO Adelaide 500 event, have spoken with Helistar, the helicopter operators, who have advised that during the 2022 VALO Adelaide 500 no reports were received from the Civil Aviation Safety Authority or from Air Services Australia, about the helicopter scenic flights.

There was only one complaint received from a local resident about the noise levels from the helicopter flights, and this was received on the Saturday afternoon of the event.

With regard to the recent Gold Coast helicopter tragedy, the South Australian Motor Sport Board have spoken with Helistar who have advised that all scenic flights are operated under the approvals and regulations provided by Civil Aviation Safety Authority and Air Services Australia. Scenic flights undertaken within the VALO Adelaide 500 event are supported by Adelaide Air Services and Helistar ground control staff. The South Australian Motor Sport Board event management team are constantly reviewing safety protocols to ensure consistent improvement across the entire VALO Adelaide 500 event, including helicopter scenic flights.

PREMIER'S EXCELLENCE AWARDS

In reply to **the Hon. C. BONAROS** (9 March 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 been advised:

Children with COVID who require hospitalisation are managed at the Women's and Children's Hospital by either an inpatient admission to a ward area or admitted to WCH@Home which is a service led by Dr Vasilunas.

COST OF LIVING CONCESSION

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

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

This government has introduced a number of new measures to address cost-of-living concerns, including doubling the Cost of Living Concession for 2022-23, providing a \$100 subsidy to government school parents, caregivers and independent students for the materials and services charge for the 2022 and 2023 school years, as well as providing free public transport for eligible seniors across all times.

More than 420,000 South Australian households and 86,000 small businesses will now also be eligible to receive hundreds of dollars in energy bill rebates under an historic agreement between the Malinauskas and Albanese governments to help the most vulnerable withstand rising prices.

The Malinauskas government has committed \$127.2 million for the National Energy Bill Relief Plan, which will be matched by the commonwealth dollar for dollar.

Households eligible under the plan, which include existing energy concession recipients and Family Tax Benefit recipients, will receive rebates of \$500, while eligible small businesses will receive rebates of \$650.

In relation to housing, on 14 February 2023, the Malinauskas government was pleased to announce A Better Housing Future plan, as the immediate response to some of the pressing housing challenges facing South Australia. As part of the package, the government announced the single largest release of residential land in South Australia's history. The plan has begun with rezoning of 235 hectares of land at Hackham—creating the capacity for at least 2,000 homes.

In addition, the following sites have been identified for rezoning for residential use:

- 10,000 lots at Dry Creek;
- 10,000 lots at Concordia; and
- 1,700 lots at Sellicks Beach.

The plan also includes the 1000 affordable homes Initiative, which is committed to delivering the SA Housing Authority's program to develop 1,000 new affordable homes over the next four years. Already 124 homes have been purchased with approximately 200 expected to be available to homebuyers in 2022-23.

More immediate support for homebuyers has been included through changes to HomeStart products to reduce up-front costs. This includes:

- providing greater access to interest-free loans covering the up-front costs of buying a home (such as stamp duty) by increasing the annual income cap and extending the loan repayment term;
- providing greater access to finance in the regions by no longer requiring higher up-front deposits for people purchasing homes in regional areas; and
- reducing the minimum deposit required for a graduate loan from 3 per cent to 2 per cent for established homes.

The state government is also working with HomeStart Finance to develop a new 3 per cent low deposit loan product for first home buyers purchasing a newly constructed home or building a new home.

The housing plan also includes a number of rent reforms including making residential tenancy bonds more affordable and banning rent bidding.

Currently, landlords can claim residential bonds equivalent to maximum six weeks' rent when the weekly rent is \$250 or greater, or a maximum four weeks' rent when the weekly rent is below this threshold. The bond threshold will be raised to \$800, reducing the up-front costs for tenants by between \$500 and \$1,600.

Landlords will also no longer be able to advertise properties with a rent range, put properties up for rent auction or solicit offers over the advertised price. This reform brings South Australia in line with other jurisdictions which have introduced restrictions on rent bidding.

In addition, the state government is working closely with the commonwealth government to increase the supply of affordable housing for rental and purchase for South Australians through the commonwealth government's commitment to housing reform, which includes:

- The \$10 billion Housing Australia Future Fund that will, together with national accord commitments, build 50,000 social and affordable housing properties nationally in its first five years; this is currently being held up in the Senate by the Coalition and Greens.
- Help to Buy, a new program to make it cheaper and easier for Australians to own their own home;
- The Regional First Home Buyer Support Scheme;
- The Housing Accord, and initial aspirational national target of delivering one million new, well-located homes over five years from 2024;
- Establishing a National Housing Supply and Affordability Council; and
- Developing a National Housing and Homelessness Plan.

These commitments were recently extended in the 2023-24 commonwealth budget, including:

- A 15 per cent increase in the maximum rate payable for Commonwealth Rent Assistance; and
- Measures to support an increase in build-to-rent investment:
 - a reduction in the withholding tax rate from 30 per cent to 15 per cent for fund payments from managed investment trusts attributed to newly constructed build-to-rent developments; and
 - increasing the capital works deduction from 2.5 to 4 per cent per year for newly constructed build-to-rent developments.

Further measures to support South Australians getting into a home and cost-of-living relief will be considered as part of the 2023-24 budget.

SUBMARINE STEEL

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

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:

1. No.
2. No.
3. This is a matter for the Australian government.
4. At this very early stage that information has yet to be determined and a matter for the Australian government.
5. At this early stage that information has yet to be determined and a matter for the Australian government.

JUVENILE INCARCERATION RATES

In reply to **the Hon. C. BONAROS** (2 May 2023).

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

1. In 2021-22 there was an increase of nine children aged 11 to 13 years admitted to custody at Kurlana Tapa Youth Justice Centre, which was a 20.9 per cent increase from 2020-21. There were no children aged 10 years admitted in 2020-21 or 2021-22.

This single year increase should be considered in context.

In 2020-21, South Australia (SA) admitted the lowest number on record of children aged 10-13 years to custody. This was likely due to community-wide COVID-19 response measures.

As outlined in table 1 below, the increase of nine children to a total 52 children admitted in 2021-22 is a return to normal trends and on par with the number admitted in 2019-20 (52); 2018-19 (51) and 2017-18 (53).

Table 1: Number of children aged 10 to 13 years admitted to Kurlana Tapa by financial year in SA

Financial Year	Number of children aged 10-13 years admitted to custody
2015-16	84
2016-17	68
2017-18	53
2018-19	51
2019-20	52
2020-21	43
2021-22	52
2022-23 (Year to date to 8 May 2023)	38

It is also important to note:

- whilst there are fluctuations from year to year, there has been a long-term trend decline in the number of children aged 10-13 years admitted to custody in SA
- the vast majority (87 per cent in 2021-22) of all children and young people under youth justice supervision in SA are supervised in the community, not in custody (Australian Institute of Health and Welfare Youth Justice in Australia 2021-22)
- the latest published national data on the proportion of children and young people who returned to sentenced supervision within 12 months, shows that SA had the lowest rate of returns nationally compared to all other jurisdictions (41.2 per cent compared to 50.9 per cent nationally) (Productivity Commission Report on Government Services 2023). Whilst there is room for further improvement, this is a positive achievement.
- data from the Report on Government Services also shows that SA has the second lowest rate of detention of children and young people in Australia, after Victoria (1.8 per 10,000 young people in SA compared to the national average of 2.8 in 2021-22).
- most young people have brief periods of custody in Kurlana Tapa. In 2021-22, the median length of custody for all children and young people in Kurlana Tapa was 3.7 days. The average length of custody was 13.1 days. This applies for all periods of custody which started and ended in 2021-22.

In relation to the supplementary question, the Department of Human Services (DHS) is unable to corroborate the claim that some children aged 11 and 12 years are spending over 130 days on remand at Kurlana Tapa. DHS has reviewed custody data for all children aged 11 and 12 years at the time of first admission since 1 July 2019. It appears

only eight children in this cohort have spent a cumulative period in custody over 30 days. The highest cumulative days in custody for a child in this cohort was 82 days.

2. The Attorney-General has responded, 'I think it is of concern to all of us to see children incarcerated.'

3. The data shows a long-term trend decline in the number of children in custody in SA. DHS is committed to working with partner agencies to further reduce admissions to custodial youth justice. These efforts cut across multiple portfolios.

DHS is committed to working with young people, their families and communities to reduce offending and contact with the justice system.

In 2021, DHS introduced the Child Diversion Program (CDP) to reduce admissions to custody, repeat offending and to improve outcomes for children. The CDP provides non-custodial, short-term supported accommodation for Aboriginal children aged 10-13 years who are at risk of entering custody due to lack of a suitable bail address. Specialist staff undertake intensive family scoping, support assessment and utilise Aboriginal family-led decision-making to connect the child and their family with appropriate supports.

AUTISM SUPPORT IN PRESCHOOLS

In reply to **the Hon. H.M. GIROLAMO** (2 May 2023).

The Hon. E.S. BOURKE: The Minister for Education, Training and Skills has advised:

The Department for Education does not currently record autism-related qualifications centrally for staff in government preschools. However, work is underway to put in place a system to collect this information.

The Department for Education has updated the position descriptions for preschool directors and early childhood workers to include qualifications in special education or other relevant qualifications, or equivalent experience in working with and teaching children with autism as desirable. This criterion is also used on all recruitment advertisements for preschool teachers across the state. Work is underway to update school support officer role descriptions.

Preschool staff can access professional development opportunities through a range of autism-specific organisations that specialise in education and support. The department is exploring a range of options to make training more accessible and/or relevant for early years educators.

FOOD AND AGRIBUSINESS

In reply to **the Hon. J.S. LEE (Deputy Leader of the Opposition)** (3 May 2023).

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

The Department for Trade and Investment (DTI) provided \$12,500 to support this program.

DTI's role included assistance with recruiting suitable South Australian food and beverage companies to attend the event, curating a program designed to deliver maximum value to the South Australian businesses attending.

The program constructed in partnership with Export Connect, Food South Australia and Austrade sought to include market insight presentations along with business matching, and coordination of the venue for the event.

Through this collaboration 26 suitable South Australian food and beverage companies attended the event.

DTI is coordinating follow-up discussions between these South Australian companies and the visiting buyers with the aim of increasing South Australian exports through the buyers.

TIKTOK APP

In reply to **the Hon. T.A. FRANKS** (4 May 2023).

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

The decision to ban TikTok on government devices was based on advice that the commonwealth government had received, and we sought to align our position to that of the commonwealth government. Communication of the ban was made by email advising all departments and the policy document for the ban is publicly available.

All South Australian government agencies are required to remove the TikTok app from devices including mobile phones, tablets, or computers. The current policy position allows for legitimate business use of TikTok and provides advice around relevant risk mitigations that may be considered if such use is required. Exemptions are to be managed and approved within each agency.

The policy document is publicly accessible, and all departments were advised via email.

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POLICE CAUTIONS

In reply to **the Hon. D.G.E. HOOD** (4 May 2023).

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

Yes. The Minister for Police regularly meets with members of the community, business owners and representative bodies about matters including public safety. Specifically, the minister most recently met with a group of traders on 11 April 2023 about this issue.