

## LEGISLATIVE COUNCIL

Wednesday, 30 August 2023

**The PRESIDENT (Hon. T.J. Stephens)** took the chair at 14:18 and read prayers.

**The PRESIDENT:** We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to the land and community. We pay our respects to them and their cultures, and to the elders both past and present.

### *Parliamentary Committees*

#### LEGISLATIVE REVIEW COMMITTEE

**The Hon. I. PNEVMATIKOS (14:19):** I bring up the 28<sup>th</sup> report of the committee, 2022-23.  
Report received.

**The Hon. I. PNEVMATIKOS:** I bring up the report of the committee on the Controlled Substances (Youth Treatment Orders) Regulations 2021.

Report received and ordered to be published.

**The Hon. I. PNEVMATIKOS:** I bring up the report of the committee on the Termination of Pregnancy Regulations 2022.

Report received and ordered to be published.

**The Hon. I. PNEVMATIKOS:** I bring up the report of the committee on the Burial and Cremation (Surrender of Interment Rights) Variation Regulations 2021.

Report received and ordered to be published.

**The Hon. I. PNEVMATIKOS:** I bring up the report of the committee on the Police (Police Security Officers) Amendment Regulations 2022.

Report received and ordered to be published.

### *Parliamentary Procedure*

#### PAPERS

The following paper was laid on the table:

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

Regulations under Acts—

Associations Incorporation Act 1986—General

### *Question Time*

#### DIRECTOR OF PUBLIC PROSECUTIONS OFFICE

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:23):** It won't surprise you that I seek leave to make a brief explanation prior to addressing a question to the Attorney-General regarding the Office of the Director of Public Prosecutions.

Leave granted.

**The Hon. N.J. CENTOFANTI:** Independent expert Rosslyn Cox conducted a review of staff workplace experience within the Office of the Director of Public Prosecutions. The report of this review was tabled yesterday in the House of Assembly. The 2023 Workplace Experience Report clearly lists 20 recommendations. In the ministerial statement introduced and read out by the Attorney-General yesterday, and reiterated in question time, the Attorney-General stated, and I

quote, 'I will be providing whatever support I can to the office and the director in implementing all of the 19 recommendations.' My questions to the Attorney are:

1. Has the Attorney-General read the report?
2. Which of the 20 recommendations has the Attorney-General already decided to ignore?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:24):** I thank the honourable member for her questions. I certainly have read the 71 pages of the report. As I said yesterday, the director is committed to implementing 19 of the recommendations. The other recommendation refers to something that the Commissioner for Public Sector Employment ought to undertake, and I will be having discussions with her to undertake this. Ta.

*Members interjecting:*

**The PRESIDENT:** Order! You might ask a supplementary question for clarification about the answer.

#### DIRECTOR OF PUBLIC PROSECUTIONS OFFICE

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:24):** Can the minister please clarify his statement—the last section of his statement?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:24):** I said ta, as in thank you.

*Members interjecting:*

**The Hon. K.J. MAHER:** I am happy to clarify, if the honourable member asks questions and chooses not to listen to them. That's up to the honourable member if that's what she wishes to do. Recommendation 16 refers to something for the Commissioner for Public Sector Employment to have a look at. The other 19 are for the implementation for the Director of Public Prosecutions. Recommendation 16 is something that we will certainly work with the Commissioner for Public Sector Employment.

**The PRESIDENT:** I actually struggled to hear the answer as well, so thank you for that.

**The Hon. K.J. Maher:** Ta.

**The PRESIDENT:** I don't need the ta.

#### DIRECTOR OF PUBLIC PROSECUTIONS OFFICE

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:25):** I seek leave to make a brief explanation prior to addressing a question to the Attorney-General regarding the Office of the Director of Public Prosecutions.

Leave granted.

**The Hon. N.J. CENTOFANTI:** Today's media are reporting that, following the Rosslyn Cox report into the workplace experience within the Office of the DPP, the state's Director of Public Prosecutions, Martin Hinton KC, has vowed to stay on as the director, but in the wake of the damning Cox report, which stated that former and current staff are being subjected to, and I quote, 'unacceptable, unreasonable and unsustainable levels of pressure and stress', Mr Hinton KC is considering requesting more funding. My questions to the Attorney-General are:

1. If requested, will the government provide more funding to remedy these serious issues within the DPP?
2. Has the DPP sought additional funding in any of the last two budget rounds?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:26):** I thank the honourable member for her question. I regularly have discussions with the Director of Public Prosecutions in relation to the work that is undertaken and the resourcing requirements. In the first budget since we came to government, there

were extra resources provided for the Office of the Director of Public Prosecutions. In the Mid-Year Budget Review, since we came to government, there were further resources provided to the Office of the Director of Public Prosecutions, and in the second budget that we have handed down there were extra resources provided for the Office of the Director of Public Prosecutions.

#### **DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:27):** Supplementary: in the event that Mr Hinton KC does request additional funds to those that have been delivered in the last two budget rounds, will the government and will the Attorney be providing him and his office more funding?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:27):** I thank the honourable member for her question. Just to correct her, because obviously she wasn't listening once again to the answer, it is the last two budgets and the Mid-Year Budget Review, so in three budgetary decisions there has been extra funding provided to the Office of the Director of Public Prosecutions. If funding requests were made, they would be properly and duly considered.

#### **DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. D.G.E. HOOD (14:27):** Supplementary question: what amounts were provided in those budget allocations, minister?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:27):** I don't have the figures before me, but I am happy to provide those to the honourable member. I know that they have been traversed in budget estimates committees, but they won't be hard to find to provide for the honourable member.

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

#### **DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. F. PANGALLO (14:28):** Does it concern the Attorney-General that there were similar problems that were identified in a similar 2017 report and they still weren't fixed? How can we be confident that the recommendations in this report will be followed through?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:28):** I thank the honourable member for his question. Certainly, over decades there have been difficulties in terms of the type of work that's undertaken in the Office of the Director of Public Prosecutions. I have said in here before the sort of work that they undertake day in, day out is extraordinarily difficult. It is becoming more complicated, and the volume of matters is increasing along with that complexity.

One of the key recommendations of the 19 of the 20 recommendations that were for the Office of the Director of Public Prosecutions was to have the position of deputy director, which is generally a legal person, a prosecutor, to be filled instead by a person who has the day-to-day management of the office to implement the changes and to look at the HR and people and culture aspects of the office.

So, unlike in years gone by where a director would be the top prosecutor as well as having the management of the office and HR responsibilities, to split that so that the director can do what the director does best, and that is the legal issues in the prosecutions.

#### **DIRECTOR OF PUBLIC PROSECUTIONS**

**The Hon. F. PANGALLO (14:29):** Supplementary question: the Attorney seems to be wallpapering over the real, significant issues that have also been discovered in this report.

**The Hon. I.K. HUNTER:** Point of order: a supplementary question doesn't have a long, discursive introductory section.

**The PRESIDENT:** I have listened to the point of order. The Hon. Mr Pangallo, with a supplementary you just have to ask the question. You can't have a lead-up.

**The Hon. F. PANGALLO:** Does the Attorney-General acknowledge it isn't just the work that the prosecutors are doing in that department but also the significant bullying and harassment of staff that has gone on?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:30):** I thank the honourable member for the question. As is laid bare in the report, there are workplace cultural issues that have been identified and the director is committed to address.

#### **DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. D.G.E. HOOD (14:30):** Supplementary arising out of the original answer: minister, in your negotiations with the DPP over the budget allocation you mentioned in your answer, has he suggested at any time that a lack of funding has resulted in lower conviction rates than would otherwise be the case?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:31):** I thank the honourable member for the question. Certainly, in my memory, that has never been traversed in any of our conversations.

#### **DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31):** I seek leave to make a brief explanation before asking a question of the Attorney-General about the office of public prosecutions.

Leave granted.

**The Hon. N.J. CENTOFANTI:** The report into the workplace experience within the Office of the Director of Public Prosecutions has highlighted that the attrition rate has increased from 16 per cent to 36 per cent in 2016 to 2022. It has also revealed that 80 per cent of current employees had considered leaving the Office of the Director of Public Prosecutions. This is in addition to some respondents suggesting the reputation of the Office of the Director of Public Prosecutions may be contributing to the current recruitment challenges, with lower applications being received for advertised roles.

*The Advertiser* has reported that the Director of Public Prosecutions, Martin Hinton KC, said that 'the report is perception and experience, not necessarily reality' of life in his office. My questions to the Attorney are:

1. Given the importance of justice services and the dramatic impact further employees leaving the Office of the Director of Public Prosecutions would have, what will the Attorney do to help restore the reputation of the Office of the Director of Public Prosecutions and encourage the next generation of legal professionals to consider the Office of the Director of Public Prosecutions as a future workplace?

2. Can the Attorney inform the chamber of how he will support the implementation of the report's 20 recommendations and if there are any time lines that he will use to review the process of the implementation of those recommendations?

**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. It's a technical matter, but the honourable member has variously referred to the 'office of public prosecutions' and the 'Office of the Director of Public Prosecutions'. I think the correct title is the Office of the Director of Public Prosecutions.

In relation to the turnover rate and what is going to be done about it, if the honourable member read the first paragraph in the executive summary she would be aware that was the whole point of the report. That's why this report was done: in relation to high turnover rates within the Office of the Director of Public Prosecutions. That's why the report was done, these recommendations were made and why the director has committed to implementing all 19 recommendations directed at his office.

**DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. F. PANGALLO (14:34):** Supplementary: does the Attorney-General acknowledge that those recommended reforms within that office are going to cost a significant amount of money? Why hasn't any one individual been held accountable for what's going on?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:34):** I thank the honourable member for his question. In relation to the first one, in terms of funding, no, not necessarily. In relation to: why hasn't anyone been held accountable? The director has been on record saying that the buck stops with him in relation to the management of the office, and that's why he is keen to make sure that these issues are addressed and to implement the recommendations.

**DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:34):** Supplementary question: can the Attorney inform the chamber of all vacancies in the office and how long those vacancies have existed?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:34):** I don't have that information, but I am happy to see if it can be reasonably put together and I will bring back a reply for the honourable member.

**WOODVILLE HIGH SCHOOL RECONCILIATION ACTION PLAN**

**The Hon. J.E. HANSON (14:35):** My question is to the Minister for Aboriginal Affairs. Will the minister inform the council on his recent attendance at the Woodville High School's reconciliation assembly?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:35):** I thank the honourable member for his question and his interest in this area. I am most pleased to inform him about my recent attendance at Woodville High School's reconciliation assembly.

I had the privilege a little while ago to be invited to the reconciliation assembly for Woodville High School. It was a couple of hours after this chamber sat until 7am one morning so I was a bit bleary-eyed when I got there. However, it was a privilege and a pleasure to be there, with the assembly focusing on the launch of Woodville High School's Reconciliation Action Plan and, after the school's 108-year history, they were understandably proud in launching their first RAP.

Woodville High prides itself on its culturally diverse community and, representative of their strategic plan, strives to create an inclusive environment where everyone belongs, feels valued, and is heard and respected regardless of their background or cultural identity. In particular, Woodville High has continually demonstrated its commitment to Aboriginal and Torres Strait Islander perspectives in the classroom, having tailored a number of its traditional subjects, like art, food technology and outdoor education, to incorporate First Nations practices and wisdom. In the school's words:

[The Reconciliation Action Plan] is committed to working in partnership with parents, children and communities of the oldest living culture on earth, celebrating First Nations peoples' wisdom and deep understanding of the spiritual connections to country, culture, heritage and sustainability.

Woodville High acknowledges that its Reconciliation Action Plan was launched with a commitment to transforming the voices, actions and partnerships with Aboriginal and Torres Strait Islander peoples in their community.

The Reconciliation Action Plan in South Australian schools, and the associated actions within it, can play an extremely important role in our state's reconciliation journey for many reasons. It provides an opportunity to acknowledge the historical truths faced by Aboriginal and Torres Strait Islander people throughout the history of this nation, it promotes a more accurate understanding of this shared history, and can contribute to a more inclusive and honest understanding of the shared nation's past.

It promotes understanding and appreciation of the rich cultural heritage of Australia's First Nations people by acknowledging and valuing Indigenous knowledge systems, languages and customs that can help schools create an environment that respects and celebrates diversity. As we all know, reconciliation plays a significant role in healing wounds caused by injustices in the past. In schools, reconciliation initiatives can and have contributed to building positive relations between Indigenous and non-Indigenous students, parents and communities, helping foster empathy, understanding and unity, and a sense of belonging for all involved.

It was great on the day to see the assembly led by Aboriginal student leaders, and I would like to congratulate those students on doing such an amazing job. It is certainly no easy task speaking to crowds of your own peers at school, numbered in the hundreds. The assembly was also filled with wonderful demonstrations of song and dance and, when leaving, it left me filled with hope and inspired by the next generation. Congratulations to Woodville High School on their inaugural Reconciliation Action Plan, and I look forward to seeing progress against the plan's initiatives.

### **SURVEILLANCE DEVICES ACT 2016**

**The Hon. T.A. FRANKS (14:38):** I seek leave to make a brief explanation before addressing a question to the Attorney-General on the topic of the Surveillance Devices Act 2016, and animal welfare prosecutions.

Leave granted.

**The Hon. T.A. FRANKS:** The RSPCA South Australia has recently received independent legal advice that video footage that was taken covertly by unknown persons at a greyhound training property in Lewiston would likely be assumed inadmissible for any criminal proceedings due to the footage being obtained in contravention of our state's Surveillance Devices Act 2016.

That footage was purportedly taken on 6 July 2022 and provided to Greyhound Racing SA on 23 August 2022 via an email from an unidentifiable account. Greyhound Racing SA has successfully applied to the Supreme Court to be able to use the footage for its internal disciplinary proceedings; however, of course, the bar for admissibility of evidence for criminal proceedings is much higher.

Any attempts at a successful prosecution for this alleged live baiting offence under South Australia's Animal Welfare Act is entirely dependent on the use of this video footage that does appear to depict live baiting. This is hindered on the likelihood that the footage obtained may be deemed to be taken improperly and unlawfully under the Surveillance Devices Act, as its provenance is unknown. This has provided an additional avenue to have it excluded from it being considered in any trial.

Understandably, the law of provenance imposes that evidence and documents should be carefully documented, tracked and stored from the moment they are collected or generated. This helps prevent tampering, loss or contamination, and ensures that the evidence can be properly authenticated and accepted as reliable in legal proceedings.

The RSPCA of South Australia has made several unsuccessful attempts to obtain the cooperation of the anonymous person who took the footage, but they have not responded to the organisation's requests. It is now unlikely that the RSPCA will be able to proceed with a criminal prosecution against these trainers, despite them being found guilty by Greyhound Racing SA of breaching the association's Rules of Racing and the life bans that have been imposed. My questions to the Attorney-General are:

1. Has the Attorney-General considered the implications of the Surveillance Devices Act in terms of exposing animal cruelty and protecting animal welfare?
2. Is it acceptable that filming a crime itself has now been criminalised when it comes to animal welfare?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:41):** I thank the honourable member for her question and completely understand the strong community reaction we have seen to footage depicting live baiting. I know the honourable member—not just in relation to the latest incident—has had a very

long history in terms of advocating for the humane treatment of animals, not just in the racing industry but more broadly.

I understand that the RSPCA sought advice in relation to the admissibility and probated value of two video files taken by unknown persons purportedly depicting the use of live rabbits as bait for greyhounds. I understand advice was sought to inform the RSPCA whether there would be a reasonable prospect of conviction for offences against the Animal Welfare Act. I won't go into details of the advice, as we usually don't, but I think it is fair to say that footage can be deemed inadmissible when it is obtained improperly, unlawfully or the evidentiary issues arising from the provenance of the footage wanting to be used are unknown. Accordingly, it can be that advice can be given that there is no reasonable prospect of conviction.

The law of provenance ensures that a chain of evidence is preserved if it prevents tampering, doctoring or loss of evidence. Such rules, importantly, afford parties the ability to properly scrutinise contentious evidence. These rules have developed over centuries and underpin and are a foundation of our criminal justice system. That being said, I don't have any immediate proposals to vary many decades and centuries of development of the rules of evidence that are exceptionally important so someone can actually test the evidence against them, where it has come from, etc., but if there are specific suggestions I am, of course, always open and happy to look at them.

I understand also that the RSPCA have indicated that, should other admissible evidence about this particular case come to light, they won't hesitate to prosecute, and I think that is a good and reasonable thing for them to say and do.

#### CRIMINAL SENTENCING

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:43):** I seek leave to make a brief explanation before directing questions to the Attorney-General about road penalties.

Leave granted.

**The Hon. J.S. LEE:** On 11 October 2021, two drivers were caught street racing along Anzac Highway at speeds exceeding 100 km/h. *The Advertiser* reported that both avoided jail. Many community members have expressed serious concerns on such sentencing decisions. My questions to the minister are:

1. What measures are in place to ensure that such sentencing decisions truly reflect the seriousness of the offence and the potential risk it poses to public safety?
2. Given that this incident could have easily resulted in tragic consequences, does the government believe that a \$500 fine, good behaviour bonds and driving disqualifications are sufficient deterrents for potential street racers?
3. Does the government have plans to review or reform current sentencing guidelines to ensure that they adequately address the severity and potential harm of street racing?
4. Are there plans to engage with communities, particularly in areas like Mitchell Park and Seacombe Heights, to raise awareness about the risks and legal consequences of street racing?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:45):** I thank the honourable member for her questions. In relation to this particular matter, I do not have the details of it. I will give a very brief answer, as I did with a question about sentencing from the Hon. Dennis Hood yesterday. It is us as a parliament who set the framework that the judiciary, the magistrates and the judges then apply when a prosecution is laid and a prosecution is successful in the sentencing.

As I say, I don't have the benefit, as the honourable member doesn't either, of having heard all the evidence that was put forward and all the circumstances in this area. What does give us confidence, going to one of the honourable member's questions, is that regularly the police and the DPP lodge appeals for manifestly inadequate sentences based on a sentence that is handed down given the particular set of facts in that sentence.

In relation to people driving at extreme speeds, that is something that we as a parliament have taken exceptionally seriously. Only in the last couple of years, we passed legislation in this

parliament significantly increasing the penalties for travelling at extreme speeds. People remember there was a motorcyclist—I cannot remember the exact amount going over the speed limit—I think somewhere near the Salisbury Highway who the police commissioner at the time, a couple of years ago, likened to someone firing a gun in Rundle Mall. That is the level of danger that such stupidity on the roads poses to others, so we have as a parliament significantly increased penalties for things like extreme speeds.

We saw only earlier this year reforms passed after the tragic death of Sophia Naismith. This parliament, once again reflecting what the community's views are, changed the legislation in relation to the prosecutions of people driving a car in a manner that can cause serious harm. This government and this parliament have taken these matters very seriously in the past and will continue to do so, but, as the honourable member doesn't, I don't have the benefit of the exact details of all the matters that were put to the court in the particular case that she refers to.

### COMMISSIONER FOR VICTIMS' RIGHTS

**The Hon. I. PNEVMATIKOS (14:47):** My question is to the Attorney-General. Will the minister inform the council about the recent appointment of a new Commissioner for Victims' Rights?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:48):** I thank the honourable member for her question and her interest in the area of victims' rights and keeping South Australia safe. Over the parliamentary winter break, the Commissioner for Victims' Rights office saw a changeover in commissioner after Bronwyn Killmier stepped down from the role as her five-year term had come to an end.

I am very pleased to share that the newly appointed commissioner is Ms Sarah Quick, bringing to the role over a decade of experience working in that office, having commenced in her role as the new commissioner earlier this month on 1 August. Ms Quick first started in the commissioner's office in 2008 under the inaugural Commissioner for Victims' Rights, Mr Michael O'Connell, as a program and policy officer before being elevated to assistant commissioner in 2017.

During her time in the commissioner's office, Ms Quick gained an excellent reputation for her tireless, compassionate, victim-centric work, which was formally acknowledged when she was awarded the Victim Support Service's Victim Service Worker of the Year. I am confident that Ms Quick will make an excellent Commissioner for Victims' Rights in South Australia, and I very much look forward to working with her to continue the great work that the office has achieved so far.

I would also like to take the opportunity to thank and pay tribute to the former commissioner, Bronwyn Killmier, for her dedicated and passionate work over the five years she served in the role. As a former Deputy Commissioner with South Australia Police, Ms Killmier brought a very unique experience to the role with firsthand insight as to how best to deal with victims and advocate for their rights.

During her time as commissioner, it was a pleasure to work with Ms Killmier and achieve many positive outcomes for victims in South Australia, including the establishment of the Victims of Crime Consultative Committee, establishing Victims' Day for South Australia, modernising the Victims of Crime SA website and developing the victim impact statement online tool.

Ms Killmier was also a strong advocate in recent changes that were made to dangerous driving laws and for tougher penalties for those who conceal bodies. A particular highlight was the changes that have been made to the provision of victim impact statements off the back of the commissioner raising various issues where changes will now ensure that victims' views are heard in their entirety without interference. Further reforms to victim impact statements are currently being undertaken. I thank the former commissioner for all her advice and valuable feedback during the development of this significant piece of work. Further, to continue that work, the commissioner's progression of the office in the new case management system is also currently being realised, with the system up and running later this year.

I wish to sincerely thank Ms Killmier for her five years of service as commissioner and tireless advocacy, during which time she always had the victims as a focal point. Whilst I wish Ms Killmier all the best for the future, I very much look forward to seeing Ms Quick continue that good work as she commences her five-year term as commissioner.



### FEDERAL VOICE TO PARLIAMENT REFERENDUM

**The Hon. S.L. GAME (14:51):** I seek leave to make a brief explanation before directing a question to the Attorney-General on the matter of Indigenous schools.

Leave granted.

**The Hon. S.L. GAME:** I was disappointed but not surprised to read about the federal government's refusal to fund Yipirinya School's proposal to build boarding facilities in Alice Springs in an area where school attendance is shockingly low. The school has been part of a \$75 million funding package designed to give our most vulnerable children a safe and secure environment. Instead, the federal government has put the safety of these at-risk children on hold to press on with the \$384 million Voice referendum.

My question to the Attorney-General is: does the Attorney-General support the Prime Minister's move to direct investment away from tangible solutions for Indigenous Australians to focus on his own legacy?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:52):** What I firmly and wholeheartedly support is doing things differently. I don't think a single person in this room thinks that governments in the past have done as much as is possible in the best way possible for First Nations people in Australia. We see shocking statistics year after year, the gaps getting larger as Closing the Gap reports are handed down. If anyone here thinks the status quo is acceptable, where the average life expectancy of a man born on the APY lands is 48 years, I would love to have a conversation about why they think that's acceptable.

What we have been doing over and over again has not been working. I wholeheartedly and absolutely support the proposal for recognition of First Nations people in our constitution via a Voice to Parliament. I had the great privilege this morning of being out at the Playford Civic Centre where the Prime Minister announced the date of the referendum for 14 October. To characterise having a referendum where Aboriginal people will have more of a say in the decisions that affect their lives as not caring about education I think is quite despicable. I will be doing everything in every minute of my spare time to do what I can campaigning for a Yes vote.

### FEDERAL VOICE TO PARLIAMENT REFERENDUM

**The Hon. S.L. GAME (14:53):** Supplementary: does the Attorney-General think that ceasing funding for the boarding facilities in Alice Springs is a positive example of doing things differently?

**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 for her question. I have no knowledge of what the federal government is doing in a jurisdiction that's not South Australian, but trying to compare that by saying that you can either have education for Aboriginal students or having Aboriginal people have more of a say in decisions that affect their lives through a Voice is a ridiculous false equivalency argument.

### AFFORDABLE HOUSING

**The Hon. J.M.A. LENSINK (14:54):** I seek leave to make a brief explanation before asking a question of the Attorney-General about housing policy.

Leave granted.

**The Hon. J.M.A. LENSINK:** At the recent Labor Party conference in Brisbane the Attorney's mates in the CFMEU proposed a super profits tax on companies to fund housing. The tax would be a permanent 40 per cent tax on profits for building homes, and the CFMEU argued that taxing companies with a turnover of \$100 million or more could help close the gap on social and affordable housing. My questions to the Attorney are:

1. Has this policy been discussed between the CFMEU and the government or the Attorney when meeting the CFMEU in his term?
2. Does the Attorney-General agree with this particular policy?

3. Did he attend the national conference in Brisbane recently and, if so, did he vote for it?

4. How do his fellow SA Labor factional colleagues feel?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:55):** 1. No; 2. I haven't looked at the policy; 3. I was there for part of the conference but didn't vote on that particular policy; and 4. I don't know what my colleagues think about it, I haven't discussed it with them.

#### **AFFORDABLE HOUSING**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:55):** Supplementary: why didn't the Attorney vote for that policy?

**The PRESIDENT:** That did arise from the answer.

**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. I wasn't credentialled for that session.

#### **ERNABELLA ARTS CENTRE**

**The Hon. R.B. MARTIN (14:56):** My question is to the Attorney-General. Will the minister inform the council about his recent visit to the Ernabella Arts Centre?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:56):** I thank the honourable member for his question and his interest in this area. It is always a pleasure to visit the APY lands, as I do a number of times a year, and a visit in the last few weeks to the lands was no different. I was lucky enough to incorporate a visit to a number of arts centres as part of my visit to the APY lands.

Ernabella Arts Centre, located in Pukatja, is Australia's oldest running Indigenous arts centre, with its roots dating back to the establishment of the classroom at the Presbyterian mission at Pukatja in 1948. The first products created out of the Ernabella Arts Centre were woven fabrics and hand-tied floor rugs with distinctive patterns, but the medium used by artists at the centre to depict their stories have expanded exponentially in the years since and include not only canvas works but also stunning ceramics.

The works created by the ever-growing number of talented artists at Ernabella are world class and are a source of great pride for the community and for the state generally, with many significant works in galleries around the country and around the world. On the day I was at the centre recently it was quieter than normal, with a number of the artists having left that morning to attend the Telstra National Aboriginal and Torres Strait Islander Awards in Darwin, where ceramics from Ernabella were front and centre and were the first thing people who walked into that exhibition in Darwin would see.

The facility that the artists of this calibre work in always needs more resources to match the amount of people who work there and the quality of the work that is being done out of the Ernabella Arts Centre, which is why I was glad to be able to announce funding of just over \$700,000 to fund extensions and refurbishments of the centre. Extending this centre will ensure it will continue to play a central role in Central Desert arts and the arts movement in Australia. I am advised that the centre is frequently used, and that generally at least 25 artists each day use the centre, painting across two studios, and it has been at full capacity for several years, meaning some artists have had to work from home or even outside, due to a lack of space.

This new funding will enable significant extensions to work space in the arts centre building, with one of the painting studios doubling in size, along with larger office space and a display area for new gallery products. Also, there will be an upgrade to the ceramics area out the back of the studio. The studio has a high tin roof with no insulation and limited heating and cooling, and with the extremes of the weather, which gets down below zero during winter and can go well into the high 40s during summer, having a more comfortable work environment in the ceramics studio will be greatly appreciated and it will be well used.

I was very pleased, as I visited there, to be able to announce the new funding. I have spent many hours, particularly in the Men's Room, over the years talking to people, getting a better understanding of the work that is done and the important way it provides in sharing and preserving culture.

### **CORRECTIONAL FACILITIES DRUG TREATMENT PROGRAMS**

**The Hon. C. BONAROS (14:59):** I seek leave to make a brief explanation before asking the Attorney a question about drug rehabilitation programs.

Leave granted.

**The Hon. C. BONAROS:** It is no secret that we have, for some time now, experienced a drug pandemic in this jurisdiction, the likes of which the rest of Australia hasn't actually seen. This is highlighted no better than in the Australian Criminal Intelligence Commission's National Wastewater Drug Monitoring Program which has historically shone a blowtorch on SA's disturbing track record. Its most recent report, its 19<sup>th</sup>, found Adelaide was the methamphetamine capital of Australia and was second nationally in the consumption of cannabis. Not to be outdone, regional South Australia ranked first nationally in excretion of MDMA and second in the consumption of methamphetamines and nicotine.

Successive governments have promised to improve programs to tackle this issue. There are a number of programs which have been promised over years in our adult correctional facilities and indeed in our youth facilities. My questions to the Attorney are:

1. What are the current wait times for adults to access these drug treatment programs in our corrections system?
2. Why is it that someone in detention cannot access programs until sentencing, by which time they may have already served all of their sentence?
3. Is the Attorney committed to reviewing eligibility for access to such programs for people in detention?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:01):** I thank the honourable member for her question. Certainly, throughout the criminal justice system there are a number of ways that the criminal justice system seeks to deal with people who have drug problems or drug habits, including drug diversion programs that have been successful and have been around for many years under governments of both persuasions in South Australia.

In relation to programs that people can avail themselves of while in custody, I am going to have to refer that to my colleague the Minister for Correctional Services, the Hon. Joe Szakacs, member for Cheltenham, to bring back a reply. I don't have details of what qualifies someone while they are in custody, whether on remand or as a sentenced prisoner, but I am happy to refer those and bring back a reply.

### **CORRECTIONAL FACILITIES DRUG TREATMENT PROGRAMS**

**The Hon. C. BONAROS (15:02):** Supplementary: does the Attorney acknowledge that, given the current wait times for matters to be presented and dealt with before the courts, somebody could spend six, 12, 18 or 24 months in detention on remand, and not have access to those critical rehabilitation programs which could see them come out at the other end in a much better place than when they went in?

**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 her question. I am going to have to get information before being able to answer that in any sensible way, but I am happy to incorporate that in the answer I bring back.

### **VOLUNTARY ASSISTED DYING**

**The Hon. H.M. GIROLAMO (15:03):** I seek leave to give a brief explanation before asking a question of the Attorney-General regarding voluntary assisted dying.

Leave granted.

**The Hon. H.M. GIROLAMO:** On 22 August, *The Advertiser* reported that there has been a sharp increase in the number of people choosing to end their lives using voluntary assisted dying. There were 28 permits in the three months from January to April. However, in May and June this jumped to 40 in just two months. My questions to the Attorney are:

1. Why have these rates escalated so dramatically?
2. Is the Attorney concerned with the dramatic rates of increase at a time when the hospital system is in crisis?

**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. Of course, the Minister for Health has carriage of the legislation for voluntary assisted dying, but I still take a very keen interest in it.

I don't know if the insinuation of the honourable member's question is that people are choosing or being pressured into a voluntary assisted dying pathway because of some pressure on hospitals. If that is an insinuation, I would completely, utterly and totally reject that. Certainly, experience from other states that have had a scheme operating a lot longer has looked at some of the factors for people becoming part of the scheme. The idea of some sort of undue influence is certainly something that, particularly, opponents of voluntary assisted dying have raised.

The head of the Voluntary Assisted Dying Review Board in Victoria, a couple of years ago after a couple of years of operation, was asked specifically about the prospect of undue influence. She responded something along the lines of, 'I have found no evidence of undue influence and, trust me, I've looked.' The idea that this is a pathway people are choosing or being pressured into, I would completely and utterly reject. There is no evidence or basis for such a claim at all.

In relation to the numbers of people who have been issued a permit and then use the substance that is provided under voluntary assisted dying, the honourable member is correct. I thoroughly read the first three-month report, and I have just had a brief look at the second three-month report. There is an increase for the second three months.

If my memory serves me correctly, one of the things that was identified either in the report or some commentary on the report was a very high-profile case of a young woman in South Australia who used voluntary assisted dying that was reported extensively across the media, particularly in *The Advertiser*, as a very likely factor as to why other people in the general public knew more about it. When you have such high-profile cases, it raises the fact that this is an available option for people who might not have known it before. That may be one explanation. That might have even been referred to in the report.

#### **VOLUNTARY ASSISTED DYING**

**The Hon. H.M. GIROLAMO (15:06):** Supplementary question: is the Attorney confident that patients have access to sufficient palliative care both here and in the regions to ensure that they don't feel like they have no other option other than voluntary assisted dying?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:06):** I am not aware of any evidence that has pointed to the fact that people are choosing voluntary assisted dying for the reason that they don't think their care is adequate. In all the evidence that I have read around Australia where legislation has now passed—and I think by the end of this year it will be available in every single state—is that people choose voluntary assisted dying in order to die with the dignity with which they have lived their lives.

#### **VOLUNTARY ASSISTED DYING**

**The Hon. L.A. HENDERSON (15:06):** Did the minister intend for prisoners, including paedophiles, to be able to access voluntary assisted dying, allowing them to end their term of imprisonment early while their victims have life sentences, as a key proponent of this legislation?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:07):** A two-thirds majority in this chamber and the

other chamber voted for the voluntary assisted dying scheme we have in South Australia—how it works, how it operates and the qualifications for it.

### RIVERLAND RANGERS PROGRAM

**The Hon. R.P. WORTLEY (15:07):** My question is to the Attorney-General. Will the minister inform the council about the thriving Riverland Rangers Program?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:07):** I thank the member for his question and his very ongoing and significant interest in all matters to do with the Riverland. I was delighted to hear—

*An honourable member interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.J. MAHER:** I was delighted to hear that the dedicated River Murray and Mallee Aboriginal Corporation ranger team within the Riverland Rangers program recently celebrated its first anniversary of operation after a busy 12 months across the Riverland. The Riverland Rangers Program commenced in 2010 as an initiative of the then South Australian Murray-Darling Basin Natural Resources Management Board. The program set out to boost the involvement of Aboriginal people in the management of natural and cultural resources as well as Aboriginal heritage and to ensure that local Aboriginal people have a voice and meaningful role in their surrounds.

In March 2022 a dedicated ranger team of traditional owners was created. The rangers' work spans the vast area covered by the Indigenous land use agreement for the River Murray and Mallee people, extending from Morgan across to the New South Wales border. The rangers work to take care of cultural heritage throughout the Riverland, monitoring Indigenous burial sites and cultural sites of significance as well as repairing fencing and attending to trees and wildlife. During the recent flood events across the Murray River, rangers played a critical role in monitoring and mapping cultural sites and undertaking a great many site visits.

Members of the team, who span from junior rangers through to seniors, have shared the value they get out of this work. Junior rangers Anton Motto and Cloe Zielke remarked how their roles have helped them feel like they are part of something and that their confidence has increased significantly since undertaking this work. Ranger Susie Cook has highlighted that the role has developed her understanding of her own cultural heritage, and she looks forward to sharing that knowledge with the younger rangers.

I was also pleased to see that the commonwealth Minister for Indigenous Australians, the Hon. Linda Burney, also celebrated the fantastic achievements of this group. I think Minister Burney sums it up best when she says, 'When we empower Indigenous Australians and share in the over 65,000 years of continuous culture, all of us can have a better future.'

I congratulate the dedicated ranger team on a highly successful first year of operation and look forward to the important work they will undertake in years to come.

### AGE OF CRIMINAL RESPONSIBILITY

**The Hon. R.A. SIMMS (15:10):** I seek leave to make a brief explanation before addressing a question without notice to the Attorney-General on the topic of young offenders.

Leave granted.

**The Hon. R.A. SIMMS:** Yesterday, the Attorney-General tabled the Young Offenders Regulations 2023. Under section 9 of these regulations, a young offender who is detained within 40 kilometres of Adelaide's General Post Office:

...may be detained in a police prison or approved police station, watch-house or lock-up in accordance with those sections.

That applies for as long as it is reasonably practicable.

In a 2022 report on South Australia's progress on recommendations made by the United Nations Committee on the Rights of the Child, the commissioner for young people noted on page 15 that children were arrested and detained in SA police cells or watch houses at least 2,030 times

between 2020 and 2021. Of these separate admissions, 43 per cent of these young people were First Nations young people.

My question to the Attorney-General is: why does the government think it is appropriate to detain children as young as 10 in police stations, watch houses or lock-ups for indefinite periods? When will the government move to raise the age of criminal responsibility to 14 years?

**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 his question and his passionate advocacy in the area of raising the minimum age of criminal responsibility in particular. As I have outlined in this place and in public before, we are undertaking work to look at what it would look like if we did raise the minimum age of criminal responsibility. It is not a policy we have committed to, but there is certainly a large body of work that we are undertaking in South Australia, as there is being undertaken nationally by all states. The national process commenced under the former government, who committed to looking at what it might look like and the evidence for raising the minimum age of criminal responsibility.

Some of the areas that continue to be looked at in South Australia are areas that you might expect; that is, if you raise the age from 10 to 12, as I think the NT and the ACT have done, and I think Victoria made a recent announcement about raising the age, and I think Tasmania have made an announcement about raising the minimum age of detention, which is not the minimum age of criminal responsibility, but in some areas it has a similar effect in terms of children who are actually detained in custody facilities. One of the main areas is: what comes instead of the criminal justice system—those other sorts of interventions, be they therapeutic interventions, family supports or other interventions?

I have to say, I have been surprised at just the complexities and the amount of work that has gone into this already. There is another matter that touches on what the honourable member raised, in addition to what the other interventions are in a young person's life that might even be more successful in making the community safer by having a lower chance of reoffending. But then, what are the immediate powers of, particularly, police officers in terms of being able to intervene immediately?

There are very successful processes in place in terms of family conferencing that the police use. The immediate police powers to intervene in situations, particularly dangerous situations, is another element of the work that's ongoing. The honourable member raises one of them, and that is detention in police cells, and it is acknowledged that that is often a suboptimal experience for children, but that is certainly part of the work that we are undertaking as we look at this issue holistically.

#### AGE OF CRIMINAL RESPONSIBILITY

**The Hon. R.A. SIMMS (15:14):** Supplementary: when will the parliament receive an update on that work that is being undertaken and, in particular, does that work involve consideration of the report of the United Nations Committee on the Rights of the Child?

**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 his question. As much as I would love to give the honourable member a date, that it will happen on this day of this month, I don't have a date. It is important work that we want to do thoroughly. From the outset, the overriding factor about these changes is what makes the community safer. We are looking internationally, too, at what the results have been in terms of the reduction in reoffending and the effects on community safety. We will do the work as thoroughly as possible, and I know the honourable member will look forward to any announcement we have in this area.

#### AGE OF CRIMINAL RESPONSIBILITY

**The Hon. R.A. SIMMS (15:15):** Supplementary: again, has that work been informed by the United Nations Committee on the Rights of the Child report?

**The PRESIDENT:** I am not sure that that report of the United Nations Committee on the Rights of the Child—I didn't hear that in the original answer. However, Attorney, if you would like to answer the question you can, otherwise we will move on.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:16):** I am most helpful and I am happy to do so, sir. As I said, certainly the work has looked at international experiences and looked at a whole range of different jurisdictions that have moved this way, and are looking at it as well.

#### **DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. L.A. HENDERSON (15:16):** I seek leave to make a brief explanation before addressing a question to the Attorney-General regarding the DPP.

Leave granted.

**The Hon. L.A. HENDERSON:** Yesterday's tabled report makes it clear that South Australia's prosecutors are operating under unacceptable, unreasonable and unsustainable levels of pressure and stress. Employees reported that the office is dysfunctional, reactive and broken and that the director's frequent and fleeting thought bubbles to reform the office appear to go nowhere.

The report has called the office an organisation ill-equipped to manage the realities of the modern day. The report states that employees at the DPP had a heightened sense of vigilance, fatigue and sense of hopelessness, difficulty concentrating, being easily distracted, a racing heart and crying unexpectedly and more frequently, and that managers showed a seeming disregard for wellbeing. This report clearly demonstrates serious problems for the state's DPP and the director. Therefore, my questions are:

1. When was the Attorney-General made aware of the serious problems in the DPP?
2. Did the Attorney-General have any prior knowledge that staff wellbeing was being disregarded in the DPP?
3. Does the Attorney-General believe that Mr Hinton's actions in managing the DPP, its culture and its staff have been successful and appropriate?
4. Given this report, does the Attorney-General believe that the DPP is a safe workplace?
5. If the Attorney-General does not believe the DPP is a safe workplace, what has he done to rectify the situation?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:18):** I thank the honourable member for her question. I think nearly all those questions can be answered by this report being commissioned—that is why the report was commissioned. I regularly meet with the Office of the Director of Public Prosecutions about significant matters that are ongoing, but also about the office. Certainly, when it was suggested that this report be undertaken, I was in favour of it and I am supportive of the director implementing the recommendations that have come from that report.

While I am on my feet, I have just received information and I would like to correct the record very slightly in response to a question earlier from the Hon. Nicola Centofanti about budget matters. It was the first budget and the Mid-Year Budget Review that provided significant extra resources to the Office of the Director of Public Prosecutions.

#### **DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. L.A. HENDERSON (15:19):** Supplementary question: can the minister please advise when he personally was made aware of the serious problems in the DPP?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:19):** As I said, I have regular meetings with the Office of the Director of Public Prosecutions—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.J. MAHER:** —and we have regularly discussed the challenges that are faced in the workplace there.

**DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**The Hon. L.A. HENDERSON (15:19):** Supplementary question: how long has the minister been aware of these issues? Is it six months, two months, 12 months? The minister should be providing an answer.

**The PRESIDENT:** You can answer it if you want, Attorney, otherwise I am moving on.

**STATE RECORDS OF SOUTH AUSTRALIA**

**The Hon. T.T. NGO (15:20):** My question is to the Attorney-General. Can the Attorney-General tell us about the work of the State Records?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:20):** I thank the honourable member for his question in relation to the work carried out by our State Records in South Australia. Preserving our state's history is incredibly important work and fortunately for South Australia it is done by a committed and passionate team at State Records of South Australia.

When it was established as a state archives department—the organisation now known as State Records—it was the first archives of its type anywhere in Australia. It was established in 1919 in a building behind the Art Gallery on North Terrace, officially opening its doors to researchers in 1920. Today, State Records is part of the Attorney-General's Department and carries on its important legacy of preserving and promoting our state's history.

I was able to visit State Records over the winter break and see firsthand the important work it undertakes at its facilities at Gepps Cross, particularly seeing firsthand the sheer scale of records that are held for future generations. Whether it is old council minutes, railway maps—parliamentary records for some reason are kept for posterity—the founding documents of the colony of South Australia or children's artwork from state schools, all sorts of records and documents are treated with great care and sensitivity.

It was a particular pleasure to meet with archivists, conservators and volunteers at Gepps Cross, who showed me some of the work that they do. The conservator showed me some of the truly incredible and high-quality photographs of then Premier John Gunn laying the foundation stone at the Adelaide Railway Station, just a day before he suddenly resigned and moved to Melbourne. I was told about the work making urgent repairs to fragile historic documents, as well as digitising countless photos from their original glass plate negatives.

Digitisation is a very strong focus of State Records, with a small but dedicated team of volunteers having digitised many thousands of records of all kinds, and from all sorts of collections. It enables people to have a look at some incredible parts of South Australia's history, and different regions of South Australia, that are held by State Records: documents like the original Letters Patent founding the Province of South Australia, issued by King William IV in 1836.

We are very fortunate to have such access to our rich history, and that is in no small part to the staff, and particularly the tireless volunteers, at our State Records. I would like to congratulate everyone who works at State Records preserving South Australia's history in a way that preserves it for future generations, but also, importantly, in a way that preserves it for researchers and for South Australians to look back not just on their family but the South Australian community as a whole.

*Matters of Interest***HANRETTY MBE, MISS E.R.**

**The Hon. R.B. MARTIN (15:23):** I want to place on the record my recognition of the South Australian Labor Party's longest serving official. Had circumstances been different, it is a person whom history might have long remembered.

Despite serving an astonishing 39 years as the South Australian Labor Party's assistant state secretary, today Elizabeth Rose Hanretty MBE is virtually unknown. As a long-serving party official myself, and a keen student of Labor history, I first encountered her name just a couple of years ago, and only by chance. Her absence in modern Labor folklore beggars belief.



During Liz Hanretty's lifetime, across her decades of service to the labour movement and the Labor Party, she was a local identity of some repute. She was a prominent figure in the movement, well known and well liked in political circles. She was a regular subject of reporting in both local and interstate newspapers.

It can only be a reflection of the misogyny that prevailed for far too long in our society that Liz Hanretty's memory has been relegated to the archives. Had Miss Hanretty been born Mr Hanretty, the subject of this speech may well instead have been the storied career and achievements of a well-known Labor minister.

Elizabeth Rose Hanretty was born in 1881 at Tynte Street, North Adelaide, the fifth of 11 children in a working-class Irish family. Her father's death in 1888 left her mother struggling to support them, and at age 12, Liz left school to go to work. She was employed as a housemaid, as a shop assistant in Rundle Street and eventually as a presser in a laundry. At the laundry, the young Hanretty, who was by her own account already interested in politics, joined her newly formed union, the Women Employees' Mutual Association.

In 1905, aged 14, she joined the North Adelaide local committee of the United Labor Party. She became deeply involved in the union, at some point occupying each of its executive positions and serving as its representative to the United Trades and Labour Council of South Australia, which is today known as SA Unions. The long list of Hanretty's association and board memberships before she became an organiser for the ULP reveals an untiring drive to organise and agitate for better conditions for workers.

By the time she was appointed as 'lady organiser' for the United Labor Party in April 1914, the Adelaide *Daily Herald* described Liz Hanretty in its report as 'exceedingly popular in trade union and political circles'. During her 18 months in that role, Labor won the 1914 federal election and the 1915 South Australian election. For reasons that are not explained, Hanretty resigned after 18 months and returned to pressing laundry, meanwhile serving as vice-president of the Anti-Conscription League during the 1916 referendum on introducing conscription.

The following year was when she began her service as assistant state secretary of the South Australian Labor Party, remaining in the role until 1956. She ran for the office of party secretary in 1924 but was defeated. At last, in 1947, she eventually had the opportunity to serve as party secretary, but only on an acting basis for four months following the resignation of one man until another man was appointed. She thus became South Australian Labor's first woman state secretary.

The modern observer is frustrated by the question of whether Liz Hanretty had by that point decided she did not want to be secretary or whether it was others who were determined that she would not be. I will not do her the disservice of assuming her mind at the time, but it is impossible not to feel indignation on her behalf, no matter the truth of the situation. She continued as assistant secretary into her late 70s. Her length of service to the labour movement suggests an unrelenting moral commitment and a fiercely authentic person.

The most visible modern recognition of Liz Hanretty that I have found is in the form of Hanretty Place, a small cul-de-sac in the Canberra suburb of Bonython. This year, my goal is to make her a household name in South Australian Labor circles by establishing the annual Elizabeth Rose Hanretty oration. I hope that all Labor members, and anyone else who wishes to, will get behind this small act of recognition for an extraordinary person on whose shoulders each of us stands, a fact we should never have forgotten and never will again.

## YOUTH TREATMENT ORDERS

**The Hon. C. BONAROS (15:28):** As some members of this place will recall, potentially life-saving laws that gave the Youth Court the power to detain drug-dependent or addicted children for treatment were passed by the previous parliament in 2019. They are laws that I was exceptionally proud of. The legislation gave the Youth Court the power to request that children detained in Adelaide's youth justice centre be assessed to determine whether they have drug dependency issues, are unlikely to seek voluntary assistance and pose a danger to themselves or others.

Due to some inexplicable reason and inexcusable delays in enacting that legislation, the Youth Court has only had the power to order those who are found to be drug dependent to undergo

mandatory drug rehabilitation since December 2021. That two-year delay was completely unacceptable. The previous government should take responsibility for the fact of their failure to deliver that program in a more timely manner, especially given it was one of their key election issues off the back of a policy that we, SA-Best, held at the time.

For the record, we are still fiddling with the regulations around mandatory youth treatment orders to this very day. Another two years on from 2021, we still have no information on how many orders have been made by the Youth Court, what assistance has been provided to the young people placed under orders or how effective those orders have been in addressing substance abuse issues identified.

Have any orders been made and what has been their impact, if any, on recidivism? We are told that treatment orders would be delivered by a private drug rehabilitation provider and only to children convicted of criminal offences detained at youth justice centres. How many young people have actually received rehabilitative support under these orders? Youth on remand, no matter how much we want to sugar-coat it, could have access to a whole range of much better services if there was a genuine will to fund them and resource them appropriately.

Last week I had the good fortune of visiting the Youth Court and hearing the Attorney make an announcement on what is being done around the establishment of a Nunga Court and programs there aimed at diverting kids away from the Youth Court, away from drugs, away from crime, and that is a wonderful development in what we have done. It is also potentially a one-way ticket away from Yatala and the adult criminal justice system. The reality is we have not done enough and we continue to fail in this area.

The other reality is that we have not done enough across the board when it comes to rehabilitation programs. A great example of this is the fact that a person on remand in the adult setting cannot qualify for rehabilitation or counselling programs until sentencing, and we all know—and this was debated in this place yesterday—that waiting for sentencing can take six, 12, 18 to 24 months, maybe longer, depending on why you are there.

The likelihood is that you will be released for time served before you are actually sentenced in some instances, and all the while you have been sitting in a cell in a jail without access to any services because you do not qualify because you have not been sentenced yet. You are effectively in some instances sent out of prison worse than what you were before you came in to prison because you have had access to zero to help you rehabilitate yourself while you spend that time in custody. We send people out having done nothing to help them overcome the issues that saw them get into prison in the first place.

That old motto of 'rack 'em, pack 'em and stack 'em' clearly has been an abysmal failure. We can keep doing things exactly the same and expect the exact same results that we have had here for a very, very long time or we could once and for all try to do things differently and hope that the results are actually better. It is for that reason that I am calling on our minister to tell us what it is that South Australia is doing about the drug crisis overall, but especially in our criminal justice system, to address us in terms of the effectiveness or otherwise of youth treatment orders legislation and the need for those sorts of programs across the board and to address us in terms of what supports and services are actually being provided to youth and adults in the criminal justice system.

### **MENTAL HEALTH COALITION**

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:33):** Today, I rise to speak about the important work by the Mental Health Coalition and more specifically about their advocacy work and the key findings of the psychosocial support unmet needs study in South Australia. I want to take this opportunity to acknowledge my esteemed colleague the hardworking member for Frome, Penny Pratt, for doing a fantastic job as the shadow minister for regional health services and the shadow minister for ageing, preventative health, mental health and suicide prevention.

As a regional member of parliament, Penny Pratt is the best representative on the ground to listen to concerns and issues of individuals, families and communities in regional South Australia within her portfolios of regional health, mental health and preventative health. I want to thank Penny for her ongoing dedication, diligence and hard work. Recently, Penny introduced the Mental Health

Coalition to the Liberal shadow cabinet and provided this opportunity for me to speak about some of the important work undertaken by the Mental Health Coalition in South Australia.

One of the passionate advocacies of the Mental Health Coalition was to instigate a study to determine the level of shortfall and future investment required in non-government delivered psychosocial services in South Australia. The psychosocial support unmet needs study was commissioned by the Office of the Chief Psychiatrist, SA Health, at the request of the former Minister for Health and Wellbeing, the Hon. Stephen Wade MLC, prior to the 2022 state election.

The importance of psychosocial support cannot be underestimated. Psychosocial supports are defined as mental health supports that help people living with mental ill health participate in their community, manage daily tasks, such as catching a bus or going shopping, undertake work or study, find housing and get involved in social activities, such as attending movies or sports games and making connections with family or friends. This support is crucial in keeping people well and fostering a sense of belonging in the community.

The psychosocial support will assist those affected with negative mental health to avoid crisis care or ending up in emergency departments. Many people may not realise that the non-government mental health sector has lost funding and programs on the back of the rolled-out NDIS. There was an assumption that participants in unfunded, health-related programs will receive NDIS funding. What many people did not realise was that the NDIS does not account for recovery and is only for long-term mental ill health. The unmet needs study conservatively estimated that 26,000 people per annum with severe mental ill health required psychosocial support in 2021-22—latest figures would be more.

Of those, 3,200 people were receiving support by the NDIS and a further 4,489 from all other state and government-funded programs. That meant that some 19,000 people missed out on services and were put in limbo. The unmet needs represent approximately 75 per cent of the minimum threshold of people with severe mental ill health that require psychosocial services.

The report of the Auditor-General, 'Managing access to mental health services' 2022, also highlighted that in 2021 there were 27,468 mental health related emergency department presentations and 18,976 overnight admitted mental health hospitalisations, with 15 per cent of patients readmitted within 28 days of discharge. These are alarming statistics.

We already know that the SA health system is in crisis. It is important to understand that, when people receive access to community psychosocial supports, it dramatically reduces their needs for hospital-based crisis and emergency services and reduces ramping and wait times related to mental distress. The key recommendation is to ensure that there are cross-agency, interjurisdictional services for psychological supports to address unmet needs. The report estimated \$125 million per annum is required to fix the shortfall.

Penny Pratt, our shadow minister, and the Liberal Party support the Mental Health Coalition in calling on the Malinauskas Labor government to begin closing the gap by allocating funding in the Mid-Year Budget Review 2023 to address unmet needs in psychosocial support services.

#### **ADELAIDE THUNDERBIRDS**

**The Hon. T.T. NGO (15:38):** I rise to speak to congratulate the Adelaide Thunderbirds on their championship victory in the Suncorp Super Netball grand final, played in early July. It was an exciting match from beginning to end. For those of you who missed it, overtime was needed to separate the New South Wales Swifts and the T-Birds. The game ended in an exhilarating outcome, with Adelaide Thunderbirds winning by a single goal, earning them the trophy.

Since the T-Birds club's inception in 1997 they have won five championships and finished in the top three of every regular season between 1997 and 2010. However, it has been a decade since their last championship in 2013. The club's journey of persistence, resolve and resilience led them back to the victory of claiming the trophy in 2023.

In the 2017 and 2018 seasons the club lost 27 games in a row. Not winning a national league match for 531 days was, in fact, the longest unsuccessful record for any top-tier professional sporting

club based in our state. Like a phoenix, the T-Birds regrouped, refocused and then magnificently rose to the challenge.

Three of the team's 10 players are internationally based. Eleanor Cardwell, the grand final's most valued player, has played for the English team Vitality Roses since 2016, and Shamera Sterling and Latanya Wilson won medals for Jamaica at the 2018 and 2022 Commonwealth Games. Having such incredibly talented players as members of our state's team tells us how highly regarded the Thunderbirds are.

Their recent victory was watched by over 9,500 spectators in Melbourne and countless others on TV, like myself. This audience makes the Malinauskas government's announcement that Adelaide will host the 2024 grand final especially exciting, giving the Thunderbirds an opportunity to defend their title in front of a home crowd. The 2024 grand final will also be another great addition to an already extensive list of major events Adelaide will host.

Thanks to the SA Labor government reaching an agreement with Netball SA and the Adelaide Thunderbirds, the Entertainment Centre will not only host the 2024 grand final but become the home netball court moving forward. Hosting games at the centre will help to strengthen the mighty netball army even more with the capacity to accommodate larger crowds for this elite sport—one of the most popular sports amongst women and girls.

By relocating the Thunderbirds, the state government can immediately begin work to rejuvenate and modernise the ageing Mile End stadium to encourage community participation to grow. By ensuring that Netball SA has the facilities it deserves, we can encourage more girls from diverse backgrounds to get involved in their local teams. This is another commitment by a Labor government that is serious about supporting girls and women in sports. As the CEO of Netball Australia, Kelly Ryan, said:

This partnership will create a legacy for the future generations of South Australian netballers...boost our ability to grow both the grassroots and elite levels.

The Thunderbirds' captain, Hannah Petty, called the announcement 'incredibly exciting for our entire netball family'.

In recognition of the Thunderbirds' mighty efforts, the Malinauskas government hosted a state reception for the team and their squad here in Parliament House, which many honourable members also attended.

There are over 35,000 women and girls who play netball in South Australia, so seeing their state team reach the highest achievement is an inspiration they can all strive to be part of in the future. I look forward to cheering on the Thunderbirds in the 2024 season and welcoming them and their rivals to the Entertainment Centre throughout the year. Once again, congratulations T-Birds.

### **PALLIATIVE CARE**

**The Hon. H.M. GIROLAMO (15:43):** Today, I stand before you to address an urgent matter that demands our attention and action from both the state and federal governments. Our disability and health systems are meant to provide care and support to those in need. However, I recently encountered a distressing situation that highlights the flaws in our current systems.

A constituent from the Riverland, brought to my attention by the Hon. Nicola Centofanti, faced a dire situation. This gentleman, Mr James Mills, was battling a form of brain cancer, a condition that left him with severe vision impairment and excruciating pain, rendering him unable to walk. In this vulnerable state, his NDIS funding was abruptly discontinued due to his palliative status. As a result, Jim was no longer able to remain in the assisted living facility that he has resided in, where he was receiving exceptional care and support from the good people of All Areas Care and Support in the Riverland.

Our current system fails to recognise the critical importance of palliative care, particularly for those under the age of 65. Under the COAG principles and the NDIS support for participants rule, palliative care is excluded from coverage. Section 7.5 states that the NDIS will not provide support for this crucial aspect of care. This bureaucratic barrier has left Jim in a desperate situation, without access to the care he desperately needed.

Jim and his family have given me full permission to share his story here in the chamber today. The last few months of Jim's life were heartbreaking. At just 62 years of age, he found himself falling through the cracks of our existing support system. The absence of proper NDIS support and access to suitable palliative care services left him with two choices: admission to Loxton hospital or voluntary assisted dying. Tragically, he chose the latter. Having been approved for VAD, Jim Mills ended his life via VAD on 18 August 2023, as he could no longer endure the broken system.

Jim's plea to me was clear: continue to raise the issues with our broken system, and that is exactly what I am here to do. I am committed to fighting for better NDIS services in our regions, improve palliative care services and enhance supports for individuals under 65, who often slip through the cracks. It is a matter of basic human dignity that if you are palliative you deserve access to the right services, regardless of your age or your location.

Further exposing the shortcomings in our health infrastructure, in a small town like Loxton there is a lack of hospice or palliative care facilities outside of the hospital. Even for in-home services for individuals like Jim, at the age of 62 he did not qualify. So I took action and wrote to the state health minister, alongside my parliamentary colleagues, both state and federal.

Whilst I appreciate that, after extensive follow-up by the state and federal opposition, the NDIS did reverse the decision and funding was reissued, it was far too late for Jim. After 50 days of delay, he could not bear the thought of his support being pulled again. He left us, having shed light on the pressing need for comprehensive palliative care services and the urgent review of regional services. He also exposed the bureaucratic obstacle courses within the NDIS that must be resolved by the Albanese federal government.

Jim's story resonates with all of us. Every individual, regardless of their circumstances, deserves the right to dignity, comfort and quality of care during their most vulnerable moments. I pledge to continue fighting for individuals like Jim, so that they have access to health services and support when they need it most.

Jim has family and friends right across the Riverland who have been rallying for him, none more so than his partner, Sandrine, and mate, Steve, whose advocacy highlighted this issue to me and my colleagues. Let us remember Jim's name and honour his memory by working together to reform our systems and to ensure that no-one else has to face the choice that he did during the final days of his life.

#### **TREVITT, MS S.**

**The Hon. T.A. FRANKS (15:47):** I rise today to speak about Sophie Trevitt. Sophie Trevitt was a Green, an activist, an advocate, a lawyer and a diamond. Last month, on Twitter, her death was announced:

Sophie Jessica Trevitt, in the calm morning moments of 27 July, after nine months of battling a horrific brain cancer with the wisdom of a sage, breathed her last breath and passed peacefully into being nowhere but our memories of her.

And our memories of her are legion.

She was, as I said, a Green. She was active as a staff member for Christine Milne when she was the leader of our party at a federal level, for Richard Di Natale when he was the leader of our party at a federal level, and for the ACT leader of the Greens, Shane Rattenbury. She was active in the party during this as well. She was active in our campaigns as a convener in the ACT, and then when she moved to the Northern Territory she continued her voluntary work for our party there.

But it was as a lawyer where she truly shone—someone who was dedicated to speaking up and standing up for the things that truly matter to make this world a better place, to stand up for what is right. It is no surprise that I stand here today, as a Greens MP in South Australia, to honour the memory and legacy of Sophie Trevitt, because her reach was far broader than those offices where she worked and those state parties where she was an active volunteer. I note that my colleagues in Victoria, Ellen Sandell and federal Senator Larissa Waters, have also made similar statements in *Hansard*.

What Sophie managed to pack into her 32 years, as Senator Larissa Waters stated, is a lesson for all of us in how to make every moment count. In fact, as Larissa Waters has said in the Senate, Sophie's death reminds us all to stop mucking around and take action: get kids out of prisons, get refugees out of detention, stop approving new coal and gas, love boldly, be kind and have fun.

No matter what doubts she may have had, she was indeed, as Larissa stated in that speech, glorious. I always saw her as a diamond, and I have fond memories of watching her in La Sing in downtown Adelaide's Gouger Street when she was a Young Green here for a national conference or a national meeting of some sort, and people just orbited around her.

It was no surprise then that Sophie, when she finished her law degree at the ANU, moved to the NT where the need was great, and she worked on supporting kids who are in detention. She soon found that she could not stomach simply being there as a lawyer and she got active with Change the Record. Many of the MPs who have had any involvement with the campaigns to raise the age and to get kids out of detention and bring true justice in terms of reconciliation to this country would be familiar with Sophie Trevitt, or at least her work.

I will leave the words of Cheryl Axleby on the *Hansard* record as well today. Cheryl, speaking at Sophie's online memorial service last week, said:

As long as I've known you, Sis [you were always loved and respected]. You...got us....And I mean it with...respect...not many people really get us like you have.

The insight and respect you had shown through our work [through] the many years together is something that you don't see too often. [You] lived to empower our voices and you walk[ed] the talk. You fought strongly for the rights of our children. You lived strongly by your convictions to try and make this place a better world... We often shared stories about experiences and now and [then would] often [have] quite long yarns about what we could do about it.

That was the thing: Sophie was committed to changing the world, and I know that Greens right around this nation are committed to ensuring that Sophie's legacy is not lost and that we take forward her work with us. Hopefully, we see some of the laws that Sophie fought so hard to change finally being removed, such as the age of criminal responsibility.

#### JOY BALUCH AM BRIDGE

**The Hon. J.E. HANSON (15:52):** I want to start by saying that you can have a quote, you can have a joke and then you can make some observations. My quote is this: whatever good things we build, end up building us. The joke has no punchline, but nonetheless it is worth saying: a former chief minister, a current Minister for Infrastructure and four ambulance officers walk into a cafe. My observations are these: thousands of people crossing a bridge—crossing a bridge—hundreds of people attending a trade expo, 48 submissions to a regional community art exhibition and thousands of people attending a racing association's cup day.

These general observations, this joke and this quote really could not apply to too many regional towns in South Australia, but in the last few weeks every single one of them has applied to the City of Port Augusta. We saw, not very early on this year but more recently, finally, the great Port Augusta Bridge opened, and thousands of students and members of the community wandered across that. We saw 48 artists from across the state all contributing to the Port Augusta Malka Aboriginal Art Prize. We saw thousands of people, I think 1,700 in fact, attend this year's Port Augusta Cup—with some level perhaps of future vision—to see Shiny Rock win. I was one of them. It was a fantastic day.

All of these things seem to lead us to believe that something is happening in regional South Australia. At the Trade Expo over 700 private attendees came along, with businesses such as GFG, BHP, Santos, Fortescue Metals and Hallett all attending, all talking about something, all talking about South Australia's hydrogen plant, where this government is going to build a 200-megawatt hydrogen power station, hydrogen electrolyzers and a storage facility.

What is the purpose of all this? It is to create the jobs, the kind of jobs that are bringing hundreds of private investors to come to South Australia to look at what we are doing. We are going to see 1,200 jobs that are possible through construction and also through possible export, not to

mention the thousands, up to over 10,000 jobs, which could be created in the \$20 billion pipeline of renewable energy in this state.

The fact is that by doing what this government is doing, we are seizing the first-mover advantage. What does that mean? We are seeing strong global interest in South Australia's hydrogen jobs plan. We had 29 proposals from across the world—from Europe, from Asia, from North America, from South America—all coming to South Australia to bid on what we are building here. This is a major coup for our state. It is about major renewable energy projects. It is about equipment manufacturing, and it is about bringing technology providers here.

What is this government doing to support the jobs that are going to be created here? We are investing in health, we are investing in a new ambulance station in Port Augusta, we are investing in hospital upgrades in Port Augusta and, of course, we doubled the travel amount in PATS. We are investing in education. As early as this week, Port Augusta is going to be one of the 20 communities named to take part in the trial for out-of-school care. Obviously, we have seen investment through the new technical college which is being put into Port Augusta. We are seeing housing being put into Port Augusta, as one of the sites where we are going to see the key regional housing projects take place.

What we are seeing in Port Augusta is quite exciting. What we are seeing is the result of the kind of activities that take place when a government invests in communities, when private sector can see that investment and rewards that investment with interest and coming along to take part in what you are doing. What you are seeing in the community is people responding to that. They are seeing Port Augusta as a place to be.

More than just having a great time when I am there, the Upper Spencer Gulf is a community that I am proud to spend time in. Whatever good things we build end up building us, and you can see it in Port Augusta. People are proud to be there. People want the kind of investment we are bringing. I am proud to be a part of it and I am proud to see them being proud of their community, and I hope to see more of it as this government continues to take shape.

#### *Motions*

### **DONATELIFE WEEK**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:58):** I move:

That this council—

1. Notes that 23 July to 30 July is DonateLife Week 2023;
2. Recognises that organ and tissue donation saves many lives every year;
3. Encourages people to discuss organ donation with their family and friends; and
4. Acknowledges the life-changing decisions of donors and their families.

There is no denying that for those who are unwell or injured, an organ or tissue transplant can mean the difference between life and death, being healthy or sick, seeing or being blind, or between being active and never walking again. Electing to be an organ donor can have long-lasting and far-reaching benefits. Just one organ donor can save the lives of up to seven people and help many more through eye and tissue donation.

I have spoken in this place several times about the importance of organ and tissue donation. Across the first 10 years of the national DonateLife Week program, from 2009 to 2019, there was a 122 per cent increase in deceased donation rates, resulting in an 81 per cent increase in people receiving organ transplants. Those numbers reflect 5,904 deceased organ donors, which has resulted in 16,748 people receiving life-saving organ transplants.

Unfortunately, the global COVID-19 pandemic may have been responsible for a reported 15 per cent drop in donor numbers and transplant recipients. Thankfully, there has been a small resurgence in 2022, compared with 2021 and 2020. We must do all we can to encourage that number to climb in order to save the lives of more Australians.

Currently, in Australia, there are about 1,800 people on the waitlist for a transplant, and about 14,000 additional people are on dialysis, some of whom may need a kidney transplant. These figures demonstrate how imperative the continuation and support for DonateLife Week, coordinated federally by the Organ and Tissue Authority, is to thousands of Australians.

This year, from 23 July to 30 July, I was pleased to share this year's DonateLife Week campaign to take a minute to talk to your family about organ and tissue donation. In 2022, 54 per cent of families said yes to donation when asked in a hospital setting, compared with 56 per cent in 2021. This figure demonstrates the importance of individuals having the conversation with loved ones.

I would specifically like to point out our rural and remote communities. These communities have higher rates of chronic organ disease, yet experience significant barriers to transplantation due to travel, cost and access to specialists.

The death of a loved one is a hugely challenging time for families. Equally, the realisation that someone's life may be cut short because of an illness or disease is also extremely difficult. The anxiety of sitting on an organ or tissue donation waiting list can make this time even more stressful. Unfortunately, people face this reality daily, with more than 1,800 Australians living with uncertainty. Registering as an organ donor is one way that we as a community can provide hope to those who are tragically ill now and in the future.

I take this opportunity to mention my current amendment bill before the chamber. The Births, Deaths and Marriages Registration (Tissue Donation Statements) Amendment Bill 2023 seeks to allow families of deceased donors to acknowledge that donor's generous decision to offer the gift of life through organ and tissue donation to others on their death certificate.

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

**The PRESIDENT:** You cannot anticipate debate on a bill that is before the chamber, so please move on.

**The Hon. N.J. CENTOFANTI:** Apologies, Mr President, we will move on. Next year's DonateLife Week will run 28 July to 4 August. It will once again be an opportunity to focus on encouraging organ donation registration and opening the dialogue about organ donorship in our communities. As Peter Marshall once said, 'The measure of life is not its duration, but its donation.'

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

### *Bills*

## **HERITAGE PLACES (PROTECTION OF STATE HERITAGE PLACES) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. R.A. SIMMS (16:03):** Obtained leave and introduced a bill for an act to amend the Heritage Places Act 1993. Read a first time.

### *Second Reading*

**The Hon. R.A. SIMMS (16:04):** I move:

That this bill be now read a second time.

The bill I introduce today is to address an issue that threatens the preservation of our cultural heritage, that is, the principle of demolition by neglect. Before I delve into the detail of the bill, I want to note that, of course, when we talk about heritage, for us as Greens we also recognise the importance of promoting and protecting Aboriginal heritage and in particular cultural heritage sites. It is vitally important that that is front and centre of all the discussions we have about heritage here in our state.

This bill relates in particular, however, to our built heritage, and that is the principle of demolition by neglect, which refers to the deliberate acts of neglecting the maintenance and care of our state's historic buildings, ultimately leading to their deterioration and their eventual demolition. It is a known concept. It has been around since the 1990s, at least that is when the term was coined. Sadly, this practice has become all too common in South Australia. It has been endangering our heritage buildings.



In the context of South Australia, we have a wealth of historic buildings that must be protected to ensure that their cultural value exists going into the future. Certainly, we have seen some examples of destruction of our heritage here in this parliament. Who could forget the decision to demolish the police barracks to make way for a new hospital? A worthy endeavour, of course, to support a new hospital but a shame that the Malinauskas government set up a dichotomy between our heritage and an important public service like a hospital. We know there are many places around the world that are able to reconcile public services with ongoing respect and protection of heritage.

Let me give you some examples of what I am talking about when I talk about these buildings falling into disrepair. Romilly House, also known as Hackney Lodge, at 1 North Terrace, Hackney, has been vacant since 2017. It is now falling into disrepair and is a target for graffiti and vandalism. Edmund Wright House is an absolutely stunning building, built in 1878. It has a ballroom, it has high ceilings and balconies that overlook King William Street, it is on prime land in the CBD and it has been looking for a tenant since 2015.

North Terrace is also home to the Gawler Chambers and Newmarket Hotel, both beautiful heritage buildings that sit there empty without the love and care that they require. In April 2022, a group of historic houses in Glenelg fell into disrepair and were then demolished in order to build a 13-storey apartment tower. Heritage buildings hold intrinsic cultural, historical and architectural value for our state. They provide a tangible connection to our ancestors, who tell stories of the past, and they shape our understanding of who we are today.

When these structures are allowed to fall into decay, we lose an essential part of our state's story and we erase some valuable chapters of our history books. Heritage buildings also contribute significantly to the tourism industry and local economies. Visitors are drawn to visit historic sites, generating revenue and boosting local businesses. When these buildings are neglected, we not only compromise their preservation but we lose opportunities for economic growth and cultural exchange.

It is, of course, absurd that we have half of North Terrace vacant while we have people sleeping on the street. There is something seriously wrong about that. This bill aims to incentivise property owners to activate their buildings, either to renovate them or to make them available to the government for public good, and that could very well include housing. Back in 2015, the then planning minister, John Rau, told InDaily that:

We're concerned generally about owners of buildings in the city who just sit on those buildings, especially if they're sitting on vacant buildings, that don't invest, don't upgrade, don't make them attractive to tenants...

I'm seriously thinking about the issue of whether or not we should have some sort of disincentive built into the system for people who do that.

I agree with the minister. It is a shame that the Labor Party, which has been in power for 20 years of the last 30 years, has not dealt with this issue, but this bill is aiming to do that.

Preserving heritage buildings requires a collaborative effort between government bodies, heritage organisations and private owners. By implementing stricter deterrents we could prevent demolition by neglect and ensure that our architectural heritage is protected. State heritage listing under the Heritage Places Act has been a valuable way to protect our State Heritage Places and demonstrates that a place is worth conserving and celebrating.

Unfortunately, provisions under the act have not been enough and it is a shame that we are not seeing them being appropriately enforced because there were not the powers given to compel owners to do the right thing by these properties, and of course by the people of our state. We are still seeing owners sitting on buildings and not maintaining them to a sufficient standard.

Under section 36 of the Heritage Places Act there is a penalty of \$50,000 for a person who fails to take reasonable care of a State Heritage Place, but this penalty is not enough and it is not enough of a disincentive for property owners. In 2015, the National Trust of Victoria made recommendations for dealing with demolition by neglect and one of those recommendations was to increase enforcement and penalties for allowing a heritage place to fall into disrepair.

Other jurisdictions have also started to take action on this issue. In Victoria, reforms were introduced back in 2021 that prohibit development for 10 years if owners are charged with demolition by neglect or for allowing a building to fall into disrepair. In Oregon, privately owned properties can

be ceded to government or public management for preservation purposes while proprietors still retain ownership—and it is that model that we are proposing here in South Australia. In San Francisco, a \$500 per day penalty applies to owners who neglect historic structures.

This bill aims to address the problem of demolition by neglect in three ways. Firstly, the bill makes clear that a heritage agreement can provide for the management, occupation or future use of the heritage site. This would allow for the government to activate the site, if it is left vacant and neglected.

Secondly, the bill imposes a much more significant penalty for intentional or reckless damage or neglect. The bill more than doubles the penalty from \$120,000 to \$250,000 for an individual or \$500,000. It is important that the penalties for neglect are not just considered the cost of doing business for corporations who want to develop a site and make huge profits. The reality is, at the moment a large corporation could purchase a heritage building, let it be run down, knock it down and make a motza. We need to change the law so that there is actually a deterrent. In addition to increasing the penalty, the bill also includes the provision to charge a penalty per day where a property owner is not complying with a protection order. This will provide timely maintenance of heritage places.

Beyond this bill, we call on the government to make a commitment to improve heritage protection through existing legislative provisions. The government must commit to increasing the number of authorised officers to monitor and police demolition by neglect. We call on the government to introduce incentives to maintain heritage sites, which would be more of a carrot rather than a stick approach. Coupled with the provisions of this bill, there is a real opportunity for us to protect our cultural and built heritage.

Of course, it is relevant I think to refer to the Labor government's own heritage policy in the lead-up to the 2022 state election. Indeed, they say:

A large part of what makes Adelaide such a desirable city to live is the heritage and character of our suburbs.

That is a direct quote from the Labor Party's policy document in the lead-up to the 2022 election. The document goes on, and I quote again:

To ensure that demolition cannot occur at the whim of a future government, Labor will legislate to better protect State Heritage Places, including requiring a public report by the SA Heritage Council being prepared and laid in the parliament before any consideration of a demolition approval and full public consultation so that all South Australians can have their views heard.

Let's look at that again:

...Labor will legislate to better protect State Heritage Places, including requiring a public report by the SA Heritage Council being prepared and laid in the parliament before any consideration of a demolition approval and full...consultation so that all South Australians can have their views heard.

That sits in stark contrast to the approach they took in relation to the hospital where they did not bother to require a public report of the SA Heritage Council. That was jettisoned.

I would suggest referring this on to the Premier's Delivery Unit but we know what will happen if it disappears into that black hole: we will never get a report, it will disappear into the ether, there would be no minutes, no-one will know what happened and we will never hear of it again.

It is very disappointing that it has fallen on the Greens to try to enact the policy commitments of the Labor government, rather than the Labor Party themselves taking the action that is necessary to fulfil the commitments they made to the people of South Australia. It is very disappointing, very disappointing indeed. We wait eagerly for legislation from the Malinauskas government to come that fulfils the commitment they made to the people of our state at the last election to do better when it comes to management of heritage.

The principle of demolition by neglect causes issues for the protection of our state's culture and our heritage, and we need to act to ensure that there are deterrents to demolition by neglect that closely reflect the value we place on these buildings. We also need to ensure that we end this madness where we see buildings being left vacant while we have people sleeping on the street. Something has to be done, and that is what the Greens are proposing.

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

*Motions*

**BLOOD DONATIONS**

**The Hon. R.A. SIMMS (16:16):** I move:

That this council—

1. Notes that under current rules, men who have sex with men or people who have sex with men who have sex with other men, are ineligible to donate blood if they have been sexually active within the last three months;
2. Acknowledges that the Therapeutic Goods Administration has recently approved the removal of sexual activity rules for plasma donation, but not blood donation;
3. Recognises that countries such as the United Kingdom, Canada and the United States have abandoned eligibility criteria that is based on the gender identity or sexual orientation of sexual partners;
4. Notes that adopting an individual risk assessment model such as that used in the United Kingdom could result in an additional 25,000 litres of blood each year in Australia, which could save up to 162,000 lives; and
5. Calls on the Minister for Health to advocate for the federal government to adopt a new policy that aligns with the United Kingdom model of screening all donors for their individual risk regardless of gender identity or sexual orientation.

This motion notes the current rules that apply with respect to blood donation here in our state and right across the country. In particular, it highlights the restrictions placed on men who have sex with men and highlights the fact that they are ineligible to donate blood if they have been sexually active within the last three months. The motion goes on to acknowledge that the Therapeutic Goods Administration has recently approved the removal of sexual activity rules for plasma donation, but not with respect to blood donation.

The reason I am highlighting this is that Australia is really out of step with other jurisdictions around the world when it comes to restrictions being placed on blood donation. Other places around the world now adopt an evidence-based approach to blood donation, but in South Australia we base it on sexual activity and sexual partners.

It is certainly the view of the Greens that that is an anachronistic approach that needs to be revisited. That is why we are calling on the Minister for Health to advocate for the federal government to adopt a new policy that better aligns with the screening of donors that is adopted in other jurisdictions. I have written to the Minister for Health regarding this matter.

Just briefly, it is important to note that Australia has one of the lowest blood donor rates in the world, and regularly runs short of blood. About one in three Australians will need blood or blood products in their lifetime, but only one in 30 Australians (or 3 per cent) donate blood every year. One point five million blood donations are collected in Australia every year; however, over 1.7 million donations are needed to meet demand. This represents a shortfall of 20,000 blood donations every year.

High stress periods, which usually coincide with the Easter and Christmas holidays, see the amount of blood supply decline, but the demand for blood either stays the same or increases due to more people being on the road and an increase in road accidents. Most of the donated blood is used to help people with medical conditions who require blood or blood products regularly, and each donation can save three lives.

Blood is perishable and only lasts for 42 days. Furthermore, donors cannot give whole blood again for up to three months after they have donated. Despite the need for more blood, there is a large group of potential donors who are prevented from donating: gay men, bisexual men and some non-binary people who have sex with men are expected to abstain from sex for three months before giving blood because of a policy that has been in place for some time.

This ban on blood donations was put in place in the 1980s. Since then, however, there have been significant changes in public policy. Members may be familiar with the availability of the

HIV-prevention drug PrEP, which is now readily available in Australia and on the PBS and which is very effective in terms of reducing the transmission of the HIV virus.

Current research supports the arguments that abstinence-based deferrals are no longer necessary to protect the safety of the blood supply. Findings show that a policy of assessing every individual donor for the safety of their sexual activity, regardless of their gender or the gender of their sexual partner, would not only not compromise blood safety but would also increase the blood supply. This would be a major step in removing discrimination from blood donation.

Allowing these groups of people to donate blood could result in an additional 25,000 litres of blood each year in Australia which, it has been estimated, could save up to 162,000 lives. Other countries like Britain, Canada, France, Germany, Israel and the Netherlands have abandoned the old-fashioned bans that are placed on the gender of their sexual partner and instead adopted a policy of individual risk assessment that screens all donors for the safety of their sexual activity. The result in these countries has been that blood supply is safer and less discriminatory.

It is time for Australia to follow their lead. LGBTI groups in Australia, including Just Equal Australia, are calling on the Red Cross Lifeblood service and the Therapeutic Goods Administration to end the barrier to gay men donating blood in our country. Denying gay men, bisexual men and some non-binary people who have sex with men from donating blood reinforces some of the negative connotations of gay sex, and it also prevents same-sex attracted people from being able to make a civic contribution if they so wish by making a donation.

This motion calls upon the Minister for Health and Wellbeing to advocate for the federal government to adopt a new policy. As I say, I have written to the health minister regarding the matter, and I do hope that he takes it up with his counterparts in Canberra and that we can see a change in policy here that would bring our country into line with other jurisdictions and boost the blood supply.

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

#### *Bills*

### **VICTIMS OF CRIME (COMPENSATION) AMENDMENT BILL**

#### *Introduction and First Reading*

**The Hon. C. BONAROS (16:22):** Obtained leave and introduced a bill for an act to amend the Victims of Crime Act 2001. Read a first time.

#### *Second Reading*

**The Hon. C. BONAROS (16:23):** I move:

That this bill be now read a second time.

The Victims of Crime (Compensation) Amendment Bill seeks to legislate fairer outcomes for victims in this state. There is a body of work that needs to be undertaken to pass the two key reforms that I am seeking to legislate in this particular bill, particularly in relation to communication partners, but this is a simple bill and I would like to think it falls in the category of no-brainers.

The Victims of Crime Fund was established to recognise victims of crime, establish principles governing how victims are treated, assist recovery and provide a statutory compensation scheme to those most directly affected by crime. Section 23(a)(i) of the Victims of Crime Act limits an order for statutory compensation to only three-quarters over any amount that exceeds \$2,000, which means that a victim has to make up the shortfall or, perhaps more concerning, not be able to access important follow-up medical or other treatments they need as a result of being victimised because they simply cannot make up the shortfall.

The Law Society of South Australia has been actively advocating for the repeal of section 23(a)(i) in recent years. In a letter to the Attorney dated 15 July last year, it made the following submission, and I quote:

The effect of this provision is that for victims who are to be compensated for economic loss and/or medical expense payments that exceed \$2,000, they will only receive \$2,000 plus 75 per cent of the remainder of the compensatory award. The society considers this compulsory reduction in entitlements as unjust to victims and without

justification on financial grounds given that the Victims of Crime Fund can comfortably afford to pay victims of crime their full award of compensation.

The society is aware of a number of cases where this arbitrary reduction of compensation has caused great hardship to victims, compounding the physical and psychological stress of trying to recover from their injuries. For example, domestic violence victims with broken teeth have been forced to make up the shortfall to pay for expensive dental surgery due to the scheme automatically deducting 25 per cent in medical expense payments. Long-term members of the local community who do not yet have permanent residency and therefore do not have full access to Medicare or Centrelink have had to pay thousands in out-of-pocket expenses for medical treatment following injuries sustained at the hands of violent offenders and suffer further financial hardship as a result of being unable to work or access Centrelink payments.

The bill also seeks to implement a second key reform to enhance the capacity of victims to seek compensation by prescribing a fair increase in costs to legal practitioners, which at present is a mere \$1,400, indexed. I challenge anyone in here to find a lawyer who would be able to do that based on those rates, and they are currently prescribed in schedule 2 of the Victims of Crime (Statutory Compensation) Regulations 2019. If anyone has visited a lawyer lately, I hazard a guess that they would know that \$1,400 is not going to get you very far at all. Referring to the Law Society letter again, it stated:

This fee vastly undervalues the work required to properly run a victims of crime claim. Representing a claimant in a victims of crime matter involves meticulous evidence gathering and complex negotiations with the state with respect to the level of compensation to be awarded. This may include arranging several medical reports, assessing tax documents and Centrelink payments and examining school records, among other investigative processes.

The work involved in gathering evidence with regard to heads of damages is comparable to, if not more complex than, the process of representing a claimant in a personal injury claim. Unfortunately, the current cost schedule has made it unviable for most practitioners to be involved in victims of crime matters, with numerous firms having ceased involvement in preparing victims of crimes claims.

The upshot of this is that victims have limited access to legal representation. The society is gravely concerned that a significant number of victims who have no other recourse for redress other than to make a claim under the act will not have access to legal assistance. The society considers that a modest increase in the legal costs to \$2,200 per claim, while it still would not reflect the work involved, would incentivise more practitioners, particularly sole practitioners and those in regional areas, to take up victims of crime matters. This would significantly increase the capacity of victims to pursue compensation for their injuries, particularly in regional and remote areas where access to legal representation is especially limited.

I think it is really important, based on what I have just said, to emphasise that this is not a cash grab for lawyers by any means. It is a fair and reasonable increase. The sad reality is that if you are a victim of crime—and those are the only people we are talking about here—under the current arrangements you are going to struggle to get legal representation in terms of getting compensation that you are rightly entitled to.

I have taken the liberty in drafting this bill to round the figure asked for by the society to \$2,500 to account for inflation and the potential for the passage of time before the commencement of the bill. I am sure if it lands somewhere around that mark the objectives of this bill will be met. Of course, I and I am sure others are open to having further discussions about how that increase is achieved. If the government proposes an amendment to the regulations for that part of the bill, that would also be perfectly acceptable. I think the bottom line is that this is an issue that just needs to be addressed, however we get there.

It is also important to note that any increase would have an insignificant impact on the Victims of Crime Fund. As at June of last year, the fund held more than \$190 million. The Attorney-General's 2021-22 annual report shows the government collected \$37-odd million in victims of crime levies, just under \$3 million shy of the budget expectation for that financial year, but only made \$16-odd million in payments.

The 2022-23 budget estimates that approximately \$41 million will be collected but \$27 million of that is all that will be paid to victims. So it is fair to say that, for a \$190 million fund, there is significant room for the increases that we are proposing and that the Law Society has advocated for—importantly, in line with the purpose of the fund, not to prop up state budgets but to compensate victims for their injuries appropriately.

The Law Society has made the very valid point that the current fee vastly undervalues the work required to properly run a victims of crime claim. We know that. We know that a lot more work

goes into what is required than you can do with \$1,400. We know that there are now fewer and fewer lawyers who are actually willing to do this work because, frankly, they cannot afford to because of those very low figures.

It is a modest increase, and I am sure many would say it is not enough, but I think they have been very fair in their assessment and have said, 'If we do this, we will incentivise more lawyers to take up those cases on behalf of victims.' It might particularly incentivise lawyers in regional areas. It might particularly incentivise sole practitioners. They are people who, at the moment, are saying, 'We can't touch these claims because they are simply financially unviable for us.'

The person who suffers at the end of that is a victim of a crime, someone who has been subject to an attack or some sort of incident, which in many instances has left them with debilitating or lifelong injuries. It is not fair on victims to have (a) experienced that sort of atrocity at the hands of an offender and (b) then not be able to claim from the very fund that was established to ensure that we compensate them for the injuries that they have sustained as a result of violence and crime.

It is for those reasons that I have introduced this bill. I hope that the government will consider this favourably. I hope that they will be open to discussions around changes to the regulations. As I said, it does not matter how we get there; there is always more than one way to skin a cat. Let's just get there and fix this for victims of crime.

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

#### *Motions*

### **SOUTHERN OCEAN WIND FARM**

**The Hon. C. BONAROS (16:33):** I move:

That this council—

1. Expresses its concern over the extension of the proposed Southern Ocean offshore wind zone off the coast of South Australia following the consultation announcement made by federal Minister for Climate Change and Energy, the Hon. Chris Bowen MP, on 27 June 2023.
2. Notes offshore wind developer BlueFloat Energy has already lodged plans for a 77-turbine wind farm off the coast of Port MacDonnell, South Australia's most southerly town.
3. Recognises the potential for more wind farms should the proposed zone be proclaimed, with no benefit to South Australia.
4. Expresses its concern at the sheer size and footprint of each wind turbine which measures up to 350 metres above sea level and requires about 700 to 1,000 tonnes of concrete and steel to be fixed to the ocean floor.
5. Expresses its concern about the destruction of critical habitat and migrating seabirds and mammals.
6. Notes the proposed BlueFloat Energy wind farm:
  - (a) will provide no net energy benefit to South Australians;
  - (b) will result in very few jobs for South Australians;
  - (c) will exclude recreational and commercial fishing boats from important fishing areas; and
  - (d) has the potential to decimate Port MacDonnell's fishing and summer tourism industries and cause extensive job and business losses in those industries.
7. Acknowledges the southern zone rock lobster fishery of South Australia generates more than \$250 million of economic activity annually and supports at least 1,200 jobs.
8. Recognises the proposed zone exacerbates the stress and anxiety the rock lobster industry has endured in recent years due to trade issues with China.
9. Recognises the overwhelming concern of the Port MacDonnell community that the proposal threatens to wipe out the township and create long-term uncertainty for individuals and businesses.
10. Calls on the Premier and the Minister for Primary Industries and Regional Development to register South Australia's objection to the wind farm zone encroaching past the Victorian border and advocate this in the strongest possible terms.

11. Calls on the Premier and the Minister for Primary Industries and Regional Development to personally meet with the federal Minister for Climate Change and Energy to convey this message.

I move this motion in response to a proposal, which defies all logic, for a 5,100 square metre offshore wind zone from Warrnambool in Victoria to north-west of Port MacDonnell in South Australia's South-East. I cannot think of a single person that I have spoken to so far who has not warned of the potential to wipe out the region's \$187-odd million rock lobster industry, threaten hundreds of jobs, and completely decimate a very important and pristine environmental area.

Before I proceed to try to share with members some of the issues that have been raised firsthand, I will say this—maybe she took the wind from under my wings yesterday—we heard yesterday that the government has made an announcement, an announcement that was tabled in this place yesterday. It is a very welcome announcement in terms of letting us know that they will be opposing the wind farm proposal but, frankly—and I hear the interjections—what I am about to describe is important because what we do not want and what we would hate to think is that what our Premier or our Minister for Primary Industries and the regions or our Minister for Environment would do, is slap out a media release, put out a submission and think, 'Job done, there's nothing else for us to do here,' because there is absolutely plenty to do here.

We know that when our Premier wants to flex his muscle federally and get results, he absolutely does and he does not hesitate in doing so. The call really is for him to do this on behalf of the local residents in Port MacDonnell in relation to this proposal. A submission, in and of itself, does not cut the mustard in this instance. It is a very welcome move, but it is not enough in terms of the advocacy that our state government can play.

We know that there are commitments and there are commitments, and we know that the government can choose to use a soft voice or a very, very loud voice. I am sure that the voice in Victoria in favour of this proposal is extraordinarily loud by their Premier, but we await to see the same from our Premier and, indeed, the Labor government here.

The threat to Port MacDonnell is immeasurable. I think the first thing that needs to be made clear to everybody is that there is going to be a zone declared for wind farms. The question is: where will that zone be and will it creep into South Australian waters? If it does creep into South Australian waters, what are going to be the impacts for Port MacDonnell, for areas surrounding Port MacDonnell and for our economy more broadly.

The motion calls for the Premier and the Minister for Primary Industries and Regional Development to eyeball the federal Minister for Climate Change and Energy, the Hon. Chris Bowen, who will ultimately have the last say over the proposal, and make it clear, unequivocally clear, that this will not happen in our backyard. There is an opportunity even today, I think, with the visiting Prime Minister in Adelaide, to pull him aside and have those very same discussions, and let him know how seriously the state government takes this issue which we know will absolutely decimate one of our most pristine townships.

In order to understand the absolute absurdity of the proposal, it is important to understand the multifaceted impact it would have on the local community and beyond. In June this year Minister Bowen formally announced consultation on the proposed Southern Ocean offshore wind zone. That proposed zone, as I said, stretches from Warrnambool in Victoria to Port MacDonnell. In a sign of things to come, offshore wind developer BlueFloat Energy has already lodged plans for a 77-turbine wind farm off the coast of Port MacDonnell. This threatens to be one of a number of proposals which could threaten the region for many years to come.

Once that zone is declared, it opens the floodgates. There can be any number of similar proposals made for a wind farm. It ties that community up in knots and uncertainty for years and years to come. For those of you who are not familiar with Port MacDonnell, I will paint this picture—and this is for the benefit of everybody, of course, except the Hon. Clare Scriven, Minister for Primary Industries and Regional Development, for whom Port MacDonnell requires no introduction at all. We are lucky enough to have a Port MacDonnell local resident right here in this chamber, and a minister at that.

At the time of her elevation to state cabinet following last year's election win by Labor, the local media, *The Border Watch*, labelled her 'Our First Lady'. That is how important it was for them to have a minister of a Labor government in their electorate. She in turn told them:

It is wonderful that the South East will have a Cabinet Minister to make sure the local needs of the region, and all other regions are constantly being considered by the Cabinet.

If ever there was an opportunity for the minister to do just that, it is right now, literally in her backyard.

Port MacDonnell, as I said, is South Australia's most southerly town. Its population was 660 at last count, made up of 193 families. That figure does fluctuate. I have heard figures when I was down there of about 1,000. During tourist season it is likely to double, but we are talking a couple of hundred families, which does grow in the summer months. According to the 2021 Census, the biggest industry of employment is rock lobster and crab potting, followed by beef cattle farming.

The council sign at the entrance reads: 'Welcome to Port MacDonnell, South Australia's rock lobster capital', and nearby an even bigger sign lists Port MacDonnell attractions as: Australia's southern rock lobster capital; SA's southern-most point; waterfront precinct; maritime museum; Dingley Dell.

The area was settled in the 1850s as a port close to the growing farming settlements around Mount Gambier. Some might even be interested to know that our very own St Mary MacKillop began her journey by sea to Adelaide at the Port MacDonnell jetty, after arriving from Penola by horse and cart. That is the history of Port MacDonnell. It is home to the southern zone rock lobster fishery of SA, a fishery that generates over a quarter of a billion dollars to the state's economy annually. It is home to an industry that has the capital value of about \$1.5 billion to \$2 billion.

Port MacDonnell is one of the most productive rock lobster fishing grounds in Australia. It is also home to some of the most pristine waters in the nation. The industry employs well over 1,000 South Australians, and I might pause here to remind everyone of the challenges that that particular industry has faced in recent times, and is now facing with this proposal.

Not only was it hit by COVID, and did not have the benefit of many of the onshore payments and the like that other employers had, but adding to that crisis were of course the significant trade restrictions imposed by China. I cannot think of another industry who overnight basically were brought to their knees because 95 per cent of their export was ceased, and the flow-on effects that that had for that industry. It has been three tremendously difficult years for the rock lobster industry in South Australia, and indeed across Australia.

We have felt the brunt of that here in SA, and so this is just another whack for this industry. I know that they are doing their level best. In fact, I know the Premier is doing his level best. I know that Minister Farrell and Minister Wong are doing their level best to overcome those trade restrictions. We know that the Premier is due very shortly to travel to China, and one of the key issues that he will be discussing with the Chinese government is the rock lobster trade and the lifting of those restrictions. It is against that backdrop that we have Minister Bowen about to declare a position on a zone which impacts one of our most productive rock lobster areas in the nation.

I think it is important to say this and to make this clear: the rock lobster industry should not be defined by the price of a lobster on a plate. I think that is a huge misconception and one that often gets bandied about in this place, certainly in discussions and political discussions that I have: 'They're just rock lobster fishers, they're all loaded, they can afford another hit.' Nothing could be further from the truth than those sorts of statements.

The backbone of that industry is made up literally of the blood, sweat and tears of hardworking people. These are people who take on extreme risk, both physically and financially. They work hard to buy boats and equipment and brave harsh ocean conditions enough I think to make most of us physically ill. It is an extraordinarily gruelling and tough job, and I do not think many of us would be cut out to do it.

I was privileged enough to attend one of their regular industry meetings at Port MacDonnell Football Club last week, and I can tell you that genuine concern and worry was written on every person's face in that room. They are worried about their futures. They are worried about their kids' futures. They are worried about what will happen when the bank gets wind of what is happening.



They are worried that if they are tied into uncertainty for years to come and there is a need to go back to the bank, they may not qualify for payments. They are worried that businesses will close.

The knock-on effects of this proposal across the town have the potential to literally wipe it from the map. As one said to me, 'Who's going to go and order a new Toyota now?' Without such a vital industry in Port MacDonnell and the surrounds, the future of that town is uncertain, and when it comes to knock-on effects, we know it is not just Port MacDonnell. If it was just Port MacDonnell, then Mount Gambier would not have moved a motion in its council to oppose this.

It is not just the rock lobster industry, though, that is in the firing line. It is other commercial fishers who rely on the annual bluefin tuna migration through their pristine waters. It is the recreational fishers, many of whom regularly flock to the region as tourists and inject considerable life into the local economy. It is the baker, it is the supermarket, it is the barber, it is the hotel, it is every local business in Port MacDonnell and beyond that is impacted by this proposal, and for what?

From where we sit, there is absolutely zero benefit to South Australia, and that is the most remarkable part about this proposal. It will not keep our lights on; in fact, we will not benefit from one single measure that this proposal is aimed at achieving. All the energy generated will feed directly into Victoria's electricity grid. It will all go back to Portland and it will benefit Victorians. You betcha, the Premier over there is rubbing his hands in glee that this is creeping over to South Australian waters and that his state is going to benefit immensely over there. There is a smelter in Portland that is banking on this wind zone farm. Victoria is happy and is looking forward to receiving the end results of this project and all the jobs that will flow from it.

We have already seen an example of what is to come should the proposed offshore wind zone be allowed to creep into South Australia. BlueFloat Energy has already lodged plans for that huge 77-turbine wind farm off the coast of Port MacDonnell that I mentioned. Just to put things into perspective—and I think this is important; I have done it before in this place—each wind turbine that we are talking about will be up to 190 to 250 metres above sea level. There will be 77 of them 190 metres above sea level. That is about the same height as Westpac House, I think, across the road.

The wingspan, once again, of the turbine blades will be 250 metres in diameter. That is 60 metres longer than Adelaide Oval is long. To secure each wind turbine into the ground, each wind turbine will require 700 to 1,000 tonnes of cement and steel in those pristine waters of Port MacDonnell. Once it is poured into that seabed, one of our most pristine waters, it will be there forever.

Conservationists are up in arms. I met with many of them over in Mount Gambier and Port MacDonnell. I am, of course, really keen to know what my friends in the Greens are going to do in relation to this motion because the very purpose of renewable energy is to protect our assets, not decimate them. This proposal will absolutely decimate some of our most valuable South Australian assets. It reminds you of the great Joni Mitchell song about paving paradise to put up a parking lot.

I will tell you where a renewable project will not result in good. It might do so in the Spencer Gulf, but I will tell you where it will not result in jobs. I will tell you where it will not result in a great place to be and I will tell you that in this instance if we build it, it will not build us. It will absolutely destroy Port MacDonnell.

**The Hon. J.E. Hanson:** That was my quote.

**The Hon. C. BONAROS:** Yes, I stole it. It will be thrown back to see a horizon dotted with wind turbines and decimate a township in the process, and the environmental travesty of this proposal cannot be underestimated.

Literally, it will destroy critical habitat. It will kill migrating sea birds like the albatross. The potential for endangered southern right and blue whales is unknown but I do not need to be a marine biologist for you to tell me even the sound and vibration of wind turbines will interfere with these sensitive creatures. As the minister in this place pointed out yesterday, it will be right in the path of the annual migration of bluefin tuna. It will fly in the face of everything else we have done in terms of renewables, conservation, marine parks and sanctuary zones in this jurisdiction.

I have to be honest: I have only just learnt about the Bonney Upwelling. Bluewhalestudy.org describes it as the following, and this is an important consideration I know of this government in terms of this proposal:

...upwellings are powerhouses of nutrient cycling.

Driven by wind, the process of upwelling draws deep, nutrient-rich cold water upwards towards the ocean's surface replacing the warmer, usually nutrient-depleted, surface water.

The nutrients in upwelled water are derived from marine organisms...dying and sinking to the ocean floor.

Those nutrients are most abundant near coasts and river outlets but may be conveyed by currents great distances along the ocean floor, to be upwelled far from their source.

When upwelled nutrients meet sunlight near the surface, minute phytoplankton...'bloom', turning the ocean green and providing a vital food source for a range of animals from krill...to small schooling fish.

These feed larger animals including rock lobsters, giant crabs, fish...squid, seabirds, seals, dolphins and whales.

Humans too are part of this complex food web, commercially fishing both krill and the larger predators that feed on it.

It goes on to describe the importance of that process and the significance of the Bonney Upwelling.

The community groups in Port MacDonnell and surrounding areas, and in particular Southern Coast Ocean Care, established themselves in the face of this looming threat. I, for one—and I know many people from the regions—am extremely thankful that they did and for their advocacy to date. It is very much a grassroots campaign. They have instigated petitions and they have done their absolute level best to make sure that this does not happen in their town.

I think the bleak reality is that we know that if this goes ahead, tourists are going to leave, fishers are going to be left in a really bad position, fish factories will close their doors as will the food outlets and shops, and you can forget about having a local doctor or a mechanic, and the next generation will absolutely follow. Banks certainly will not finance any new ventures and might even start calling in debt.

I wonder whether anyone is considering what the threat of this proposal is doing for the mental health of that community, because that is one of the issues that was really drummed into me while I was there as to the long-term impacts. Who is going to pick up the pieces if Minister Bowen does not reduce the size of that proposal? The two local councils—the Port MacDonnell council and the Mount Gambier council—have both introduced and carried motions on behalf of their communities opposing the new offshore wind zone.

We have commercial fishers, we have southern rock lobsters and we have recreational fishers SA, all making the strongest of strong cases against this proposal. I have not come across a single person who has said that this is a good idea for South Australia, and I do not think the government has come across one because I do not think they would have come out with that submission to Minister Bowen if they had. I seek leave to table the district council resolution, which was carried on 17 July, and also the Mount Gambier ordinary council minutes dated 15 August 2023, pages 9 and 10, which refer to the offshore wind zones proposal.

Leave granted.

**The Hon. C. BONAROS:** I have met with the councillors from both councils. I have met with the Mayor of Grant council, Kylie Boston, and I had the opportunity to meet the Mayor of Mount Gambier council, Lynette Martin OAM, and some delegates from the council. There is absolutely no question that they are on the same page. I am also aware that the local member in the other place has been strongly advocating for his community too, and I think is delighted to see something is finally being done in the South Australian parliament to address this issue. He is also helping those local communities in every way possible, and I have to say that I heard only the best things said about the level of advocacy he has provided.

There were two public consultation sessions in the region, and I think this is important to note. I do not know who from government attended them, but they were held by the Department of Climate Change, Energy, the Environment and Water, first in Mount Gambier and then in Port

MacDonnell. I think about 550-odd people were in attendance at Port MacDonnell, and there was no support for this proposal. I think the same can be said for the proposal in Mount Gambier.

What we need to focus on—and I have only spoken very briefly about the environmental impacts—in the press release (and I will leave members to read that) there was quite a lot of detail about the environmental impacts. Minister Close and Minister Scriven have outlined in detail what they are concerned about, the proximity to marine parks and sanctuary zones, and the like.

I want to reflect on one thing I heard Minister Scriven say this morning. We might be having this discussion here, and it is a federal issue, but I note that there is also a government bill out for consultation now, the Hydrogen and Renewable Energy Bill. Minister Scriven was asked this morning whether in South Australia we support having offshore wind farms. To paraphrase what she said, I think she gave priority to the waters and the fishing activities that take place in those waters.

What I can glean from this proposal going out is that there is absolutely nothing that would prevent, as I can see it—and I stand to be corrected—a wind farm proposal similar to what we are discussing now being proposed within South Australian waters and the impacts that would have on any town. The reason I raise that is because we know, in South Australia, that our wind farm legislation is outdated, it has not kept pace with technology and infrastructure, and it needs reviewing.

Whether that is the piece of legislation it occurs under, or whether we need a separate piece of legislation, the bottom line is that, once and for all, we need to make sure that our laws around wind farms are up to speed with emerging technologies, with 250-metre tall wind farms that are being proposed across the country, in fact.

I will say this: it is very easy for South Australia just to put in a submission and say, 'Job done.' It is even more easy for Minister Bowen, without additional pressure, to say, 'My only job here is to declare a zone. It's not my job to do anything other than to declare a zone, and once I have done that, I pass it on to someone else, but my job is done.' We will wait to see if that stacks up, but we might do so without accounting for all of the impacts that will be had for South Australia in declaring that zone. That is what you do when you operate in silos. That is what you do when you do not take into account the broader implications of a proposal. From where I sit, and from where the local residents of Port MacDonnell sit, that is socially irresponsible and it is politically irresponsible.

The concerns of those residents who will be caught up in this mess for years to come and will continue to suffer from anxiety for years to come, because of the opening of Pandora's box in terms of the declaration of the zone and more proposals being put forward, cannot be stressed enough. The one thing we absolutely know is that Minister Bowen will declare a zone. What we do not know is whether it will creep into South Australian borders.

I am going to say it one more time: if it creeps into South Australian borders, it will completely decimate Port MacDonnell. I am absolutely calling on the government—and indeed every member in this place, my friends in the Greens, and the conservation sector—to tell us what they actually think about this proposal, for one, but to do their level best in terms of their advocacy to Minister Bowen to ensure that is not the outcome that is going to be faced by Port MacDonnell residents.

I will say it again: if this proposal was in the Spencer Gulf or if it was somewhere more visible—if it was happening down at Glenelg—we would have protests on the street over this sort of proposal by now. But it is very much a small community town that is very much out of sight and, in many instances, out of mind. The ramifications for that town, and the economic impact on South Australia as a whole, simply cannot be understated. I do not know how much more I can stress that. I do not know how much more I can stress the environmental impacts, let alone the fishing impacts, that this proposal will have on our most pristine waters.

I am urging absolutely everyone in this place to consider this motion favourably. Like I said to every conservationist, every fisher and every local I met in Port MacDonnell: if you have to chase around your members of government to make sure that they are doing more, and the opposition and us to make sure that we are doing more to apply that pressure federally to make sure that border does not creep over into South Australia, then get it done—because if those messages are not heard

loud and clear, we absolutely know what the outcome will be. With those words, I thank members for their indulgence and I commend the motion to honourable members.

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

### LONELINESS

**The Hon. C. BONAROS (17:04):** I move:

That this council—

1. Acknowledges social connection is a fundamental human need.
2. Notes Australia's first State of the Nation Report 'Social Connection in Australia 2023' found almost one in three Australians feel lonely and more than one in six are experiencing severe loneliness, with young people and middle-aged people reporting the highest levels of loneliness.
3. Recognises loneliness is an important predictor of individual and population health.
4. Notes lack of social connection is:
  - (a) as dangerous as smoking up to 15 cigarettes a day or drinking six alcoholic drinks a day;
  - (b) increases the risk of heart disease by 29 per cent;
  - (c) increases the risk of stroke by 32 per cent;
  - (d) increases the risk for anxiety and depression; and
  - (e) increases the risk of older adults developing dementia by 50 per cent;
5. Recognises the link between loneliness and population health outcomes in terms of suicide rates, disease management, public health costs, absenteeism and economic prosperity.
6. Acknowledges loneliness is an urgent public health issue requiring immediate and adequate attention.
7. Notes the United Kingdom appointed a dedicated Minister for Loneliness in 2018 followed by Japan in 2020.
8. Calls on the South Australian government to establish an inquiry to consider, report and make recommendations on:
  - (a) the prevalence and causes of loneliness within the South Australian community;
  - (b) the effectiveness of current programs to improve social connection;
  - (c) opportunities for increased investment in local community groups which bring people together;
  - (d) opportunities for the funding of new programs and initiatives to address loneliness;
  - (e) the development of a loneliness strategy to advance social connection;
  - (f) the creation of a ministerial portfolio for loneliness or the specific inclusion of loneliness under the ministerial portfolio for health and wellbeing or another existing portfolio; and
  - (g) any other relevant matters.

I rise today to speak to my motion seeking the parliament establish an inquiry on loneliness, to consider, report and make recommendations to address the often unrecognised negative impacts loneliness has on our community.

Science tells us, as a social species, social connection is a fundamental human need. Human beings are thoroughly social creatures. Loneliness can affect all of us, but it is important to recognise loneliness is not simply the state of being physically alone. Indeed, people can live relatively solitary lives and not feel lonely; conversely, they can live an ostensibly rich and busy social and professional life and feel very lonely.

There is a growing body of research, including Australia's first State of the Nation Report: Social Connection in Australia, and the Australian Loneliness Report, which highlights loneliness is not only a very common experience but also an important predictor of both individual and public health, with broader economic and social impacts.

The UK has estimated loneliness costs their health and justice systems over \$32 billion. Loneliness is a better predictor of premature death than physical inactivity, obesity, drinking or smoking. It significantly increases the risk of heart disease by 29 per cent, stroke by 32 per cent, dementia by 50 per cent, depression and anxiety, and suicide and self-harm. Diabetes, infectious diseases, cognitive function, depression, anxiety—all things that contribute to our health crisis in such a big way—all feature in loneliness statistics.

Although research confirms a high percentage of people believe loneliness is a serious issue, broader community understanding, awareness and concerted action to address loneliness remains low. Sadly, loneliness is still surrounded by a lot of misconception, misperception, stigma and discrimination such that it is often hidden and underreported.

Just how common is it? One in three Australians report feeling lonely, and one in six experience severe loneliness. For as many as 15 to 30 per cent of the general population, loneliness is a chronic state. There are extraordinarily alarming statistics that tell a story not only of numbers but of real people experiencing debilitating loneliness. It is not just confined to the elderly, to those living alone, to those grieving, to introverts, to people with disabilities or people in poor health. People living alone and people living with others can experience loneliness at similar levels. You can be surrounded by all the people, all the family, all the friends and all the colleagues in the world, and still suffer from very debilitating loneliness.

It is remarkably consistent throughout Australia across geographic locations, socio-economic groups, age profiles and genders. Indeed, 18 to 24 year olds report loneliness at similar levels to other age groups. If you watched the most recent iteration of the ABC hit *Old People's Home For Teenagers*, you may have been surprised to learn teenagers aged 14 to 16 were just as lonely, in some instances lonelier, than people aged 74 to 93. One of the teenagers commented, 'Man, I just really want some friends regardless of their age.' That is no surprise given loneliness among young people has increased every single year since figures started to be kept in 1976.

Older participants basically outline the same sorts of feelings. They do not want to burden their families because they know they are busy, and they do not want to be a burden on society. We know also that chronic loneliness and social isolation increases the risk of dementia amongst those groups by 50 per cent.

We are all glued to our screens with an unprecedented number of devices, streaming services and electronic connectivity available to us, but these can deprive us of a sense of shared enterprise and personal engagement in the community. Or we might use them to fill the void and basically numb the loneliness that 16 per cent of people who experience loneliness have said they have now become addicted to, compared to 9 per cent of the population. That is before we even take into account the impacts of COVID, which literally turned the way we live upside down and on its head.

We have a range of legacy issues from COVID which turned many of us into a nation of stay-at-home Eleanor Rigbys. We know that the impacts of COVID absolutely had a really concerning impact on young people in particular.

We know—even in the Premier's own words—that the mental health tsunami is still awaiting us in terms of the long-term impacts of COVID on those young people in particular. We know that things like playing poker machines, things like going to the local pub and becoming addicted to a poker machine, can be directly attributable to feelings of loneliness. We know that people make GP appointments, pay a fee to go to visit the GP, for no other reason other than to have someone to talk to.

Sadly, close to 50 per cent of people experiencing loneliness report that they conceal their loneliness and are embarrassed to admit it to others, which only further contributes to that loneliness. Left untended, loneliness has serious consequences for cognition, for emotion, for behaviour and for physical and mental health, and it impacts individuals and societies more broadly. It has measurable negative impacts on productivity and economic prosperity. Absenteeism, lack of participation and exiting the workforce prematurely are all contributed to by loneliness.

We can speculate about all the contributing factors and causes of this epidemic of loneliness, but until we understand these better we cannot develop the solutions. Ongoing social and scientific research is needed to better understand the adverse experiences and impacts of loneliness. The way forward will need to be a multidimensional approach with a focus on South Australian regional and metropolitan areas because this is an issue that does not know borders at all. Otherwise, the scourge of loneliness is an issue we are going to have evermore and for years to come.

The motion that I have introduced aims to follow the lead of other jurisdictions, including the UK and Japan, where they have appointed a dedicated minister for loneliness. In 2020, the UK produced its first loneliness report, which showed significant progress across 60 commitments made in a report titled 'A connected society: a strategy for tackling loneliness'.

Japan appointed a dedicated minister for loneliness and isolation when, in 2020, more people died from suicide, by suicide, than from COVID the whole year prior. The Japanese experience is one that I would urge all members to go and look at. When you look at that experience it is interesting because for that country it is not the first of its kind. They have had horrific incidents in 1995 and then again in 2011, and what became apparent to them, post COVID, was that every natural disaster resulted in more isolation and increased suicide rates and that a lot of that was attributable to the impacts of loneliness on their community.

There are reports that members can refer to to inform themselves of those, but the fact that the suicide figures alone increased to the extent that they did in Japan was absolutely a driving force in terms of addressing this issue by implementing a ministry for loneliness and isolation.

We need to support and build on the work of many organisations and individuals over the years and become more strategic in our approach. I think, as a first step, this motion is just asking the minister to have an external inquiry on the merits, or otherwise, of looking at the creation of a loneliness portfolio.

I will be the first to put up my hand and say that I know there will be people who will scoff at this, who will say, 'We need to be trimming back, and you are talking about having a loneliness minister when we already have all these other issues that we need to contend with.' I will also be the first to put up my hand and say that there are lots of areas that we should trim from.

But on this issue I do not agree that we cannot afford to look at this. I think it is something we absolutely need to look at. Time and time again, what we have done is treat these things in isolation. Without acknowledging the wider impacts, the more it costs us in the long run. The longer we operate in silos, the more it costs us in the long run. Loneliness, mental health, suicide, gambling addiction, drug and alcohol addiction, homelessness, hospital wait times, health crises: they are all intrinsically linked in many respects. We should not be looking at these issues in isolation. We should be looking at the role that loneliness has to play in all of those areas.

I will end by saying this: if there is one way to get a Treasurer's attention, in my experience, it is to point to figures and to budgets. There is absolutely no question that without some intervention the long-term cost of doing nothing about this issue will cost us an absolute motza in terms of budgetary figures. Doing something now and assessing the situation will be much more worthwhile and much more beneficial economically than doing nothing at all.

I know governments respond to dollars and cents. There is a lot of logic and sense in looking at this proposal favourably, even if only in terms of budgetary implications. With those words, I commend the motion to the chamber and urge all honourable members to support it.

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

#### *Bills*

### **SUMMARY OFFENCES (PROSTITUTION LAW REFORM) AMENDMENT BILL**

#### *Introduction and First Reading*

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:16):** Obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953 and to make related amendments to the Criminal Law Consolidation Act 1935. Read a first time.

*Second Reading*

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:17):** I move:

That this bill be now read a second time.

I bring this bill to the chamber to allow conversation, discussion and debate on a different model around the sex industry. In doing so, I would like to firstly acknowledge the work of the Hon. Michelle Lensink, the Hon. Tammy Franks, and others in this place and the other place over a long period of time, who have indeed acknowledged that the current laws are not working and have not worked for decades. We must look to protect and empower women, because as Malala Yousafzai said:

I raise up my voice—not so that I can shout but so that those without a voice can be heard...we cannot succeed when half of us are held back.

I bring this bill to the council as a credible alternative to full decriminalisation. I bring this bill, which many other countries have already embraced—countries such as Norway, France, Sweden, Canada, Iceland, Ireland, Northern Ireland, Israel and South Korea. These countries have identified the need to change the model of prostitution, to employ an innovative approach to policy that is not based on standard legalisation or criminalisation principles. It is a differentiated model of asymmetric decriminalisation where the selling of sexual services is decriminalised, but the buying of sexual services is criminalised.

The fundamental innovation of this model is that it targets demand. The model recognises that it is the demand for sexual services that promotes the expansion of the sex trade and sex trafficking. The model proceeds from an understanding of prostitution as gendered violence, which creates a very different framework than those who identify prostitution as either labour or work.

Whilst I acknowledge that both men and women can be involved in the sex trade, we know that over 95 per cent of people involved are women. There is no getting past this statistic; it is gendered. I bring this bill to the council in the name of equality for women. I bring this bill to the council as a pathway to protect those in prostitution, a way to ensure that women in prostitution themselves are decriminalised and are free to make their own decisions—choice and autonomy—because it has been stated in this place many times before that it is a woman's right to choose what she wants to do with her body.

However, too often the sex industry is not a choice. It is by far the case, and not the exception to the rule, that many women who find themselves in the sex trade do not do so by choice and are often vulnerable as a result of childhood sexual abuse, domestic violence, coercion, homelessness, and drug and alcohol addiction. Only last weekend, *The Advertiser* reported a story on a former nurse who had become homeless after an injury and was utterly destitute when she turned to prostitution for money in 2016. These are the real stories out there. These are the real lives and these women need our laws to protect them.

There is endless research and literature that supports this statement. According to Mathieson, Branam and Noble, 'Prostitution Policy: Legalization, Decriminalization and the Nordic Model', printed in the *Seattle Journal for Social Justice* in 2016, Swedes, in viewing prostitution as a consequence of structural injustices (including sexism, racism and heterosexism), called for the provision of social service support to survivors of prostitution and for the criminalisation of those abusing their greater socio-economic power by buying women who are prostituted for their own sexual gratification.

According to these researchers, any country committed to advancing the welfare of the majority should not economically institutionalise the sexual subordination of women to men, nor should they justify segregating marginalised populations in an economy (the sex industry) where these disenfranchised citizens would be expected to sexually service their social superiors, for instance those with more economic power, for survival.

In a modern-day society, when we are championing gender equality, reduction or abolition of gender pay gaps and striving to create a fair and just society where all individuals have equal opportunities, how can we rationally tolerate legislation that protects those with more power? I bring this bill to the chamber to create a more equitable and respectful society. This bill challenges the

power inequalities found within the sex trade. The bill has been drafted with the following core components in mind:

- to criminalise the act of offering or providing money or other benefit in return for a person performing sexual services;
- to remove criminal sanctions currently applied to sexual exploitation victims;
- to criminalise the acts of enabling and profiting from the prostitution of another person; and most importantly
- to provide a comprehensive resourced network of support and exiting services for victims of sexual exploitation.

In doing so, it is an act that amends the Summary Offences Act 1953 and makes related amendments to the Criminal Law Consolidation Act 1935. It repeals sections 25, 25A and 26—that is, those sections relating to the current laws around prostitution—then inserts part 5B, sections 26F through to 26K. In doing so, it makes it an offence to request the provision of, or to be provided with, a commercial sexual service.

This provision seeks to criminalise the act of buying sexual services. It also makes it an offence to procure a person to provide sex in exchange for payment. For all purposes, a person procures a person to provide sex in exchange for payment if the person: (a) causes, assists, facilitates, persuades or encourages a person to provide sex in exchange for payment; (b) advertises that the person (or some other person) is willing to employ or engage a person to provide sex to another person in exchange for payment; or (c) approaches another person with a view to causing, assisting, facilitating, persuading or encouraging the other person to accept employment or an engagement to provide sex to a person in exchange for payment.

It is also illegal to keep and manage a brothel, to advertise a commercial sexual service or to permit premises to be used as a brothel. These provisions target both pimps and brothels, and unashamedly so. According to testimonies from sex trade survivors in Australia, it is often not the woman being sold who walks away with the bulk of the money for their work: it is pimps and brothel operators. There are fees charged for towels used to clean themselves after a client. Fees are charged if they run overtime with a client, even if the client refuses to leave of their own accord. Fees are charged to get taken to call-outs or offsite jobs. Penalties are given if they need time off between clients, even if they have been abused and their bodies are hurt or bleeding.

New Zealand's well-publicised Chow brothers, Michael and John Chow, made millions of dollars off the backs of women in brothels and strip clubs. The Chow brothers operated these businesses openly due to the decriminalisation of prostitution in New Zealand. They have since sidestepped into diversified property and investments, having reportedly raked up close to \$400 million prior to diversifying away from the sex industry. A hearing in 2014 heard how there was a high drinking culture, with encouragement to package up 'one hour with a girl and a free bottle of champagne'. There were reported rampant sexual assaults from intoxicated clients, and workers would lose shifts if they did not meet quotas.

The Chows are a classic case of men and brothel and property owners—noting that many women reported being encouraged to rent rooms upstairs in the premises for \$200 per week—making money at the expense of women's bodies and their abuse. The Chow brothers state that they worked closely with the New Zealand Prostitutes' Collective and that no women on their books had complained to the police, but when women are reliant on the income, when women are intimidated—as was reported in the 2014 hearing—and when women are not provided with assistance and are powerless to speak up, it is highly unlikely they will complain to either their bosses or the police.

Under this bill, a person who receives payment or some other material benefit that the person knows is derived directly or indirectly from a payment made to another person in exchange for the provision of sex is also guilty of an offence. However, I would like to acknowledge that there may be some situations where a person would be dependent on the earnings of someone in prostitution for legitimate reasons, such as a person who is living with someone in prostitution on a genuine domestic basis or someone who receives payment as a result of a duty of care owed by the individual, for



example, the provision of a carer for a disabled family member or the provision of childcare services for a child.

In these circumstances, it is important that these individuals are protected. It does not allow for circumstances, however, where there is coercion, the use of drugs, alcohol or other intoxicating substances, intimidation or the abuse of trust, power or authority in these relationships. That should never be tolerated, no matter what the situation is.

The last provision is arguably the most important provision, and that is the provision of comprehensive social services to women in prostitution. There are two types of support: support services from the government and those from non-government organisations. In Sweden, public agencies are responsible for these support services, and these are termed prostitution units. These units act as intermediaries and facilitators with broader social services to help women access housing, financial assistance, psychosocial support and more.

Services offered by the units are entirely free, and clients of the units are under no obligation to leave prostitution in order to receive services. With a client demographic that includes men, women and those in the transgender community, the employees meet people with any prostitution-related experience, from stripping and pornography to street and brothel prostitution. The units do not have specific exit programs, but rather employees will ask clients what they need help with to tailor the social service supports to the specific needs of each client.

The most comprehensive Swedish unit, located in Stockholm, offers access to two therapists who are also street and internet outreach workers, a trafficking specialist, street and internet outreach workers, social workers, a midwife, a part-time gynaecologist, a general practitioner and a psychologist. The unit contains an onsite medical office, which is critical to ensure these individuals have access to the medical treatment they need.

Then there are situations like in Seattle, where non-government organisations have stepped up to provide these services to women. Seattle has not eliminated existing full criminalisation laws, but it enforces them differently as a key component of the countrywide initiative to shift the focus of legal efforts onto the buyers who fund the sex industry.

In Seattle, the women who are arrested are encouraged to seek services as an alternative to penalties. They receive referrals for shelters and rehab clinics from a survivor advocate. Advocates also offer transportation, food and clothing if necessary at the time of the arrest. The primary organisations serving the specific needs of prostitution survivors are OPS and REST, and both of these organisations provide mentorship, support programs, therapeutic care, as well as access to basic supplies such as hygiene products and clothing.

I certainly do not envisage to suggest to the relevant minister how she would go about ensuring these women are supported, suffice to say that I would expect her department to look at other countries and jurisdictions that currently have this successful model implemented. But I think it is important to impress on this chamber that the support needs to be real, it needs to be timely and it needs to be executed with diligence, dignity and compassion.

It is important during the discourse of this legislative debate that we acknowledge the reality of those living in the sex trade. I would like to take some time to share quotes from survivors as they tell the truth that so often gets hidden when we only speak in legal terms. One 12-year-old girl said:

I started hanging out on the streets to escape my nightmare of a home. But unbeknown to me, the streets would be even scarier—but at least the men paid.

This does not sound like a 12-year-old child's first choice. One woman spoke about the barriers to obtaining safe accommodation. She said:

No-one wanted to rent to a young, coloured woman, who had no references, no legit job, and no payslips.

They often feel like they are trapped with no ability to realistically and safely exit the sex trade. Often they do not even realise the trap they are in while they have to live it every day. A survivor wrote:

He said I was coming up to my use-by date, and all I was good for was [sex] and once I was not good for that anymore, I should just go and kill myself because no-one would want me—not even if I offered it for free. It was

not until he said that, that I realised that these guys were creeps. My skin literally crawled. I felt like I had just woken up from a deep sleep, realising the life I had been living was pure and actual hell.

Another survivor said she would do anything to avoid going back to her home or being homeless, so she turned to prostitution—a story repeated many, many times. She goes on to state:

The industry relies on women and girls who have learnt to devalue themselves...who have learnt to regard abuse as normal.

There are plenty of very simple statements:

I didn't want to have sex with any of them, yet I had to if I wanted to pay rent.

I tried again, and failed again, to get and keep a real job...I also got involved in a relationship with a violent man who reinforced all the negative ideas I had about myself.

In bringing this bill to the chamber, I would like to acknowledge and thank several people who have been instrumental in their advocacy around this model.

I would like to thank the survivors and the women in the sex industry who have spoken with me over the journey. In particular, I would like to thank the founder of Wahine Toa Rising, Ally-Marie Diamond, for her strength and courage to speak out publicly about her experience. Wahine Toa Rising stands for Warrior Women Rising. It is a survivor-led support group operating in Australia and New Zealand. I would also like to thank WEEP, Women Ending Exploitation in Prostitution, and other advocacy groups who have been calling on this change for years.

The inherent nature of the sex industry means that many young, vulnerable, socially disadvantaged women and girls enter the workplace and become trapped. Are all of these women trafficked or coerced? Absolutely not. Therefore, current laws around trafficking and coercion do not protect a lot of these women. Some, because of their own disadvantaged circumstances, turn to this industry as a fast way to make money because, as we have heard in evidence given in a committee, 'It may be the only place for women.' Is this a choice? It does not seem like a choice to me. These women do not have a choice, and they deserve one.

In this bill there is a pathway for these women. There is a pathway so that these women can say enough is enough. There is a pathway that enables these women to not only leave the profession without a criminal offence record but be assisted and supported in leaving the profession. I seek members' support on this piece of legislation, which at the heart of its core is designed to protect and assist society's most vulnerable because, as Ally-Marie Diamond once said, 'As we let our own light shine, we give others the courage to shine their own.' I seek leave to conclude my remarks.

Leave granted; debate adjourned.

*There being a disturbance in the gallery:*

**The PRESIDENT:** Order!

## **PLANNING, DEVELOPMENT AND INFRASTRUCTURE (AFFORDABLE HOUSING) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. R.A. SIMMS (17:35):** obtained leave and introduced a bill for an act to amend the Planning, Development and Infrastructure Act, 2016. Read a first time.

### *Second Reading*

**The Hon. R.A. SIMMS (17:36):** I move:

That this bill be now read a second time.

The Planning, Development and Infrastructure (Affordable Housing) Amendment Bill addresses a critical issue when it comes to new housing developments in our state, that is, the lack of affordable housing for people on low incomes. Housing is a fundamental human right, and everybody deserves a roof over their head and a place to call home. The Australian government's Institute of Health and Welfare states:

Access to good quality, affordable housing is fundamental to wellbeing. It can help reduce poverty and enhance equality of opportunity, social inclusion and mobility.

In 2021, Adelaide was ranked the 13<sup>th</sup> most unaffordable metro area out of 92 major international housing markets, according to the Demographia International Housing Affordability report. This meant that Adelaide's housing was less affordable than Brisbane, Perth and even New York and Seattle.

According to the Beyond the Housing Crisis report from Believe Housing and UniSA in 2022, Adelaide has the tightest rental market anywhere in the country since 2017, with just 0.2 per cent of properties remaining vacant. This is an example of a serious lack of supply in our housing market and a lack of affordable housing options. I have spoken many times in this place about the housing crisis.

The Malinauskas government have acknowledged the lack of supply of affordable housing in their plan titled 'A better housing future', released in February this year, and I quote from that paper:

The government recognises that our—

that is, their, the government's—

plan provides a response to the current housing challenges, however more needs to be done to continue to support increased and well located affordable and appropriate housing in the state.

The bill the Greens are proposing here today—

*There being a disturbance in the gallery:*

**The Hon. R.A. SIMMS:** It sounds like it is very popular in the gallery as well.

**The PRESIDENT:** The Hon. Mr Simms, everybody in the gallery is in raptures.

**The Hon. R.A. SIMMS:** The bill the Greens are proposing here today aims to ensure that affordable housing is considered for all major developments, not just those within the affordable housing overlay.

Currently in South Australia, developments within the affordable housing overlay that are for 20 or more dwellings or residential allotments are required to include 15 per cent of affordable housing. Well, 15 per cent just simply is not enough, and that is why the Greens are proposing 30 per cent, that is, 10 per cent affordable to buy, 10 per cent affordable to rent and 10 per cent that is social housing.

When one considers the maps of the Affordable Housing Overlay available on PlanSA's Property and Planning Atlas, it is clear that many areas of future growth are not currently captured by the overlay. Members will be aware that earlier this year the Malinauskas government announced that new land would be released in Hackham, Dry Creek, Concordia and Sellicks Beach. Of course, we welcome that—recognising that we are in the middle of a housing crisis—but we must ensure that this is not a land release that only serves developers. We must ensure that we do not see Mount Barker 2.0 where there is a lack of appropriate planning. Part of that planning is to ensure that there is appropriate return to the community by way of increased social housing and increased affordable housing.

I recognise the government's commitment to including 15 per cent affordable housing in these new developments. We welcome that, but the reality is, it is simply not enough. What is in place to stop future governments from releasing land that sits outside of the overlay and not ensuring that there is a 15 per cent return? What the Greens are proposing is increasing that return and abolishing the applications simply to the overlay.

The Greens' bill is consistent with calls from advocacy groups such as National Shelter. They have been calling for a mandatory 30 per cent affordable housing in developments. These calls are supported by research undertaken by Shelter, who in 2019 found that 97 per cent of their survey respondents agreed that action was needed to address housing affordability, and that mandatory inclusionary zoning of the kind that the Greens are proposing was the preferred mechanism for that action.

The bill progresses those recommendations and establishes a minimum 30 per cent affordable housing requirement. For the current proposed developments earlier this year, this would double the number of affordable houses to be delivered: from just 3,405 under the Malinauskas government's plan, to 6,810 under the plan of the Greens. That would help another 3,000 households access housing that is affordable for them.

National Shelter has also asked participants of that survey to rate the types of housing options, with the result showing that affordable housing to purchase was the least favoured option, and that build-to-rent products should also be included. Their policy recommendation is that one-third of affordable homes be for rent, one-third for purchase and one-third be made available for social housing, and that is precisely what the Greens are proposing.

I note that two weeks ago the Malinauskas government released the discussion paper for the new Greater Adelaide Regional Plan. The paper claims that with current growth trends we will need an additional 300,000 homes over the next 30 years. Supply is important for ensuring that we address our state's housing crisis. But, as we have this discussion about development, we need to ensure that developers are providing an appropriate return to the community, and that means beefing up our investment in affordable housing and beefing up the investment in social housing.

The Greens' proposal for a minimum requirement of 10 per cent affordable to buy, 10 per cent affordable to own and 10 per cent social public housing is really worthwhile. I intend to write to the Minister for Planning, the Hon. Nick Champion MP, and of course his shadow, the Hon. Michelle Lensink, with whom I have had an opportunity to have a brief conversation in this regard. I intend to write to both of these members and urge them to back this sensible proposal from the Greens, because there is an opportunity for us to work together in the parliament to tackle the state's housing crisis head-on. With that, I conclude my remarks.

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

#### *Motions*

### **KITTYKEEPER MOBILE GAME**

**The Hon. D.G.E. HOOD (17:44):** I move:

That this council—

1. Acknowledges there is a dispute between Kitcatco and Mighty Kingdom pertaining to the intellectual property ownership of the KittyKeeper mobile game;
2. Recognises that further independent investigation is warranted to establish ownership of KittyKeeper's intellectual property; and
3. Implores the state government to ensure all future government grants concerning the mobile gaming sector are awarded with clarity pertaining to intellectual property ownership.

I rise today to bring to members' attention an allegation that a government grant was received by a company that owned ownership of another company's intellectual property in order to receive that grant. This matter concerns specifically the \$480,000 KittyKeeper game grant awarded in very early February 2018, I understand, by the then Department for Industry and Skills to South Australian mobile game developers Mighty Kingdom.

In my contribution today I wish to stress that I am not in a position to judge if wrongdoing has occurred. It is not for me to determine culpability or otherwise; it is for others to make that determination, of course. However, my scrutiny of this matter has led me to the conclusion that at the very least it warrants further independent investigation and that it should be brought to a conclusion one way or another.

The first allegations in this matter were publicly raised at a parliamentary select committee in 2021 when Mr Justin Daley, the CEO of Kitcatco, presented documentation that he was the owner of the KittyKeeper game and its intellectual property. Mr Daley's continued allegations have been subsequently ventilated in the media on numerous occasions and investigated by South Australia Police. Unfortunately, though, he is no closer to finding a resolution now than he was back in 2021.

Mr Daley's allegations were investigated by DIS in 2020 after a request for an investigation from the Office of the Small Business Commissioner. I am told that DIS specifically asked Mr Daley to provide evidence of his stated ownership of the KittyKeeper game IP prior to 2018. I am informed that Mr Daley provided DIS with registered trademark certificates and service contracts between Mighty Kingdom and his company, Kitcatco, that certainly in my judgement appear to show his ownership of the game's intellectual property. He also presented numerous emails and communications from Mighty Kingdom which, again, appear to be acknowledging Mr Daley's ownership of the game's trademark, copyright and all forward-facing consumer content.

What is also worth noting is that Mr Daley, on the information provided, appears to have conceived the game and contracted Mighty Kingdom to build him the KittyKeeper mobile game and pay them in full for that contracted work. This is not in dispute, as I understand it. This service provider/client relationship was defined in Mighty Kingdom's terms and conditions. Mr Daley's total amount paid to Mighty Kingdom, I am informed, is in excess of some \$400,000.

When DIS investigated allegations against Mighty Kingdom, Adam Reid, the then CEO of DIS, reported back to Mr Daley, and I quote directly:

There appear to be some obstacles for you (Mr Daley) to overcome if you were to establish ownership...The ownership of the game is not clear cut...I do not consider it possible or appropriate for me to adjudicate on what appears to be a genuine dispute between you and Mighty Kingdom as to the ownership of the intellectual property of the game.

This is somewhat curious, as my understanding is that the grant conditions do not allow for any dispute with regard to who owns the KittyKeeper game IP. Indeed, the grant states that the company warrants to the minister that it holds all the IP in the game, that company being Mighty Kingdom.

The grant specifically defines IP as any patent, copyright, trademark, trade name or design, etc. Mr Daley claims he can prove with documentation from Mighty Kingdom that he owns the trademarks, copyright and all consumer-facing elements of the game. Mr Daley also has registered trademarks for the game's core branding, including its name KittyKeeper, lodged prior to any of this back in November 2017.

Since that investigation, Mr Daley, with the help of the Hon. Tammy Franks MLC, has sought documentation under the freedom of information arrangements relating to the grant, including the email negotiations between Mighty Kingdom and DIS. Those FOI requests were consistently denied and redacted by DIS.

For around three years, Mr Daley requested those documents through the Hon. Ms Franks' office, and finally in January of this year two of the dozens of pages were unredacted under appeal. In those two pages is what appears to be evidence showing Mighty Kingdom claimed ownership of Mr Daley's intellectual property to DIS. It also appears to show that DIS knew Mr Daley owned specific elements of the game IP, including the trademark, and yet awarded the grant to Mighty Kingdom in any case. Indeed, in a specific email, Lou Jansen from DIS asked Dan Thorsland from Mighty Kingdom on 14 February 2018, and I quote directly:

Can you provide more information on Kitcatco re: the ownership of the IP of KittyKeeper? Where are they based, what is the full name of the legal entity?

Mr Thorsland's reply, and again I quote:

Currently they own the Trademark for KittyKeeper and Mighty Kingdom owns the IP for the game that is being funded.

This was two weeks before DIS awarded Mighty Kingdom \$480,000 of taxpayer money for a grant that states clearly Mighty Kingdom warrants that it holds all of the IP in the game.

My reading of these documents appear to show that Mr Daley's ownership of the game is sufficiently documented—at least to me. He has produced contracts that, again, appear to show that he intended to engage Mighty Kingdom as a service provider only to build him a mobile game. In my mind, those contracts appear to define his ownership of the game IP. Those contracts appear to show that Mighty Kingdom were aware of and acknowledged Mr Daley's ownership of the game IP.

The difficulty is that every agency Mr Daley approached to look at and investigate his claims always referenced that original investigation by DIS. They all quote that the investigation stated the

ownership of the IP is 'not clear cut'. However, the grant conditions, as they have been explained to me and as my research into the topic facilitates, do not allow for the IP rights to remain unclear. The legitimate question becomes: should the grant have been awarded in those circumstances?

Investigating agencies would have seen that the department investigating allegations being made is the very same department that awarded the grant. I will read that again: investigating agencies would have seen that the department investigating the allegations being made is the very same department that awarded the grant. This appears to be a clear conflict of interest, and even the DIS CEO alludes to this fact in some of his communications.

Now the situation on face value appears to demonstrate that Mr Daley has sufficient evidence to support his contention that Mighty Kingdom has claimed ownership of his IP incorrectly. I stress again that it is not for me to determine if this has been done deliberately or inadvertently but, at the very least, I say again that further independent investigation is warranted on the facts as they stand.

Upon request, the Auditor-General and the Ombudsman would not further investigate. Premier Malinauskas, to be fair, after requesting and receiving a briefing from the police commissioner late last year on this matter, did not allow the matter to lie, and referred the case to the appropriate minister, the Hon. Andrea Michaels, for consideration. Despite the newly available documentation, I understand the matter has not been progressed by any of these avenues.

SAPOL conducted a six-month investigation into the allegations. They looked at the new information and determined it needed to be referred to ICAC, but my understanding is also that ICAC is not progressing the matter either. I make no criticism of either ICAC or SAPOL or any of the other avenues pursued but, in the end, I certainly believe that a further independent investigation is required in order to finalise this matter.

Substantial amounts of taxpayer, and indeed private, funds are involved, and it is my firm belief that South Australian taxpayers deserve certainty in this matter, as does everyone else involved, of course. Why are government agencies refusing to look at this new, unredacted information that has been discovered in recent times, information that SAPOL saw fit to refer to ICAC, information that seems to suggest that an organisation may have incorrectly claimed ownership of a client's intellectual property, thus providing access to a substantial amount of South Australian taxpayer money?

I seek leave to table a number of documents provided to me by Mr Daley in order to support his claims, namely: firstly, a minimum value product ownership and investment documentation document; secondly, a prototype ownership documentation document; thirdly, a trademark registration documentation document; and fourthly, the relevant documents I have mentioned above via the Freedom of Information Act.

Leave granted.

**The Hon. D.G.E. HOOD:** I also seek leave to table a statutory declaration signed by Mr Daley stating that all the information he provided to me with respect to the circumstances surrounding the legal ownership of the KittyKeeper game and associated intellectual property is absolutely true and correct to the best of his knowledge without exception.

Leave granted.

**The Hon. D.G.E. HOOD:** Adelaide is fast becoming an international heavyweight when it comes to the digital gaming industry, and that is a good thing, something all of us would support. The South Australian taxpayer is currently pouring significant sums of money into the mobile gaming sector. Intellectual property, both original and licensed, forms a significant part of the virtual economy and it is imperative that the highest ethical and governance standards are routinely in place if South Australia is to be seen as a credible and supportive home to this fast-growing and high-value industry—something I am sure all of us would wish to see.

Taxpayer grants should always receive the highest scrutiny, and well-documented allegations of irregularity should be taken seriously by governments and their agencies and afforded every reasonable consideration when being investigated.

I believe that we may have been provided with an opportunity to learn from the experience of people like Mr Daley in order that we may formulate a framework of protections which provides the industry with confidence and thus attracts other leading talent to the digital gaming industry here in Adelaide.

I wish to stress that I raise this issue in an effort to provide the impetus for a satisfactory resolution of a matter that has bounced from one agency to another, with a final outcome not yet achieved. I wish to again make it clear that it is not my role to determine where blame does or does not lie in this matter, and I stress that I am not doing so in any way. I am not. This is, and should be, wholly the domain of others.

My role as a member of the Legislative Council is to see that such matters are brought to light fairly, in line with our established practices, so they can be fully investigated, tested and ultimately brought to a conclusion. However, after close examination of this quite complex matter over several months, I have arrived at the conclusion that there are several irregularities to warrant a full independent and final forensic investigation of it.

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

### **SALVATION ARMY SOBERING-UP UNIT**

**The Hon. S.L. GAME (17:55):** I move:

That this council—

1. Acknowledges the important work of the Salvation Army Sobering-up Unit, providing shelter, support referrals and advocacy for persons requiring a safe place to sober up or recover from the immediate effects of alcohol and drug use;
2. Recognises that the consumption of alcohol is widespread within Australia; and
3. Acknowledges that harmful levels of consumption are a major health issue, associated with increased risk of chronic disease, injury, and premature death.

Last year I visited the Salvation Army Sobering-up Unit, which is located at Whitmore Square in the city and operates 24 hours a day, seven days a week. The sobering-up unit has a policy to never turn anyone away. The staff informed me that the vast majority of people arriving at the unit are well behaved and polite, appreciating somewhere safe to be. Certainly, that is what I saw on my visit.

I had a tour of the facility and was extremely impressed by the highly empathetic and able staff. The sobering-up unit is more than its name implies. The nature of it being a 24/7 facility with highly caring staff means the homeless can rely on the centre to report any concerns in the night regarding the safety and wellbeing of others. The importance of this unassuming facility to the lives of those most vulnerable in our society cannot be overestimated.

The impact of the staff—all of whom told me they loved their job, which surely would be deemed by most as challenging—cannot be overemphasised. You do not take on this type of work if your desire is to be celebrated and acknowledged; you do it out of a desire to have a meaningful life and assist others who need it. That is what these staff do quietly behind the scenes as the rest of us get on with our daily lives. That said, these are the people who we as a society need to acknowledge and be grateful for.

The sobering-up unit provides shelter, support referrals and advocates for people in need of a safe place to sober up or recover from the immediate effects of alcohol and drug use. The unit also caters for people apprehended under the Public Intoxication Act in South Australia. The sobering-up unit assesses a person's level of intoxication, monitors them throughout the sobering-up process, arranges medical intervention if required, and provides basic needs such as bedding, clothing, bathing, laundry facilities and an appropriate meal.

The unit responds to phone calls from members of the public, clients and their families. It advocates, assists and refers clients seeking accommodation, medical welfare, counselling and rehabilitation services. Encouraging clients to consider the harm and risk associated with their alcohol and/or drug use, the unit also provides information about medical detoxification services and rehabilitation programs.

The consumption of alcohol is widespread within Australia and is an accepted part of many social and cultural activities. However, harmful levels of consumption are a major health issue, associated with increased risk of chronic disease, injury and premature death. There is much still to be done in reducing the stigma of alcoholism and, as it relates to mental health, the consensus is that both must be treated together. It is for this reason I have, in the past, advocated for behavioural assessment units to be incorporated into our emergency departments.

Too often, people experiencing a mental health crisis who are also suffering from addiction are turned away or feel degraded in the way they have been treated when seeking assistance. The behavioural assessment units have been incorporated into some Victorian hospitals, allowing better support of Victorians experiencing urgent mental health, alcohol and drug use issues.

South Australians deserve the same, and I urge the government to progress any investigations into the establishment of such units here. I commend the Salvation Army for playing its part in looking after our most vulnerable. The sobering-up unit is a wonderful initiative and is helping to improve and save lives, treating all that seek their assistance with dignity and care.

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

*Sitting suspended from 18:00 to 19:45.*

### TAIWAN

**The Hon. F. PANGALLO (19:47):** I move:

That this council—

1. Notes that 10 October is Taiwan National Day;
2. Recognises the significant cultural and economic contributions made by the Taiwanese community in South Australia;
3. Acknowledges Taiwan's important role in the Indo-Pacific region;
4. Celebrates Taiwan's strong ties and friendship with Australia;
5. Recognises Taiwan was Australia's fifth largest export market and seventh largest two-way merchandise trader in 2021-22;
6. Congratulates Taiwan on its proud history as a self-governed democracy and its recognition and respect for its indigenous people; and
7. Looks forward to South Australia further strengthening trade, investment, cultural and educational ties with Taiwan.

I am speaking about Taiwan to recognise the strong cultural, economic and geopolitical links between South Australia and the democratic country that is also globally renowned as Silicon Island. The Republic of China, Taiwan, celebrates its national day on 10 October. I will outline why it is so important that we, Australia, should continue to support Taiwan's independence and its right to claim sovereignty in the face of constant acts of aggression and political threats from its bullying neighbour 100 kilometres across the Taiwan Strait, the People's Republic of China.

I have now visited both countries, although I am cognisant that many other nations have a one-China policy that does not seem to recognise Taiwan as a standalone entity. Personally, I do not subscribe to that line of political convenience. At present, 13 countries plus the Vatican do recognise Taiwan as a sovereign country. Australia is not one, yet we merrily ply our trade worth billions with them. I was in mainland China for several weeks, working at the 2008 Beijing Olympics. It was a real eye-opener for me. I was able to witness firsthand the enormous economic and social progress China has made in the decades since the communist state opened to the rest of the world.

While it is a powerhouse in the region, it still has its problems under a somewhat difficult and rigid political structure that is run on strict and authoritarian Maoist ideology, imposed by its leader Xi Jinping, while also attempting to embrace the capitalist values of democratic states. It is both rich and poor but very powerful.

Then there is the giant panda in the room: China's billowing greenhouse emissions also make it the biggest contributor to global warming, and there does not seem to be an end in sight as



the rest of the planet sets unachievable zero-emissions targets in moving to renewable energy sources. China's own needs means it is unable to wean itself off its voracious appetite for fossil fuels. It is also a country compromised by terrible human rights violations, including the imprisonment of Australians under dubious charges.

As for Taiwan, in June I was privileged to be part of a delegation of six members from the Legislative Council's Taiwan-South Australia parliamentary friendship group for a seven-day mission to learn more about them and their way of life. Our delegation comprised of our co-leaders, the Hon. Tung Ngo (it was his third visit there) and the Hon. Laura Henderson, and the Hon. Heidi Girolamo, the Hon. Reggie Martin, the Hon. Ben Hood and me. The delegation had accepted an invitation extended and paid for by the Taipei Economic and Cultural Office. We had a packed schedule of meetings, reaching the highest levels of their government. I will come back to that later.

Mr Acting President, as you yourself found on your visit there, Taiwan is a fascinating and quite enthralling country, far removed in many respects from its larger neighbour as it is an effective and quite peaceful self-governing democracy. Taiwan's compact size belies its significance, with a land area of approximately 25,000 square kilometres and a population of over 23 million people. It stands as a testament to the idea that great things can come in small packages. It is innovative, cultured, refined, very productive and its people are extremely polite and well educated and, I found, extremely stoic in the face of constant existential threats.

Taipei and the other cities we visited are refreshingly modern, clean and with an efficient transport system, while their roads are well maintained and traffic flows in such an orderly fashion that it would even put Adelaide to shame. Although it does rely on imports due to its lack of natural resources, Taiwan's export-orientated economy is something of a blockbuster, considering its maker. It boasts a highly developed market economy with a gross domestic product worth \$790 billion. It ranks as the 21<sup>st</sup> largest economy in the world, the rapid development being described as the Taiwan Miracle.

Allow me to give you a snapshot of it. Its main industries are electronics, communications and information technology, petroleum refining and manufacturing. Taiwan is the global leader in the production of semiconductors (computer chips) for just about everything and is worth more than US\$100 billion annually.

Taiwanese company Foxconn makes iPhones. Our delegation visited the headquarters of Cooler Master, an advanced and innovative computer component and gaming peripherals manufacturer specialising in PC thermal cooling systems. As an insight into what they do, while speaking to the company's chief executive, Jimmy Sha, in Taipei and to founder Roger Lin on the day that Apple announced its groundbreaking new Vision Pro headset, I was blown away to learn that they had played an important role in its development by supplying the revolutionary headset's tiny cooling system.

They also showed us a stunning array of novel PCs, an office chair that—as you, Mr Acting President, experienced—can replicate stunning action effects from a movie when connected to one of its PCs, and my personal favourite, a Formula One car simulator. Just think of the advantage China would have over the rest of the world in the event of a takeover.

Nonetheless, and as quite an irony, China remains its biggest trading partner. It is Australia's seventh largest trading partner and fifth largest export market, worth \$5 billion to \$6 billion. Taiwan's labour force is 15 million. The unemployment rate is 3.7 per cent; 1.5 per cent of the population lives below the poverty line; and inflation, currently the scourge of much larger nations and economies, is running at a modest 3 per cent. It is also regarded as one of the easiest countries to do business with. Any wonder China wants to get its hands on it.

Taiwan is keen to get Australia's backing to join the comprehensive and progressive agreement for Trans-Pacific Partnership, against Beijing's wishes. Our Prime Minister has poured cold water on it. Australia benefits enormously from its trade deals with Taiwan, yet it will not recognise this beacon of democracy as a sovereign nation, perhaps fearing some retaliation from the Chinese. Such is the delicate and sensitive nature of this relationship and situation.

The island's history took a significant turn when it became a Dutch colony in the 17<sup>th</sup> century, followed by the Qing dynasty rule. Later, it was ceded to Japan after the First Sino-Japanese War in 1895 and it remained under Japanese control until the end of World War II. The Republic of China then took over the reins, as the nationalist government of Chiang Kai-shek retreated to Taiwan after losing the Chinese Civil War to the communists, led by Mao Zedong, the revered Chairman Mao.

Taiwan's relationship with mainland China is complex and multifaceted. While both sides share historical and cultural ties, differing political ideologies have led to a divided stance on their relationship. Taiwan seeks to maintain its de facto independence, while China considers Taiwan an integral part of its history and Xi Jinping states that reunification with Taiwan must be fulfilled while often flexing its considerable military muscle to drive home that point.

The prospect of a Chinese invasion of Taiwan carries far-reaching geopolitical implications. Not only would it disrupt regional stability but it could also reshape the dynamics of power in the Asia-Pacific region. China's interest in Taiwan is rooted in its aspiration to exert greater control over its periphery and strengthen its global influence. The strategic significance of Taiwan cannot be underestimated. Its proximity to Japan and South Korea, as well as its location in the Indo-Pacific region, close to US-friendly territories like Guam and the Philippines, positions it as a linchpin for regional stability and security.

Additionally, Taiwan's close ties with the United States and countries like Australia underscore its role as a democratic stronghold in a geopolitically sensitive area. Taiwan's military capability, while not insignificant due to its arms supply from the United States, would be dwarfed by China's. However, US President Joe Biden has already indicated shifting from their strategic ambiguity of not declaring what they would do in the event of a conflict by now stating that the US would defend Taiwan militarily.

Taiwan's political landscape is characterised by a vibrant democracy. The two main political parties are the Kuomintang (KMT) and the Democratic Progressive Party (DPP). These parties have shaped the island's policies with leaders like Tsai Ing-wen of the DPP, the current President, and Kuomintang's Eric Chu playing pivotal roles.

Our delegation was given a glimpse of the enormous political implications at stake in a meeting with Taiwan's leading presidential candidate at next year's elections, the current Vice-President, Dr William Lai from the DPP, and Jason Lin, national policy adviser to Taiwan's female President, Madame Tsai Ing-wen.

I found Dr Lai an extremely impressive statesman-like figure with a considered attitude to the ever-present confronting situation Taiwan finds itself in. Only last week, Dr Lai visited the United States on his way back from one of Taiwan's allies, Paraguay, which infuriated Beijing. In fact, Beijing will throw a tantrum at any politician from a democracy either visiting or associating with Taipei. The Chinese Consul General here was made aware of our visit from the wide media coverage we received over there and she felt the need to file a stern complaint to the President of the Legislative Council and the Premier. I view this as no more than a petulant show of Beijing's subtle style of diplomatic bullying.

I will not stand for any country or totalitarian regime dictating to me or others where they can travel because of their own political prejudices and differences. Should Dr Lai be elected, my own impression is that Taiwan will be in extremely capable hands. However, Dr Lai fears Beijing will attempt to meddle in the elections and we should expect Beijing to ratchet up its military and online mischief towards Taiwan as the poll nears.

Our delegation was warmly received by other leading political and civic leaders from all sides of their political divide, as well as captains of industry, arts and culture, science and education. Among them were: Si-Kun You, the President of the Legislative Yuan; Wen-tsan Cheng, the Vice-Premier of the Executive Yuan; Wendy Yu-Hsia, a popular female legislator of the KMT Party; Hsi-chin Tai, the very charismatic Speaker of the Taipei City Council; Dr San-Cheng Chang, the Mayor of Taiwan City; Dr Hung-AnKao, the vivacious young female Mayor of Hsinchu City, former executive of the giant Foxconn Technology Group and a member of the Legislative Yuan; Ambassador Chung-Kwan Tien, Deputy Minister Foreign Affairs and Chancellor of the Institute of Diplomacy and

International Affairs; Ambassador Alexander Tah-Ray Yui; and Chung Kwan Tien, Deputy Foreign Affairs Minister.

If there was a concurrent message throughout our stay, it was that they are extremely appreciative of the support and goodwill they receive from our country and are quite enthusiastic and genuine about wanting to boost trade, investment, student study and tourism with South Australia. They currently do more business with the Eastern States but are keen to explore opportunities here. We must encourage that.

Just to illustrate what a small world it is, at a hotel I was recognised by Carrie and Kevin, Taiwanese Australians who run a successful trucking company in Adelaide and still do much business with their native country. The Taiwanese are quite conscious of global warming and climate change and are aware of this state's reputation as a global leader in renewables and desire to develop clean energy solutions like a hydrogen industry, which the Taiwanese told us they would be keen to be involved in once it eventuates. I hope they do not have long to wait.

They informed us that they are planning to close their nuclear and coal-driven power plants and move towards greener options, like hydrogen, although gas would still be part of their brown energy mix. We also visited Tsai Ying Clean Energy Company, run by Chairman Eagle Cheng. It has a manufacturing plant in Kaohsiung City, which is developing hydrogen-fuelled buses.

Another interesting discovery by our delegation is the existence of Taiwanese indigenous groups spread across the island—the Amis, Atayal, Bunun and others—that hold a special place in its cultural fabric. Their traditions, languages and customs remind us of the island's diverse heritage and the importance of preserving these historic roots. Their indigenous people are celebrated at an impressive cultural museum, the Shung Ye Museum of Formosan Aborigines. Our tour guide there also began the tour with a Welcome to Country, like the one we do here, reflecting the Australian influence from her period of living and studying in Melbourne.

Our trip ended on a high note touring the Kavalan whisky distillery, sampling the golden drops that have won consecutive gold medals. Go figure—the world's best single malt Scotch made in Taiwan. That gave us yet another surprising taste of and insight into Taiwan's rich diversity. Mr Acting President, my colleagues on this visit, including yourself, will no doubt talk more to their experience as this motion progresses, and I look forward to hearing from them. I am also looking forward to attending Taiwan's National Day celebrations in Melbourne in October.

I would also like to again pass on my thanks to the Taipei Economic and Cultural Office and their representative, Shi-Chun Kuo, who drew up our itinerary, kept us on our busy schedule and ensured we did not get lost along the way enjoying the island's stunning mountainous beauty and fabulous culture.

Taiwan's journey is one of resilience, innovation and unique identity. Its history, culture, economy and geopolitical significance intertwine to create a narrative that continues to evolve. As we navigate an ever-changing world, understanding Taiwan's story reminds us of the importance of preserving diverse cultures and safeguarding the democratic principles that define us. I look forward to returning there one day. I commend the motion.

**The Hon. B.R. HOOD (20:06):** I rise to support the honourable member's motion and to speak briefly on recognising that 10 October is Taiwan National Day. The honourable member has given us a fantastic overview of our trip to Taiwan, and I am just going to touch on a few things that I greatly enjoyed.

The Taiwanese community in South Australia has contributed significantly towards both our culture and economy. Australia has long since received international recognition for its unique cultural make-up, and the subsequent enrichment our culture and economy have benefited from, and the invaluable relationships our nations hold because of it. We are especially fortunate in our strong bilateral ties with Taiwan, which I had the opportunity to visit in June alongside my colleagues in this place.

I was greatly impressed, given the existential threat of its neighbour, by the Taiwanese people's resilience and their innovation, much comparable with our own. Taiwan's self-governed democracy is seen through their international connections, relationships and their success as traders

and exporters. I was impressed not only by the technological advancements and research development of the Taiwanese people but equally by the architecture, art and culture that are embedded in their community. My passion for the arts was very much satisfied during our visit, with an opportunity to visit the ALIEN Art Centre, which was a highlight of the trip.

The similarities that our nations share are undeniable. While we have more to do in appreciating and valuing our own Indigenous heritage, Taiwan's indigenous community are recognised, appreciated and celebrated by their country, and we were fortunate to see that culture proudly displayed in the indigenous museum in Taipei. Australia and Taiwan's ties ultimately go beyond our relationship, our politics, our trade and investment, to our fundamental doctrine of a nation that is resilient and proud of its culture and history.

I support the motion and look forward to further strengthening our many ties with Taiwan. I thank the honourable member for bringing Taiwan National Day to motion. I commend the motion to the chamber.

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

### *Bills*

## **NEW WOMEN'S AND CHILDREN'S HOSPITAL (RELOCATION OF SA POLICE FACILITIES) AMENDMENT BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 28 June 2023.)

**The Hon. J.M.A. LENSINK (20:09):** I rise to indicate that the Liberal Party will be supporting this bill, and I will briefly talk a little bit about the history. I am not going to go through the debate we went through 10 months ago, in November last year, when we debated the substantive bill itself and the history of the various projects for the Women's and Children's Hospital.

There was commentary at the time, particularly from the Premier, about the New Women's and Children's Hospital Bill being a binary debate, that you were either for the hospital or against the hospital. In that case, if you were for the hospital you reluctantly had to say goodbye to heritage, so we are already seeing the Thebarton barracks very sadly in the bulldozer's headlights to see this project proceed.

The Liberal Party, I think like all parties, was not going to stand in the way of a new Women's and Children's Hospital, albeit that we believe a different model would be the best way forward. I think heritage has been the big loss in this place, and during that debate we certainly did highlight that the clauses that enable the police greys to be relocated in the Parklands under some extraordinary clauses was something we were very concerned about.

The Liberal Party moved amendments to improve that transparency at the time; those were defeated. The Greens also had amendments to delete clause 10 of the bill, as it was at the time. We did not support them in that, but we do see to support them because of what has taken place since the bill was passed. We will see a \$3.2 billion hospital proposal that will be delivered in 2032. We also highlighted that the bill itself was actually a piece of planning legislation rather than a health bill.

It is really in relation to the Parklands that I wish to turn our attention to. There is another bill that the Greens have brought forward, so I will describe this one as case study 1: the Parklands in relation to the Mounted Operations Unit. What we have seen since this bill was passed, and I note that at the time the Park Lands Authority and National Trust had not been consulted, the Heritage Council had provided advice which was overridden. We also noted at the time that there was not similar legislation required for the new Royal Adelaide Hospital, and the government has since established a community reference group.

We have seen the initial proposal for an eight-hectare site at Park 21 West, Mirnu Wirra, in the South Parklands as the government's preferred site for the Mounted Police Operations—that after a huge amount of community uproar, thousands of signatures on petitions, protests and the like, particularly because this was a significant native vegetation site that has had a lot of work put

into it by community groups including, I understand, Trees For Life. I think that was a very poor decision, which thankfully has now been overturned. There was also outrage from the City Residents Association, members of the Unley Council and members of the Adelaide council.

It is worth remembering that the mounted operations are going to require quite a lot of hard spaces, so our Parklands should be protected from those, particularly those with high biodiversity as there is not actually a great deal of high-level biodiversity in and around the city mile. We also had a level of secrecy in association with where the mounted operations will go. We understand that there are something like 15 proposed sites and the government has not wanted to release those.

We understand that there is also a Parklands site in the west that the government has been looking at and there has just been a complete unwillingness by this government to come clean with South Australians about what its intentions are, so that makes it hard for the community to engage in a positive way when they are sort of drip-fed information by choice by the government or when it is squeezed out of them.

It would also be appreciated, if the government is going to speak to this, if they could advise what sites are under consideration. There is a report that Renewal SA had advised that the West End brewery site in Thebarton would be an ideal place for the new barracks. The public is very much in the dark about this and we do need to ensure that our Parklands are protected as much as possible. Therefore, we are supporting this particular bill.

**The Hon. C. BONAROS (20:16):** I rise to speak on the second reading of this bill on behalf of SA-Best. In doing so, I will start by saying that we stood by the decision that we made in relation to the Women's and Children's Hospital when that bill passed and we continue to stand by that decision today. Obviously, this was an amendment that was put during that debate. It is an amendment that we did not support at the time because, overwhelmingly, we supported the Women's and Children's Hospital build.

We understood as part of that proposal that there would be potentially some ramifications including the barracks and potentially some other ramifications which we were not sure would proceed or not in terms of further use of Parklands but, overwhelmingly, our position remained that we supported that proposal and remains that we support that proposal. I have made inquiries as to whether anything in this bill would deviate from that support for that piece of legislation. My understanding is it does not and I am keen to hear from the government to confirm that position as well. If that is the case, then I expect that this bill will be supported through this place in the non-controversial and uncontentious nature that the mover envisages or hopes that it will move.

Just to place on the record our position: the support for the Women's and Children's Hospital—regardless of the fact that this was one of those amendments that the member moved at the time—was overwhelmingly in favour, despite the fact that there were provisions like this in there. If that is no longer contentious then obviously this bill will see its passage through this place. I think well and truly now the one thing that has been established from at least public accounts is that those mounted operations will not be placed where it was initially thought. With those words, I look forward to the remainder of the debate on this bill.

**The Hon. R.A. SIMMS (20:18):** I thank the Hon. Michelle Lensink and the Hon. Connie Bonaros for their remarks and I thank them for their support of this bill. The arguments have been well ventilated. Just to make clear, this bill does not compromise the hospital in any way. I recognise the position of the respective parties on the hospital. What it does do is ensure that the police minister does not have the power to allocate a slab of the Parklands for a new Mounted Operations Unit. That should be non-controversial because the government has indicated that they do not intend to proceed with plans for the police barracks on the Parklands, but this just makes that really clear.

There has been some conjecture about the future locations of the police barracks. Indeed, there has been talk about SAPOL not wanting the Gepps Cross location and pressure falling on the government again to find alternative locations. Well, the Parklands need to be ruled out. It is my hope that this bill is passed through this chamber and then is expedited in the other place to give people in the South Australian community confidence that the Parklands are not going to be handed over to SAPOL. Once this bill passes this chamber, it is over to the Labor Party in the other place to make this a priority to send that clear message to the people of South Australia.

Bill read a second time.

*Committee Stage*

Bill taken through committee without amendment.

*Third Reading*

**The Hon. R.A. SIMMS (20:22):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

*Parliamentary Committees*

**ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: INQUIRY INTO  
ABORIGINAL HERITAGE**

**The Hon. L.A. HENDERSON (20:23):** I move:

That the report of the committee, entitled Final Report Inquiry into Aboriginal Heritage, be noted.

In the Hon. Mr Ngo's contribution, he highlighted the functions of the Aboriginal Lands Parliamentary Standing Committee. I wish to highlight these functions again today. They included the reviewing of the operation of three acts of this parliament: the Aboriginal Lands Trust Act 2013, the Maralinga Tjarutja Land Rights Act 1984, and the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981.

The committee was able to inquire into matters affecting the interests of traditional owners of the lands, look into the manner in which the lands were being managed, used and controlled, and inquire into the matters concerning the welfare of Aboriginal people.

The committee has traditionally visited many Aboriginal lands and communities. It has also held strong relationships with Aboriginal landholding statutory authorities. Speaking with representatives from those communities and statutory authorities allowed the committee to be updated on current issues.

My membership on this committee was, regrettably, only brief. I was appointed to this committee upon the retirement of the Hon. Stephen Wade only earlier this year and note that this committee has since been wound up. In my very limited time on this committee it provided me the opportunity to hear firsthand from Indigenous groups and to learn from their submissions on the inquiry into Aboriginal heritage. It was a committee that I had looked forward to joining for the opportunity to engage directly with Indigenous communities. This committee was an important conduit between Indigenous communities and members of this parliament.

When this parliament passed the First Nations Voice Act 2023 it included in it, amongst other things, the function to repeal the Aboriginal Lands Parliamentary Standing Committee Act 2003. My opposition to this legislation, and my position on the upcoming federal Voice to Parliament referendum is well known.

A Voice to Parliament seeks to create an unfortunate divide in our nation based on race. An important pillar of our democracy is that we are all equal: one person, one vote. The establishment of a Voice to Parliament undermines the very premise of equal representation, giving greater weight to the voice of one group over another, and to create barriers to representation based on race. Instead of being one Australia, instead of being equal, we will become divided with separate voices, separate powers, separate votes, determined by race.

It perplexes me that this government would wind up such a body that would increase the ability for members of this parliament to be able to engage with grassroots Indigenous communities and to engage in matters of significance to Aboriginal people.

When the Malinauskas Labor government rushed the First Nations Voice Bill through the parliament, the Minister for Aboriginal Affairs said, 'We are poised to lead the nation again and, make no mistake, the nation will be watching very closely ahead of the referendum to be held later this year.' Well, the nation has watched as the Labor government rammed through this legislation, including an unprecedented Sunday sitting of the parliament. The nation has watched as the Labor

government arrogantly decided to not wait for the outcome of the federal referendum before creating a state-based voice to hear what South Australians really wanted.

The nation has watched as the Labor government has repealed legislation that provided for a parliamentary committee to engage with Indigenous communities. The nation has watched as the Labor government has postponed the elections that were meant to happen only a matter of weeks from now, leaving our parliament without a dedicated committee, without a voice for a significant period.

One must wonder why the Aboriginal Lands Committee has been repealed in circumstances where it seems somewhat counter productive to champion for the betterment of Indigenous communities and increase engagement, yet see it appropriate to remove another channel for parliamentary engagement. It is disappointing and seems a missed opportunity for further community engagement.

We all know that committees can do incredibly important work, but this government has made a conscious decision to repeal the Aboriginal Lands Standing Committee. The Voice is expected to be able to pick up the ground that this committee would otherwise cover, yet the Voice is not equipped as a parliamentary committee. One wonders why the government did not try to work with the existing infrastructure to enhance the capacity for these issues to be investigated within this committee, drawing upon the resources of committee processes.

The parliament will now be left without the ability to reflect upon the work of the Aboriginal Lands Standing Committee, any submissions and evidence that it would otherwise have received into the future. It is counterproductive to postpone the State Voice elections and leave this parliament with no committee. Our committee then enabled grassroots community members to engage with members of parliament. Instead of having a committee where we can hear the voices of many, we will now have a body that purports to speak on behalf of all Aboriginal people, but we will only hear the voices of the few.

**The Hon. B.R. HOOD (20:29):** I rise to add some brief comments in the relation to the Aboriginal Lands Parliamentary Standing Committee, as this will be the final report before the committee is disbanded. It is a shame that the state Labor government has chosen to abolish this committee, which has done some great work since it was proclaimed almost 20 years ago today.

The Aboriginal Lands Parliamentary Standing Committee was closely based on the Parliamentary Committees Act, with its functions expanding to inquire into a broad range of matters affecting Aboriginal people, including health, housing, education, economic development, employment and training. It has provided many members of parliament with the opportunity to visit Aboriginal people on country including, but not limited to, the APY lands, Maralinga, Oodnadatta, Davenport, Port Augusta, Ceduna, Point Pearce, Raukkan and Koonibba.

From its outset it was supported by both major parties, with its inaugural presiding member, the late Hon. Terry Roberts, noting the strong support received from the opposition Liberal Party as well as from minor parties. It was also the only standing committee, over quite a few years, to have a statutory obligation to report its work annually. The first priority of the committee, as stated by then Presiding Member Jay Weatherill in 2007, has been to consult with Aboriginal people in their home communities and to engage with their elected representatives and leaders.

The Hon. Peter Arnold MP put it well when he said back in 1987, during debate on the Pitjantjatjara Land Rights Act Amendment Bill, that, and I quote:

The fact that it gets members of parliament out into the lands, whether it be the Pitjantjatjara lands or the Maralinga lands, can only be of benefit from an educational point of view for those members who are fortunate enough to have been appointed to that committee. Too often, we tend to act too remotely from the real issues that we debate in this house.

I believe the strength and success of this committee lies in its wealth of information received from visiting far-reaching places that members of parliament would not normally have the opportunity to visit on their own. It is the annual reports over the years that are full of insights from some of our most remote lands and towns, from community members who would not be used to having parliamentarians rocking up on their doorstep.

This has helped the committee to develop a deeper understanding of how services and programs are being delivered to Aboriginal people, and to assess whether they are meeting their needs. Among the important issues that the committee heard and were able to influence include:

- supporting dialysis treatment;
- inquiring into Aboriginal housing, which contributed to Premier Marshall's South Australian Aboriginal Housing Strategy 2021-2031;
- inquiring into governance standards in Aboriginal community-controlled organisations;
- inquiring into pathways to support young Aboriginal people and Aboriginal women to step into community leadership roles; and
- playing a pivotal role in providing recommendations to the Stolen Generations reparations bill, which resulted in an \$11 million state government contribution to the scheme.

The Aboriginal Lands Parliamentary Standing Committee helped to achieve practical outcomes, which is why it is unfortunate that the Malinauskas government feels it needs to abolish it in favour of a First Nations Voice to Parliament: the First Nations Voice which now has had its first elections delayed while we wait in a holding pattern. One could be forgiven for thinking that it is thanks to the federal government's Federal Voice campaign that what was once an important issue on the state government's agenda is now having the can kicked down the road.

The Aboriginal Lands Parliamentary Standing Committee provided a vital function for community members to make representations to parliamentarians on their own turf. By abolishing this committee, another instrument has been removed from this parliament to get us out of the city to visit and engage with Indigenous communities on their own soil. While the First Nations Voice Act 2023 provides for the State Voice to address cabinet, parliament, chief executives and ministers, it says nothing about requiring or enabling parliamentarians to get out of the CBD and into Aboriginal communities.

It would be a missed opportunity, and would appear counterintuitive, to abolish this effective standing committee and to remove the frequent engagements between committee MPs and the Aboriginal people that have been ongoing for 20 years.

**The Hon. T.A. FRANKS (20:33):** I rise to speak to this motion noting the final report of the Aboriginal Lands Parliamentary Standing Committee on its Inquiry into Aboriginal Heritage: the topic of the report being its inquiry into Aboriginal heritage. I listened with great interest to those members who made a contribution on the nature of the Aboriginal Lands Parliamentary Standing Committee, something that I have been on the entire time I have been in this parliament. Indeed, the former Hon. Robert Brokenshire was very happy, at a crossbench meeting, to pass the role on to me. I was not expecting to be placed as the crossbench member on this committee but here we are, over 13 years on, still on the committee. This committee—

**The Hon. I.K. HUNTER:** Point of order: the honourable member on her feet is actually addressing the substance of the motion. None of the previous speakers have.

**The ACTING PRESIDENT (The Hon. R.A. Simms):** I am not sure that is a point of order, the Hon. Mr Hunter, but thank you.

**The Hon. T.A. FRANKS:** I will get into that later, but first I am going to start with actually addressing what the report had to say on our inquiry as a committee into Aboriginal heritage. Here we go. The destruction of two ancient rock shelters in the Juukan Gorge in 2020 has prompted much-needed community, industry and political discussions about law reform of outdated Aboriginal heritage legislation across Australia. Given the trauma caused by this event, there is now strong public interest and expectation of a process to modernise and strengthen Aboriginal cultural heritage laws.

South Australia has one of the least effective pieces of Aboriginal heritage legislation in the nation. In 2016, our government introduced an amendment bill to modify the Aboriginal Heritage Act 1988, based on feedback from a 2008 review. The 2016 amendment bill sought to make multiple



changes to the act, notably repealing section 6(2), which delegated the decision-making powers to authorise damage to sites to the traditional owners, on their request. This came from the impact of judicial decisions surrounding this section and section 23, which had resulted in difficulties with administering the act—not the Aboriginal lands parliamentary standing act, the Aboriginal Heritage Act, just to provide clarity to the council that I think was sorely missing from the previous contributions.

I think it is important for the chamber to know that there have been zero convictions under section 23, where it is an offence to damage, disturb or interfere with any Aboriginal site without the authority of the minister. In their second reading speech the government noted the consultation process involved public discussion as well as written submissions from both Aboriginal and legal groups, including the South Australian Heritage Committee, the Aboriginal Legal Rights Movement (ALRM) and the South Australian Native Title Services (SANTS).

This is not the first time I have addressed this issue or the Greens have addressed issues with this legislation in this place, with the 2016 amendment bringing up several issues not only for First Nations South Australians but also in the difficult interpretation of many of its sections. These issues are still relevant today.

The 2016 amendments were done with haste and passed with a lack of legal advice. How does that happen? It happens with the collusion of the Liberal and Labor parties working together to ram these pieces of legislation, not listening to voices, not consulting with the Aboriginal Lands Parliamentary Standing Committee, not listening to anyone out in the community, let alone the stakeholders at the time, so I do note the irony of the previous contributions. It is always Aboriginal affairs legislation that seems to see things rammed through the parliament with a minimal level of discourse, debate and actual consultation.

I repeat that the 2016 amendments were done with haste and passed with a lack of legal advice. Indeed, I remember we did not even have the Law Society advice when we started debate on the bill, contrary to convention. The written submission of SANTS note that this act now legislates out of the government's compliance with the court orders from the judgement of *Starkey v State of South Australia*. It is clear that an agenda was being pushed which benefits those who profit off the exploitation of our natural resources at the expense of respect for Aboriginal heritage.

These amendments have now left us with an act that has silenced Aboriginal people's decisions over their heritage—something that I would have thought we might all be able to agree on at some point in the future, particularly if we have the strength of an Aboriginal Voice to Parliament to remind us of their voices—almost eliminating guidelines for mining companies and which Aboriginal people they need to consult, and leaves unclear time lines and legal uncertainty in the processes of the act. This provided the minister with the authority to permit any damage they find beneficial, without any consequences.

On 29 December 2020, the then Aboriginal affairs minister approved the request of Kelaray Pty Ltd to enable them to perform a range of mineral explorations, drilling and associated activities in Lake Torrens. Lake Torrens is a large salt lake located in central South Australia, stretching 250 kilometres at its longest point. The proposed mineral exploration site was located on the north-west side of the lake and includes Murdie Island and the southern part of Andamooka Island.

Submissions made to the then minister provided that Lake Torrens had a direct cultural link to the numerous First Nations groups, referring to storylines of the land and the totems connected to the stories. These First Nations groups included the Kuyani, Adnyamathanha, Kokatha and Barnjarla people. They have expressed their disdain towards the lack of consultation in that Lake Torrens process and that the former minister proceeded with the authorisation despite the strong opposition received from public submissions. The government then approved drilling of a site despite having extensive knowledge from the Aboriginal Heritage Commission warning it of the potential destruction of sacred sites.

During this committee's inquiry the overarching theme from witnesses was the lack of a fundamental principle of free, prior and informed consent on decisions that impact protection of their heritage. Considerable references were made to the United Nations Declaration on the Rights of Indigenous Peoples. The UN Declaration on the Rights of Indigenous Peoples articulates principles

of self-determination for the world's Indigenous peoples, where one of its central themes was the 'free, prior and informed consent of Indigenous peoples'.

Our laws do not give traditional owners the right to appeal a ministerial authorisation. Currently, only landowners have the right to cause a review of a decision of the minister under Aboriginal heritage laws. The series of events that led to the blast of Juukan Gorge highlighted the dangers of a legislative framework that has no appeal rights.

The committee reviewed how a system of traditional owner identification might also be established in our state in order to assist with providing free, prior and informed consent regarding heritage matters. We heard evidence regarding how the Northern Territory land councils applied to maintain a register of traditional owners that can be searched to determine the traditional owners of particular areas. This is crucial in enabling the fundamental principles of the UN Declaration on the Rights of Indigenous Peoples and ensuring better representation of traditional owners of this state's land and waters, preserving the intangible spiritual connections that may be lost if not recorded.

The committee also recommends that intangible heritage be recognised in the definition of Aboriginal heritage in the Aboriginal Heritage Act, including all bodily remains and not just skeletal remains. Regarding the South Australian Aboriginal Heritage Act, the committee heard consistently from witnesses regarding the low financial penalties currently provided for in the Aboriginal Heritage Act, given that South Australia's penalties are significantly lower than other jurisdictions.

We also know, due to their criminal nature, the burden of proof required to secure a prosecution under the act has resulted in the failure of any successful prosecution imposed since the introduction of the 1988 legislation. I cannot emphasise that point enough.

There has been both committee and stakeholder concern regarding the lack of transparency afforded to ministerial authorisations that grant damage and interference with Aboriginal heritage. It has therefore been recommended that the transparency of consultations conducted by the minister be increased, and consultation information be made publicly available.

The committee also recommends that the Aboriginal Heritage Act provide for a merits review process to enable such ministerial authorisations to be reviewed on application by traditional owners or proponents. This would limit the need for costly judicial review applications where ministerial authorisation may be granted against the wishes of traditional owners, and provides for more accessible reviews of decisions that could significantly impact cultural heritage preservation.

It is clear that the South Australian legislation is failing to adequately protect heritage, nor does it provide mechanisms for good faith negotiations. We need to protect all Aboriginal heritage, whether tangible or intangible, and I look forward to seeing our legislation amended in this state to better protect the native title rights and interests of First Nations South Australians.

I have had the pleasure of being on this committee for, as I noted, almost as long as I have been in this council, but it actually gives me great joy to see this committee wound up and to be given the benefit for this parliament—all members, not just six on the committee or, when it used to include the minister as well, seven members of parliament—of having a state First Nations Voice to Parliament so that the interests of First Nations people in our state are better represented.

I also draw members' attention to the committee on committees, which has made many recommendations, including those around the future of this committee that has provided this report and why it will be wound up. It was not simply just in the context of a Voice to Parliament, although that was certainly something under the Marshall government that was considered. It was also a reform of our committee system similar to, say, the Senate, where portfolio-based committees would see the plethora, the abundance, the volume of the ad hoc select committee process that we have in this council streamlined with professional, modern expertise and clarity, with specialist portfolio committees to do that same work.

Aboriginal affairs will be considered in that portfolio of work, so this is not the end of a committee system that considers Aboriginal affairs issues and these particular pieces of legislation. Indeed, it is an improvement on our own parliamentary processes over and above a First Nations Voice to Parliament.

I have found it extraordinary to listen to the contributions that clearly are an attempt to yet again wage culture wars about the referendum, where on 14 October, hopefully, when we see voters go to the polls and history calls, we will see a recognition of the wrongs of the past and a Voice to Parliament at a federal level. I am proud to have been part of creating a Voice to Parliament at a state level. I look forward to listening to that Voice. I look forward to reading reports in full, should they provide them to us, and not completely missing the point of the topic when we have taken significant levels of evidence on an incredibly crucial issue to Aboriginal people, that is, Aboriginal heritage.

I look forward also to future reform of our Aboriginal Heritage Act, improvements because, indeed, we can only go up in terms of South Australia's current situation. We do have what I would call the worst laws in the country, which need a lot of improvement. I know that will be a conversation not just in this parliament but, of course, through the Voice to Parliament and through the community, the very community that the Liberals, in their contributions, are so keen to listen to. I look forward to that listening process.

With that, it has been a pleasure, in many ways, being part of this committee. I thank in particular the former member the Hon. Stephen Wade for working with me to refer a stolen generations reparation bill to this committee in a previous incarnation of parliament, which led to an inquiry, which led to the Liberal opposition actually coming up with their own private members' bill and then eventually led to the Labor government taking up, creating and delivering a Stolen Generations Reparation Scheme. That is the sort of work we should be doing as a parliament through our committee system, through putting aside partisan culture wars and actually getting on with the job of delivering for all South Australians but, in this case, particularly Aboriginal South Australians.

**The Hon. C. BONAROS (20:48):** Can I start by thanking the Hon. Tammy Franks for her very thorough explanation of the final report of the Aboriginal Lands Parliamentary Standing Committee on its inquiry into Aboriginal heritage, for the benefit of all of us who were not part of that report. I thank her also for reminding us of the work that the committee on committees has done and the important role that it would play in terms of this. We remain very hopeful that bill will see the light of day in this place and, indeed, be supported, with enough political appetite from both sides.

It would, though, be remiss of me not to take this opportunity to reflect on an article that I was reminded of just now that touches on some of the issues that were raised today. The article states that the South Australian government is reportedly planning a process to establish an Indigenous Voice to Parliament. *The Australian* has reported that the Voice would likely be in the form of an advisory committee and would be chaired by the state's Aboriginal Engagement Commissioner. He would be joined by 12 other Aboriginal members, with the committee expected to be up and running by the end of the year.

Indigenous South Australians would be able to vote for six of the committee members, with the government to appoint the remaining six. Then, after three years of operation, the Electoral Commission would be holding a statewide ballot to elect 12 Voice members. The Premier indicated that he wants legislation to establish the body to be introduced into parliament at the time, according to those reports, because he hoped that South Australia's approach could be adopted to establish an Indigenous Voice at the federal level.

I am glad that I had the opportunity to be reminded of that article. For the benefit of all members in this place, but particularly those opposite, this article is dated 2021, and the Premier in question is former Liberal leader Steven Marshall, and the commentary came as a result of major reforms mooted by the Liberal Party in 2020.

So, for my part, in addition to thanking the Hon. Tammy Franks for enlightening us in terms of the actual work that was the subject of this report, I would also like to thank those opposite for the timely reminder of their party's position while in government.

Motion carried.

*Bills***PLANNING, DEVELOPMENT AND INFRASTRUCTURE (ADELAIDE PARK LANDS)  
AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 14 June 2023.)

**The Hon. J.M.A. LENSINK (20:52):** I rise to make a contribution in relation to this piece of legislation that will amend the Planning, Development and Infrastructure Act in relation to our Parklands code amendments. I thank the honourable member for bringing this bill to the parliament.

The Environment, Resources and Development Committee, of which I am a member and have been previously, and of which the Hon. Tammy Franks and the Hon. Emily Bourke are members, has a statutory role as the last gasp, if you like, for any code amendment consideration before the code amendments effectively become law. There are various processes that can lead into that, one of them being where the minister signs off on the code amendment and then the ERD Committee considers it. That has been longstanding in our planning laws for some time.

The ERD Committee has these code amendments sometimes on a regular basis, sometimes on a less regular basis, as the case may be, depending on the amount of work that is taking place. It is probably going to receive more into the future because the developer-led private ones may become more frequent as the newish laws are something that everyone becomes used to. I understand that the honourable member put this bill to the parliament previously so that, effectively, all those code amendments would not go through that ERD process and that this merely captures the Adelaide Park Lands amendment.

The ERD Committee has the responsibility to consider those amendments. There is fairly standard advice provided through one of the agencies of government, whether it is the planning section or Infrastructure and Transport. Local councils and local members of parliament are all on the standard list. There are also often many community groups that will have an interest in these things as well. Since the new parliament has been constituted, we have had consideration of some of those. I think the member for Colton came with one of his community groups to make representations and I have made a speech on that before.

The thing to note for people who are not familiar with the operations of that committee is that the government has the numbers basically to do what they like. There are three government members, one of whom is the Chair who has a casting vote, out of six and that effectively means that if all the non-government members were to disagree that would not make any difference. Some might say it is a rubber stamp but I think it has been a valued part of the planning system for some time and therefore when the laws were changed in 2016 that power was retained.

There is one recent example that is quite germane to this particular one, which is the Adelaide Aquatic Centre code amendment. In that situation there were community representatives who would have liked to make representation. The committee is not going to allow hours and hours for community groups to come and present what essentially might be repeated information, but I think in this case it is beyond disappointing that the Adelaide Park Lands Association was not invited to come and present. They are a well-recognised stakeholder in this space. In fact, we did not have any witnesses.

None of those on the standard list that I referred to wished to come and make a verbal submission, but the Park Lands Association had told me that they wished to make a submission. On that basis, I emailed the committee secretary and asked that they be invited to make a submission and that invitation was not extended to them. As I say, that is beyond disappointing so they were not able to put their point of view. I did my best to make their views represented at the committee.

I sought that the ERD Committee defer the meeting at which the decision was to be made until they could be heard but that was not accepted either. If this is the new level of transparency, as I spoke to the previous Parklands bill presented by the Hon. Mr Simms—in that case that was the Mounted Operations and the Parklands, case study 1, and the Adelaide Aquatic Centre is case study

2 in relation to the Parklands and the lack of transparency that the government is providing. They could have given 20 minutes to the Park Lands Association. It would not have really hurt anyone in terms of just hearing their point of view. Naturally enough, the Park Lands Association is not particularly happy and for good reason.

Their view certainly is that in relation to the Aquatic Centre the state government has broken three promises—these are not my words, these are from a well-known community organisation. Firstly, Labor promised to consult the public over where the new Aquatic Centre should be built and then they simply told them where it was going to be. Secondly, the Labor Party promised to protect Adelaide's tree canopy and yet they will be removing many trees from that site. Thirdly, the Labor Party promised they would keep the existing Aquatic Centre open while a new one was being built and they have gone back on that.

If you do not believe the Adelaide Park Lands Association you can also listen to the views of Michael Keelan, a well-known horticulturalist who, in response to the transport minister talking about how the footprint of the new Aquatic Centre will be smaller, says, 'He's kidding us with this thousand square metres returned to the Parklands.' We have noted that there is a pattern of behaviour from this government in relation to the Parklands. This Aquatic Centre and its broken promises is just one of the case studies that we have.

We have taken a petition to the Aquatic Centre because there are a lot of people who are not aware of what the proposals are, and we have over 1,000 signatures so far. There are a lot of people who are very surprised to learn that there will be closure of some 16 months, which I predict will probably be more than that, in which they will have to find alternative arrangements. People are actually almost chasing us in the Parklands to sign the petition. I think the government needs to stop and listen on this issue.

One of the other things that has taken place is I think in response to our setting up at the Aquatic Centre and taking the petition is that the government has been placing someone in the Aquatic Centre to put their particular version of it, and we have been advised by community users that the government representatives have been telling people that they can blame the residents of Barton Terrace for the relocation because if they had not complained then all of this would have been done. I do not think the government is taking great responsibility in terms of this particular issue. It is very unhelpful to be blaming community members for their broken promises.

Going back to the Park Lands Association, as well, they have something like over 7,000 signatures of people who are very disappointed about this. Unfortunately, the minister keeps saying that the Park Lands Association are opposed to a new Aquatic Centre—which they are not. He is rewriting history as well by saying that the Liberal Party is opposed to the Aquatic Centre—which is also not true. We were prepared to rebuild the Aquatic Centre for \$75 million, equal contributions from all levels of government. That has now blown out and there will be a water slide for the cheap sum of \$55 million. There will be a delay, and a lot of people are very angry about that.

I note that the chair of the Australian Heritage Council was here quite recently, and he also has concerns. I understand that the Heritage Council is going to be making recommendations to the federal government that the Parklands are under threat from these particular developments and these initiatives of this Malinauskas Labor government. There are a lot of eyes on this. There is a lot of concern about what is taking place. We would like the Labor Party to stop using the Parklands as their preferred way of getting access to cheap land, and therefore we will be supporting the bill.

**The Hon. F. PANGALLO (21:03):** I will be brief in expressing our support for this legislation, just as we did the last time it was introduced. I commend the Hon. Robert Simms and the Greens for their advocacy for the Parklands. SA-Best has also been a strong supporter of the Parklands. We supported this legislation previously but, as my honourable colleague pointed out in the earlier bill that we had tonight, a really tough decision had to be made in relation to the Women's and Children's Hospital.

I believe we made the right decision there for the good of South Australia and future generations. The footprint needed to be on a parcel of land that would have served future generations in this state. Had it been built where it had been proposed by the Marshall government it would have been totally inadequate, and there would have been ongoing debate in the community, and argument

and criticism that it would not have been a hospital built for purpose. We are now going to get a hospital that is built for purpose.

It was unfortunate that there had to be some sacrifice of Parklands, but the government has also committed that they would also be spending money to bring back some Parklands to community use. I have no regrets, and neither does my colleague, for that decision that we made in order to get that hospital built. It was a difficult decision. A decision that entails having to demolish heritage listed buildings would be difficult for any leader, and it was good that the Premier actually decided to go down that path.

Furthermore, it was also good that they did an about-turn in the south-eastern corner of the Parklands, where the police propose to set up their barracks for the horses and also other administrative facilities. It was a grab, and an area of Parklands that I think needs to be preserved. The uproar at the time was ample evidence that the community have said, 'Enough is enough. Don't go grabbing more of the Parklands when there are other options available, particularly for that type of facility.' And, as we have seen, there are options that are available. Even from last year, the police realised that it would not go down well with the community.

The Hon. Michelle Lensink has talked about the aquatic centre. Sometimes I have some differing views about the use of the Parklands when it is for community benefit. If time travel were possible, we may well have brought the founding fathers to this day and showed them what has happened on our Parklands. I would think that generally they may well be approving of some of the development that has gone on on the Parklands, but we cannot allow that to manifest and slowly have parts of the Parklands eaten away. In doing that, again I support the honourable member's bill. It is pleasing to see that this time the Liberals are going to support it and we will see where it goes from there.

**The Hon. J.E. HANSON (21:07):** It falls on me to outline the government's position. In that regard I would say the Parklands are a valuable asset to our state. Our government appreciates the need to protect them and, indeed, so do I. The government sees this bill as far-reaching and unnecessary, and therefore unable to support it. Let me outline why.

This bill seeks to amend the Planning, Development and Infrastructure Act 2016 to require any amendment to the Planning and Design Code that relates to development in the Adelaide Parklands or any amendment to the Adelaide Parklands zone to be approved by both houses of parliament. I am sure, and I cannot see any other way, that it would not have anything but good intentions to do that. The passage of this bill, however, would have unintended consequences no doubt by adding unnecessary levels of bureaucracy to that process.

Currently, there are approximately 17 varying overlaying codes and/or general development policies applying across the Adelaide Parklands. If passed, this bill would require both houses of parliament to approve any and all changes to these codes in the Adelaide Parklands Act. The changes within the bill would not just apply to the Adelaide Parklands, but also the City Riverbank Zone and any other areas not included in that zone.

Given that the overarching policies around the Parklands are invariably based upon the specific location of each park, there are likely to be numerous changes to such policies over the coming years that could not occur unless both houses of parliament were to agree.

Prohibiting any changes to the Adelaide Park Lands Act without the concurrence of our parliament would adversely affect a government's pursuit of environmental and conservation protections. If the government wishes to declare an area—for instance a State Heritage Area, a State Heritage Place or a Local Heritage Place—it would be impossible to amend the code in a particularly efficient manner.

Worryingly, passage of this bill could also potentially solely put the protection of the Parklands at the behest of the parliament. Any lease or licence granted for a period greater than 10 years, including the rights of renewal, could be subject to the disallowance of parliament, and I note there are many disallowances of parliament.

Additionally, the passage of this bill could potentially be used to compromise the public amenity of the Parklands. If a government so wished it could disband, for instance, the entirety of the

Parklands. This bill would allow that to occur. Again, I am very certain it is not intended to do so. This bill may be designed to protect the Parklands but, as I have just outlined, it could also threaten the Parklands.

Furthermore, although the change to the design overlay policy may have a beneficial impact on any development in the Parklands, this could not take effect without the concurrence of parliament. This would also apply to the general development policies, whereby the policy change would not just apply to a specific location, but potentially across the whole state. The needing of parliamentary approval for any change across the state is obviously again, I am sure, unintended, and obviously unequivocally unnecessary, particularly in regional areas.

There is also the possibility—again I think unintended in regard to how this is proposed—if parliament needs to do something in an efficient manner whereby changes must be made, it would require both Houses of Parliament to pass such a thing. So, as we have just had a nine-week long break, what happens when parliament isn't sitting? This issue or any issue in that regard would go unaddressed. That is unacceptable, and currently a minister could act to address such things with the act as it currently stands.

As a result of these, I am sure, seemingly unforeseen consequences this bill would have a detrimental impact on our state's planning policies as we attempt to update them. In fact, the bill could potentially undermine all of our positive and much-needed intended planning reforms. Furthermore, I am sure I do not have to remind some honourable members, but I remind the majority of honourable members, that the majority of Adelaide Parklands is under the care, control and management of the City of Adelaide, with clauses in the Adelaide Park Lands Act containing mechanisms to protect the integrity of the Adelaide Parklands.

These clauses include through the Local Government Act 1999 that the City of Adelaide must ensure its management of the Parklands are consistent with the Adelaide Park Lands Management Strategy, and the City of Adelaide must consult with the Adelaide Park Lands Authority should it wish to make any changes to the Parklands.

It is also possible, should this bill, as is likely, pass through here to the Assembly, that the government will seek to amend clause 3 of the bill, to clarify that the restriction on amendment to the code should only relate to the Adelaide Park Lands, sparing our regions from that form of red tape.

As this bill is likely to have harmful impacts, as I have outlined, on our state's planning policies, and there are also numerous mechanisms in place to protect the Adelaide Parklands as it currently stands, the government sees this bill as far-reaching and unnecessary and, as I outlined at the start, we are unable to support it.

**The Hon. R.A. SIMMS (21:13):** I thank all honourable members for their contributions: the Hon. Michelle Lensink, the Hon. Frank Pangallo, and the Hon. Mr Hanson. In responding to the comments made primarily by the government, it is important to consider the genesis of this bill. This is the second time that I have introduced this bill; I did so in the previous parliament, and in fact the catalyst for that was a proposal from the then Liberal government for a redevelopment along the Riverbank, which would have potentially allowed for some commercial development along the Riverbank.

It was possible for the minister to give that the green light, to make a code amendment without approval of the parliament. That had the potential to significantly change the character of the Parklands. As we often see though with the Labor Party, they talked a big game on the issue, but did not do a thing about it when they had an opportunity to support this bill in the parliament at the time. As I often say about the Labor Party when it comes to the Parklands, do not look at what comes out of their mouths, look at what they do with their feet. Look at how they vote and they never vote in favour of enhanced protections for the Parklands. They never take the action that is necessary to protect the Parklands.

This is the party of John Rau; the party that has a terrible track record when it comes to the management of the Adelaide Parklands. We are seeing that tradition continue, unfortunately, under the Malinauskas government. We saw earlier today the passage of a bill that would prevent the Minister for Police from seizing the Parklands for a new police barracks. That has passed this

chamber and I hope that the government will support it in the other place, and I hope that this bill will win the support of this chamber also.

I welcome the support of the Liberal opposition and, of course, SA-Best. SA-Best have had a long-term position on this. I recognise that the Liberal Party have reflected on their position and have now changed course. I think there will be a lot of support for the position that the Liberals have now taken in the community, the recognition they now have that there should be additional safeguards when it comes to our Parklands and that they should have a particular status that is protected throughout our planning laws.

My challenge to the Labor Party is: get on board and support this in the other place. There is already a bill that has passed, or two bills now that have passed this chamber. The other relates to state heritage listing of the Parklands. This is potentially going to be a third. Get out of the way and support these bills and demonstrate your commitment to Parklands protection.

Bill read a second time.

*Committee Stage*

Bill taken through committee without amendment.

*Third Reading*

**The Hon. R.A. SIMMS (21:18):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

*Motions*

**RIVER MURRAY FLOOD**

Adjourned debate on motion of Hon. N.J. Centofanti:

1. That a select committee of the Legislative Council be established to inquire into the 2022-23 River Murray flood event including the preparation, response and recovery, with particular consideration being given to—
  - (a) roles and responsibilities of:
    - (i) state government and federal government agencies;
    - (ii) local government;
    - (iii) non-profit organisations, and
    - (iv) public and private utilities;
  - (b) review of communication between key stakeholders;
  - (c) river flow management and modelling;
  - (d) effectiveness of mitigating infrastructure including but not limited to levee banks and stormwater;
  - (e) review of flood response funding, its utilisation and effectiveness;
  - (f) government (local, state and federal) grant process, eligibility and uptake;
  - (g) river restrictions methodology, communications and operation;
  - (h) impact of planning decisions on property inundation;
  - (i) insurance industry response and responsibilities;
  - (j) planning and mitigation for future emergency events; and
  - (k) any other related matters.
2. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

(Continued from 28 June 2023.)



**The Hon. T.A. FRANKS (21:19):** I rise today briefly on behalf of the Greens to speak in support of this motion. The 2022-23 River Murray flood emergency was the worst recorded flood since 1956. Emergency Services Minister, Joe Szakacs, estimated that 4,000 properties were inundated by floodwaters and spoke to the media earlier this year in January and was quoted as saying:

It is entirely reasonable to say this will be one of the most—if not the most—significant natural disaster in the state's history.

Following the 2019-20 bushfires, the state government undertook a full independent review into that catastrophic event, looking into how the state responded and recommendations for future bushfire seasons. We do need to ensure that we are best placed to respond to natural disasters in the future and, given the state of Europe and the United States after an El Niño summer, there is no doubt that those events will come.

We need the government to be accountable for their actions and committed to transparency and open communication. I note the words of the Hon. Nicola Centofanti in moving this that, by openly evaluating the government's response to a flood, it helps build trust and confidence among affected communities. The Greens support this inquiry and support those comments not because we believe there is someone to blame but because we know there is room for improvement in our processes. Given the government has ruled out an independent inquiry, this is the next best step forward.

**The Hon. F. PANGALLO (21:21):** I rise to say that SA-Best will support the motion of the Hon. Nicola Centofanti in relation to the events of the River Murray flood. The terms of reference are very comprehensive and are important and need to be addressed. It is strange that the government would not conduct its own inquiry into what happened. I think a parliamentary inquiry is certainly required here, just as it probably should have been done for the Covid response.

But to get back to what has happened on the River Murray, I have been there twice now in recent months speaking to locals and also to local government representatives about the aftermath and what is needed to fix some of the problems that have arisen as a result of those floods. Some problems did arise that were really not expected and in the least expected places as well, with drainage and other issues, and also some major infrastructure sorely needs to be fixed, particularly in Renmark.

I viewed the Twentyfirst Street Bridge in Renmark a few months ago. It was a significant conduit for the highway that was used by trucks ferrying a lot of produce and other goods in and out of the Riverland. It still remains closed because it needs, I believe, speaking to the Mayor while were in the Riverland last week, something like nearly \$10 million to rectify. That work needs to be done urgently, but there are other works in other towns that suffered some damage and they are only starting to find problems that need to be addressed.

Should the motion be passed, I hope this committee will be able to look at the responses to the flood. I will compliment the Malinauskas government for the speedy response they did make when it was realised that this was going to be quite a significant flood. They allocated funding to many people in communities on the river. There were also incentives to try to get people back on the river and get the local economy up and running.

There are still some hiccups along the river. I was only talking to a houseboat operator last week who said that, despite the fact that the river is looking magnificent, as we all saw, and quite picturesque and appealing for a holiday-maker, people are still reluctant to go there and there is also a reluctance for people to go on houseboats because they are unsure about the flows and some of the hazards being spotted there. As a result of that, some houseboat owners are finding that their houseboats remain moored and they only have limited bookings for some of the busiest times of the year.

The government has offered a second round of travel incentives and these have been taken up. I will be interested to see how many are actually used and how much money is pumped into the economy. I am sure that this inquiry will be quite beneficial to the government. A lot of information will be gleaned from it, a lot of suggestions, and perhaps some planning and mitigation issues can

also be addressed as a result of that, and also we will be able to hear from those river communities themselves that have been impacted in a way we have not seen publicised previously.

I will say that a good friend of mine has lost his caravan park, and a significant amount of damage was caused there—something like a quarter of a million dollars will be required to fix it. Now an obstacle has been put in his way, in that zoning and planning changes have been made that will make it very difficult for him to find the resources and capital to bring back that caravan park, and he is facing a substantial loss.

There are others along the river who would also have suffered losses, and there are other issues with irrigators and what happened there with power being turned off—a lot of issues that need to be discussed because this is an important area to South Australia. It really is the food bowl of the state. I have to say that it was quite distressing when we went through there back in April/May to see a large number of grapegrowers leaving their grapes on the vine.

When we were there last week and returning from a committee meeting, we went through the same area again and again there was the sorry sight of the vines with those dried grapes still there. The growers had not even bothered to go out and prune their vines because it looks like they will not be ready to go back into the growing season. There are also predictions that up to 25 per cent of the vines will be pulled up in the Riverland. This is Australia's largest wine region in terms of the amount of grapes produced there. We know there are now some significant problems facing a lot of the growers up there.

This inquiry is much needed, and I am sure it will provide valued information for the government to act upon and give those communities and others affected by it an opportunity to really explain what impacts it did have on them and what we can learn from it in the event that this happens again, and it is likely that it will happen again. It could happen in the not too distant future. In fact, I think the levels have risen slightly as a result of other floods up the river, but it certainly will not be as it was last time. Nonetheless, we need to be ready for the next occurrence of a flood like that. I commend the motion.

**The Hon. R.P. WORTLEY (21:29):** I stand up on behalf of the government to oppose this motion. Government always reviews its response to major emergencies, including work done within the agencies that are the operational leads. The consequences of the flood are still being felt in river communities. The government continues to roll out economic stimulus programs and invest in rebuilding the areas and communities affected. Operational achievements during the flood period included multiple river rescues conducted, 4,400 properties doorknocked, over a million sandbags distributed and over six kilometres of temporary flood barriers deployed throughout the River Murray to protect critical infrastructure and high-value community assets.

The government has announced a \$194 million flood assistance package, including emergency accommodation, clean-up, road repairs and industry support, as well as assistance to local government in the region. The work of staff and volunteers on the frontline was exceptional and continues today. On any fair-minded assessment, the collective response to the state's worst flooding event has been highly effective.

The Department of the Premier and Cabinet has also separately appointed PEG Consulting to conduct an independent review of the Emergency Management Act 2004. This will include public consultation by YourSAy later this year before a final report is handed down to government in June 2024. The Emergency Management Act establishes the legislative framework and principles for coordinating activities before, during and after emergencies, assigns key accountabilities and enables necessary authorities to effect response and recovery operations for the management of emergencies in South Australia.

A comprehensive review of the act is required to ensure that the legislation empowers South Australia to prepare for, respond to and recover from emerging hazards and extended events. The objective of the independent review is to make recommendations to support the strategies and systems required to effectively manage all stages of emergencies, while considering the unique challenges presented from recent protracted emergency events and emerging hazards. We do not believe there is any necessity for a select committee into this issue.

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (21:32):** I would like to initially thank the Hon. Tammy Franks and the Hon. Frank Pangallo for their contributions this evening and their indication of an intention to support this motion today. I would like to thank the Hon. Russell Wortley for his contribution but indicate my disappointment that the government are not able to bring themselves to support this motion, which river communities have really been calling on now for several months.

It is time to bring this motion to a vote. South Australia deserves a committee to review the 2022-23 South Australian flood event. That event affected and continues to affect many people living and working along the banks and the flood plains of the River Murray. We the opposition have been calling for an independent review or an inquiry since that event occurred. It is unfortunate that the government has continued to stall on this matter and, this evening, is still failing to support the establishment of this committee. It is extremely disappointing.

We know it was the worst flood recorded since the 1950s. We know that the state's emergency services minister himself labelled it the most significant natural disaster in South Australia's history. We know that the State Emergency Service's general manager noted that she expected a government review would take place. We know that the Premier stated their financial package around the flood response was the largest the state has ever seen. Everyone in this place acknowledges these facts, so let us say that it is indeed an event worthy of a review. Again, it is extremely disappointing that the government does not support that view.

My own Riverland community and other regional communities up and down the river came together in support and with the spirit to assist one another during the flood event. An estimated 4,000 properties were inundated across the flooding period. During the ongoing recovery phase, those same communities continue to work together.

I will emphasise that this is not a finger-pointing exercise, as the Hon. Tammy Franks stated earlier. This is a review. This is to improve where needed, to congratulate where applicable, and we expect there to be a broad picture incorporating government and non-government views and statements. It is common best practice to hold a review after such an incident. In fact, we the opposition would argue that it is incredibly strange that the Malinauskas government does not want to hold a review. Both Victoria and New South Wales governments have their own independent inquiries underway. Our river communities in South Australia I think deserve to be afforded the same attention and consideration.

I acknowledge that the recovery process is still underway, and there will be elements of the recovery process that will take years, but I truly believe that an inquiry now could actually assist with that continual recovery process as it may bring light to areas and issues for further consideration, but until we get all those stakeholders together and hear what they have to say, we are potentially missing vital clues and information.

I repeat that a review is truly best practice. It is about accountability, trust and future improvement, and it is about respecting the voices of our regions. Before I commend this motion to the chamber, I would just like to take the opportunity to extend once again my thanks to all of the emergency service workers and volunteers who assisted in my community and other river communities between November 2022 and February 2023, the height of the event. They absolutely and truly embodied the spirit of the regions, and they should all be proud of their contributions. I commend the motion to the chamber.

Motion carried.

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (21:37):** I move:

That the select committee consist of the Hon. J.S. Lee, the Hon. R.B. Martin, the Hon. F. Pangallo, the Hon. R.P. Wortley and the mover.

Motion carried.

**The Hon. N.J. CENTOFANTI:** I move:

That the select committee have power to send for persons, papers and records, to adjourn from place to place and to report on 29 November 2023.

Motion carried.

### LAND VALUATIONS

Orders of the Day: Private Business, No. 23: Hon. I. Pnevmatikos to move:

That the fees notice under the Valuation of Land Act 1971, made on 19 January 2023 and laid on the table of this council on 7 February 2023, be disallowed.

**The Hon. I. PNEVMATIKOS (21:38):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

### AGRIFUTURES RURAL WOMEN'S AWARD

Adjourned debate on motion of Hon. N.J. Centofanti:

That this council—

1. Acknowledges that the 2023 AgriFutures Australia South Australian Rural Women's Awards were held on Tuesday 9 May;
2. Congratulates Ali Paulett of Clare Valley on winning this year's award;
3. Acknowledges the other finalists, Lyndsey Jackson of Moonta, Emily Riggs of Burra, Bridget Johns of Alford and Kerri Cliff of Kimba; and
4. Acknowledges the outstanding contribution of women agricultural leaders in South Australia and their important contribution to their communities and industries.

(Continued from 17 May 2023.)

**The Hon. I. PNEVMATIKOS (21:39):** I rise to support the motion. The AgriFutures Rural Women's Award was established in 2000 to raise the profile of talented women involved in primary industries and rural Australia. Over the past 22 years the award has provided more than 250 women with opportunities to achieve positive change in rural and regional Australia through diverse, innovative projects.

The Hon. Clare Scriven, Minister for Primary Industries and Regional Development, had the pleasure of attending the 2023 SA AgriFutures Rural Women's Award event held in Adelaide on 9 May. Here she had the chance to catch up with this year's finalists, who continue to show how valuable the AgriFutures program is across a range of industries, projects and regions.

At the event she was able to congratulate this year's winner, Ali Paulett, the managing director of her Clare Valley family business Paulett Wines. The initiative for which Ali was recognised is truly innovative, educative and practical. The Indigenous Australian Native Sensory Bush Food Garden was the first of its kind when opened in 2010.

The garden was planted with the dual purpose of creating a unique garden and sensory walking path and supplying their restaurant with fresh native produce. It is a sensory experience for visitors, where they can smell, taste and touch the produce. The garden is also used by school groups for educational purposes, and is visited by walkers at the end of the Wine and Wilderness Trail.

As part of winning the award Ali received a \$15,000 grant from Westpac to further progress her bush garden project. Ali's plans include improving the educational signage in the garden, enhancing the website content, and expanding the garden. Ultimately, the garden aims to become a showcase for educators, visitors and anyone who wishes to connect with the land, its history and the local First Nations Ngadjuri people.

Ali will now represent South Australia at the AgriFutures Rural Women's Award gala dinner and national award announcement in Canberra on 12 September. We wish Ali well, and hope she can add the national title to her achievements. I would also like to acknowledge the other award finalists, which included:

- Bridget Johns for her course The Clear Clutter Find Time, which assists rural women reduce their mental load;

- Kerri Cliff for her work in Eyre Business, which seeks to upskill regional people to take advantage of opportunities to provide remote business and administrative support services;
- Emily Riggs for her fashion brand Iris & Wool, which promotes the superiority and sustainability of wool as a fashion fabric; and
- Lyndsey Jackson for her work on an innovative mapping platform, Open Agmaps.

All award finalists will receive professional development opportunities and access to alumni networks.

Our regions contribute approximately \$29 billion to the state's annual economy. They are the state's major economic driver, with increasing global demand for agriculture, food and wine, forestry, fisheries, aquaculture, tourism and energy production. Applications for the 2024 award open on 13 September 2023. All rural and regional businesses and organisations should think about the outstanding women in their networks and encourage them to apply for this award. I commend the motion to the chamber.

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (21:43):** I would like to thank the Hon. Irene Pnevmatikos for her contribution to this motion. I am conscious that I have said words to this effect several times before in this place, but I will say them again. The recognition of and investment in our regions are vital. Investing in South Australia's agricultural innovation and research, and equally in the human potential of our regional leaders, is an important part of maintaining and growing our stable economic backbone. If we plan on meeting the challenges of our state's future in a sustainable manner, we must continue to improve.

For 21 years the AgriFutures Australia South Australian Rural Women's Awards has gained in profile and in influence. The national finals are fast approaching, being held on 12 September in Canberra. I wish the South Australian representative and winner of the South Australian Rural Women's Award for 2023, Ali Paulett, all the very best. I would like to acknowledge and congratulate again the other South Australian finalists: Lyndsey Jackson of Moonta, Emily Riggs of Burra, Bridget Johns of Alford and Kerri Cliff of Kimba. Their businesses and innovations are to be applauded, and I am sure we will hear more in the future from each one of these hardworking women.

As we celebrate Ali Paulett and her 2023 AgriFutures Australia South Australian Rural Women's Award and wish her luck in Canberra in a fortnight's time, I do hope that the chamber passes this motion in support of next year's nominees and generations of rural businesswomen to come. I commend the motion to the house.

Motion carried.

### ADELAIDE FESTIVAL CENTRE

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (21:46):** I move:

That this council—

1. Notes that this year marks the 50<sup>th</sup> anniversary of the establishment of the Adelaide Festival Centre, Australia's first major capital city arts venue, known as the heart of the arts in this Festival State;
2. Commends the Adelaide Festival Centre management and staff, board members, performing artists and all who have supported the centre with their philanthropic endeavours, their volunteer efforts, their labour and creativity, and their patronage over the last 50 years; and
3. Recognises the extraordinary ongoing economic, educational, cultural and arts tourism contribution made by the Adelaide Festival Centre and its associated entities and activities over the last 50 years, today and into the future.

I rise to congratulate the Adelaide Festival Centre on its special milestone 50<sup>th</sup> anniversary. For half a century, the Adelaide Festival Centre has served our community well and has been the heart of arts in South Australia since 1973. I would like to take this opportunity to commend the Adelaide Festival Centre CEO, Douglas Gautier AM; the trust; the chair; the Hon. Hieu Van Le, former Governor of South Australia; management and staff; board members; performing artists; and all who

have supported the centre with their philanthropic endeavours, their volunteer efforts, their labour and creativity and their patronage over the last 50 years.

South Australia has long been known as the Festival State, and this is no doubt associated with the fact that Adelaide has become Australia's first capital city to build a multipurpose arts centre, the home of South Australia's performing arts.

As the shadow minister for tourism and hospitality, I recognise that the power of arts and culture can drive tourism activities, revitalise local communities and enhance economic development. Arts, culture and heritage are valued components of a rich society because of their ability to engage, excite and surprise people and help us reflect on and shape our unique cultural identity.

Through direct investment into the Adelaide Festival Centre 50 years ago, we have become a leader in the development of our rich cultural landscape. The Festival Theatre opened in June 1973, with the rest of the centres following soon after. The complex includes the Festival Theatre, Dunstan Playhouse, Space Theatre and several gallery and function spaces.

The Festival Centre is managed by a statutory corporation, the Adelaide Festival Centre Trust, which is responsible for encouraging and facilitating artistic, cultural and performing arts activities, as well as maintaining and improving the building and facilities of the Adelaide Festival Centre complex and Her Majesty's Theatre. I offer congratulations on the redevelopment of Her Majesty's Theatre and, later, the Adelaide Festival Centre. These have become fantastic assets for South Australia.

In the late sixties, the Hon. Steele Hall, who was the Premier at the time, had the vision of creating a new home for arts in the city on the sloping banks of the River Torrens. He saw it as the key to placing Adelaide on the global arts map and supporting the industry to grow to its full potential. This vision was later championed by the Lord Mayor of Adelaide, Robert Porter, with the support of the then Premier Dunstan, who launched a public appeal to raise funds to build the Festival Centre and establish Adelaide as a significant city in the arts world.

I want to acknowledge those individuals, families and community groups who have collectively made enormous financial contributions to the Adelaide Festival Centre project. The public appeal to raise funds reached its target within a week. With the target exceeded, the extra money raised was set aside to create the world-class collections of artwork for the centre. This demonstrated the generosity and commitment by the South Australian public and the community to support a project that paved the way for artistic, cultural, tourism and economic contributions to our great state.

The Adelaide Festival Centre's strong community connection is still evident today. As one of Australia's most active arts centres, it presents a wide range of arts, activities and performances for the community. Recently, I hosted a friend from overseas who visited Adelaide some 10 years ago. We walked around the Festival Plaza and he was amazed how Adelaide has transformed dramatically since he last visited. He was impressed that the plaza space is comparable to other world-class destinations in the heart of the Adelaide Riverbank entertainment precinct.

I want to take this opportunity to acknowledge the passionate interest of former Premier the Hon. Steven Marshall in his strong support for the arts and tourism. I am very proud to be a part of the Marshall Liberal government, which helped deliver the Festival Plaza open-air public space development. Festival Plaza, undertaken by the state government in partnership with SkyCity Adelaide and Walker Corporation, represents \$1 billion in public and private investment, including \$213 million from the Marshall state government at the time.

Every city needs a vibrant destination with people-focused spaces to attend festivals, to explore, to congregate, relax, shop, dine and play. The upgrade of the plaza is a key component to the success of the broader Adelaide Riverbank, as it will not only generate economic growth but we are confident that it will also become a destination of choice for local, interstate and overseas visitors.

The Adelaide Festival Centre hosts the Adelaide Festival and presents major festivals across the year, including the Adelaide Cabaret Festival, OzAsia Festival, DreamBIG Children's Festival, Adelaide Guitar Festival and OUR MOB. It is also home to the Adelaide Symphony Orchestra, the State Opera South Australia, the Australian Dance Theatre, the State Theatre Company South

Australia, the Australian Ballet, Brink, and Windmill Theatre Co. Each year, over a million people of all ages attend Adelaide Festival Centre's theatres, restaurants and gallery spaces.

To mark the 50<sup>th</sup> anniversary, the Adelaide Festival Centre has organised a 50th anniversary celebration concert, which I am truly honoured to be a part of. All the audiences, including myself, thoroughly enjoyed the speeches and recollections of 50 years of stories and memories from the stars who have appeared at the centre and behind-the-scenes operators who have made significant contributions to the Adelaide Festival Centre.

Leadership, passion and dedication by CEO and Artistic Director Douglas Gautier AM is critical to drive the growth and success of Adelaide Festival Centre. Since taking on the roll in 2006, Douglas's vision and many initiatives have positioned the Adelaide Festival Centre as a hub for Australian cultural engagement and increased audience numbers through its captivating programs. Major changes have seen the Adelaide Guitar Festival and OzAsia Festival added to the centre's offerings.

In recognition of his services to the arts and community, Douglas was deservedly recognised and appointed a Member of the Order of Australia. The Adelaide Festival Centre produced festivals are led by a talented team who are committed to enriching lives through the arts. I would like to take a moment to mention some of the key team members. Alex Sinclair is the Executive Producer for Adelaide Cabaret Festival. The Adelaide Cabaret Festival is the biggest cabaret festival in the world.

Slava Grigoryan is the Artistic Director of the Adelaide Guitar Festival. It has become the most significant festival of its kind in the Southern Hemisphere. Annette Shun Wah has returned as the Artistic Director of the OzAsia Festival for another year. The OzAsia Festival is Australia's leading contemporary arts festival and engages with Asia. It fosters a closer link between Australian and Asian artists and involves the whole community, particularly the multicultural community of South Australia.

Co-creative producers, Susannah Sweeney and Georgi Paech, inspire creativity and curiosity in the DreamBIG Children's Festival, which is also the oldest children's festival in the world. Charissa Davies is the curator of Our Mob, Senior Exhibitions. This exhibition engages First Nations artists from all over South Australia with the opportunity to have their art and culture celebrated at South Australia's premier arts facility. The Adelaide Festival's philanthropic endeavours are supported by its committed foundation board members chaired by Miranda Starke, with patrons the Hon. Legh Davis and Lady Joan Hardy OAM. The foundation is key to the centre's mission to make the arts accessible to all South Australians.

Ernst and Young, in its 2017 report, found that the Adelaide Festival Centre Trust contributed more than \$160 million in economic and social impact. The report also recognised the importance of encouraging greater social cohesion in the community and valued Adelaide Festival Centre's significant social contributions at \$52.4 million. I am sure that since the 2017 report, the Adelaide Festival Centre social economic impact has grown from strength to strength. The Adelaide Festival Centre plays a significant role to build an enviable reputation in the arts world.

Adelaide is Australia's first and only City of Music, designated in 2015 by UNESCO. As a City of Music, Adelaide joins a network of 295 cities globally, including 59 Cities of Music. This prestigious UNESCO title further acknowledges our city's decades-long love for the arts and its core place in our history and culture. I take this opportunity once again to congratulate the Adelaide Festival Centre on this milestone celebration of its 50<sup>th</sup> anniversary and wish the Adelaide Festival Centre another incredible 50 years ahead. I strongly commend the motion.

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

#### DAFFODIL DAY

**The Hon. R.B. MARTIN (21:57):** I move:

That this council—

1. Acknowledges that 22 August 2023 is Daffodil Day; and

2. Commends the Cancer Council for its ongoing commitment to raising funds for cancer research, increasing cancer awareness and providing support to Australians diagnosed with cancer and their families.

Over 150,000 Australians are diagnosed with cancer each year. In our state, an average of 31 people receive this news each and every day and, for each of those South Australians diagnosed, there are likely several more lives that will be forever changed by the journey that follows.

For those who are fortunate to become cancer survivors, the disease still makes an indelible mark on them and on their loved ones. You would be hard pressed to find a person in our community whose life has not been touched by cancer. In fact, I would imagine that many of us here have multiple stories to tell of the brave battles fought, won and lost by our friends and family members, and that is certainly the case for me.

While cancer is an insidious disease, it can make us more resilient and it can teach us to appreciate the now more fully, but that is about the best you can say of such a cruel disease. For far too many people, cancer steals from us the precious years of life we hope to enjoy with those whom we hold most dear. However, the potential does exist to see a great deal of positive change. That potential lies significantly in the medical research field that will lead to better screening, earlier diagnosis and more effective treatments for cancers.

Today, around 70 per cent of people will survive for at least five years after a cancer diagnosis. That is a substantial increase from 51 per cent in the late 1980s, and it is cancer research that has produced a difference in these outcomes. We know that through further breakthroughs in research into prevention, screening and treatment, we can continue to improve on that 70 per cent figure.

Tomorrow, 31 August, is Daffodil Day, the Cancer Council's well-known fundraising day. The Cancer Council is the largest non-government funder of cancer research in Australia. They also support people in other ways across every area of every cancer, from providing a range of services to people fighting the disease to running education and prevention programs, and many things in between. The Cancer Council's work in supporting South Australians has a tangible and meaningful impact, and they have their sights set on a future in which all cancers are treatable, which is a very worthy goal to aim for.

I want to tell you a bit about the reasons why cancer research matters so much to me and my family. The reason that the Cancer Council and cancer research is so close to my heart is that about 18 months ago I lost my sister to cancer. An otherwise healthy woman in her early 50s, my sister had an episode at work, and upon seeing a doctor was told that she had terminal cancer that had spread throughout her body.

She fought the good fight but succumbed in the week before last year's election. Her passing has clearly had a big impact on our family, but a small, shining light out of this has been my family's increased dedication to supporting efforts to treat and, hopefully, find a cure. I must give a particular plug to my 11-year-old son, Will, who last month shaved his head to raise valuable funds for the Cancer Council. Along with dozens of other kids at his school who went the shave, they raised over \$5,000 for charity, and I am immensely proud of him for doing so.

I am sure we all have similar stories about loss from cancer, and I for one am glad that charities like the Cancer Council exist to provide ongoing support for patients and for medical research. Please support Daffodil Day if you can. I commend the motion.

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

### **SOUTH AUSTRALIAN POLICE**

Adjourned debate on motion of Hon. L.A. Henderson:

1. That a select committee of the Legislative Council be established to inquire into support and mental health services for police with particular reference to:
  - (a) exploring whether the services provided by the Employee Assistance Program and other mental health services offered to police, former police, and their families are sufficient;



- (b) determining whether an annual psychological review is sufficient for employees in roles where there is higher psychological demand;
  - (c) assessing the Early Intervention Program to ensure its suitability for psychological injury;
  - (d) determining whether additional mental health support for police officers and their families is required;
  - (e) exploring strategies of boosting police morale to make sure police have the support they need to perform their duties;
  - (f) exploring resourcing and recruitment within SAPOL; and
  - (g) any other relevant matters.
2. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

(Continued from 28 June 2023.)

**The Hon. T.A. FRANKS (22:01):** I rise tonight on behalf of the Greens to speak in support of this motion. The Greens believe that equitable access to mental health support within the workplace is an imperative that goes beyond the boundaries of occupation or organisation. Research has continually shown that working as a first responder is one of the few occupations where workers are repeatedly placed in high-stress and high-risk situations.

On a daily basis, police officers are subjected to traumatic calls, including child abuse, domestic violence, car crashes and homicides. Repeated exposure to these stressors and events has been associated with the development of mental illnesses, such as anxiety, depression, somatisation, post-traumatic stress and burnout.

The report from the WA Police Union, with combined data from the National Coronial Information System, found that 123 Australian police officers have died by suicide since the year 2000, with most of those deaths occurring after 2015. The report also found that since 2007, the rate of deaths by suicide has surpassed the rate of officers killed on duty.

The stigmatisation of mental health is a major factor that has prevented police officers from accessing the mental health care that they need following exposure to traumatic events. A 2018 Beyond Blue report found that employees in the police had substantially higher rates of psychological distress and probable PTSD, yet police officers who suffer from a mental illness are not treated with the same sympathy and respect as officers who are suffering from a physical illness.

Thirty-three per cent of report respondents felt shame about their mental health condition and 61 per cent said they would actively avoid telling people about their mental health condition. It is clear that a combination of not only police work but also organisational and managerial cultures in which policing is carried out is contributing to psychological harm.

The Answering the Call national survey, phase 2 of Beyond Blue's national mental health and wellbeing study of police and emergency services, also found that poor workplace practices and culture were just as debilitating as exposure to trauma.

Most respondents making workers compensation claims found the process to be unsupportive, stressful and reported that it had a negative impact on their recovery. Among employees with probable PTSD who did make a claim, 75 per cent felt it had negative impacts on their recovery, with only 8 per cent reporting positive impacts on that recovery. We have an obligation as legislators to ensure that all workplaces have appropriate systems in place to ensure that all South Australians, no matter who they work for, are given the needed protections and support to allow them to do their job safely.

There is an obvious need for extra support measures for police officers in dealing with mental ill-health, and the Greens look forward to this committee contributing to making better outcomes not only for all police officers but I note, with the amendments from the Hon. Frank Pangallo and SA-Best, those first responders more broadly. With that, I support the motion. The Greens will support the Hon. Frank Pangallo's amendments.

**The Hon. F. PANGALLO (22:05):** I rise to support this motion by the Hon. Laura Henderson and acknowledge her passionate interest in this very sensitive and delicate subject: mental health among police and, more concerning, suicides. As members in this place know, I have spoken about this in introducing my Return to Work (Post Traumatic Stress Disorder) Amendment Bill in the previous parliament, and I have done so again, although I have yet to deliver a speech.

PTSD is a mental health condition triggered by a traumatic event or cumulative exposure to traumatic incidents and symptomatically manifested through flashbacks, insomnia, hypervigilance and sometimes suicide. The bill provides that the presumption of a diagnosis of post-traumatic stress suffered by first responders and volunteer first responders is work related for the purposes of workers compensation legislation. Presumption shifts the onus of proof from the worker to the employer, and I do hope the bill will receive the strong support it does when it is debated and also recognises the exceptional work done by our frontline emergency workers, both paid and voluntary.

The honourable member's motion specifically deals only with police. However, I will flag that I have an amendment to expand the terms of reference to also include other emergency workers or first responders, including paramedics, firefighters, nurses, doctors, SES and CFS volunteers, train drivers and correctional services officers. All have very difficult work and constantly must face traumatic situations that would inevitably have an effect on their mental wellbeing.

I think it is important that we hear from all of them and not restrict this to only police officers. I have consulted with many as well as Professor (Alexander) Sandy McFarlane AO of the Centre for Traumatic Stress Studies at the University of Adelaide, the Police Association of South Australia, the Ambulance Employees Association, the South Australian Branch of the Nursing and Midwifery Federation, the CFS Volunteers Association, the SA SES Volunteers' Association and the United Firefighters Union of South Australia.

I would expect, should my amendment be successful, that we can hear from them during the inquiry. Can I suggest to the honourable member that, if she has not done so already, she view a deeply moving film commissioned by the Police Federation of Australia entitled *Dark Blue* and also consider a screening for members at Parliament House. The film and the haunting song *Graduation Day*, written by local music legend John Schumann, shine a powerful light on police mental health resulting from extremely confronting work they must do daily.

I want to share an example of this: a letter sent to me by a police officer who was shot in the face and arm in the line of duty while attending an horrific murder scene. The officer now counsels other police voluntarily. I caught up with him in my office while pulling together the PTSD bill and was most impressed by his stoicism, bravery and strength in dealing with his own demons. Allow me to read some of what he had to say to give you an idea of the chilling nature of the work police must do to keep our communities safe. It is a very powerful, moving story and let me quote from it. It states:

You have the right to remain silent.

Anything you say can and will be used against you.

It's a classic line, straight from all the big Hollywood blockbusters, and all the best police procedurals.

So it's ironic that this silence is also what's crippling our emergency services.

Across the country, our emergency workers are afraid to speak up about their mental health because of the stigma attached to it; and while individual services have gone a long way to alleviate that stigma, the fact is that until the law catches up with society, our emergency workers, and the communities they serve will continue to suffer, and to die, in silence.

It's become the elephant in the room. Ask anybody who works in the services about mental health and suicide, and you will be met by a range of responses; anything from shuffling avoidance to an outburst of rage. The truth is there isn't one of us who hasn't seen a colleague suffer and deteriorate, or to take their own life because of the stigma of mental health and the fear of coming forwards. And there isn't one of us who hasn't been damaged by watching one of our mates 'go wobbly'.

I've suffered my own battles with mental health over my now 14-year career, and because I knew the consequences had I spoken up at the time, I, like so many of my colleagues before me, chose to fight those battles alone, behind closed doors.

He then goes on to recall the night in 2011 when he and his partner responded to a late-night call for help. It sounded routine—a neighbourhood dispute that turned violent—but he was not prepared for

the scenes that confronted them in a house splattered with blood and that both would be fighting for survival against a crazed armed killer. I will go on with his letter. It states:

And so we made the decision to enter the house.

We found the first two bodies in the master bedroom. Both were motionless in a pool of blood, but regardless my partner moved to cover me while I holstered my weapon and checked for signs of life. The adult's injuries were catastrophic. There was no chance he had survived the initial shooting, and so I quickly checked the younger boy for signs of life. His chest wasn't rising and falling, and I couldn't locate a pulse. We were preparing to leave the room when the boy let out a wracking cough of blood. Somehow, miraculously, he was still alive.

Still unsure of the location of the shooter, my partner and I quickly hatched a plan to get the boy to the ambulance that was already racing to our location. Being the stronger of the two, my partner would carry the boy, and I would cover his retreat. It was a simple enough plan.

That's when the killer chose to spring his ambush.

I remember the muzzle flash, and the blast of heat and light as the shotgun pellets shattered into my jaw from only an inch away, and when I regained my senses several seconds later, I remember the deafening quiet as I knelt in a pool of blood streaming from the side of my face.

Disorientated and realising that I was growing weaker by the second from blood loss, I attempted to locate my partner, but to no avail. Assuming the worst, I called out to the young boy that he would have to follow me, as I was too weak to carry him. It was at this point I tried to open the door which had blown shut behind us in the wind, but my hands were too slick with my own blood to work the already damaged handle. With what little strength I could muster, I drew my Maglite torch, and slammed my arm through the plate glass next to the door, tearing through the nerves and tendons in my right arm, and puncturing my right leg as I did so, but creating an opening large enough for us to exit by.

Thankfully, police training saved my life that night, and I was able to keep my wits about me long enough to direct patrols to a rendezvous, and to extract the boy to a safe location. Ten hours later the gunman surrendered to police. From the time we took the call, to the time we had rendezvoused with the ambulance, less than five minutes had passed. Three people were dead, three more were critically injured and the course of dozens of lives changed.

A week later I awoke from an induced coma to the sounds of beeping machines keeping me breathing, and the concerned faces of my friends and family looking down at me. I have bittersweet memories of that time. I knew what had happened to me, and that life was going to look very different moving forwards, but I was also safe and surrounded by friendly faces, and colleagues who took turns taking shifts with me to ensure I was never alone.

It wasn't until a month later, when I finally left the hospital, that I started to notice changes in my behaviour. Sleep didn't come easily back then, and when it did come, it rarely lasted.

I remember waking up from a long and dreamless sleep, and wondering if I'd remembered to lock the door. I woke up three more times that night, and each time I felt the urge to check the locks on the door. Initially I just wrote it off as a symptom of being a police officer. The longer you're in the job, the more paranoid you get about security. These things happen, right?

Scarred for life from the gunshot wound to his face, he went on to explain the impact on his mental health and his life to get some normalcy—simple things we take for granted, like dating, but his new battle had only begun. He worked through it and says he was one of the lucky ones in being able to overcome his demons. He acknowledges his story is not unique, and I quote from that letter again:

Across the country, our emergency services officers are afraid to come forward, not because their mates won't understand. Not even because their service won't support them. But because they know that the legislation to support and protect them is completely absent. Because they know that they will be put through the wringer, sent to specialist after specialist, with the intent to check boxes or prove that their issues stem from something that would absolve the government of any liability.

This policeman is a hero in every sense. He managed to return to work, but his ongoing physical injuries and sleep problems placed his career at the crossroads. However, he says he has come to think of those scars on his face and arm as a badge of pride. He goes on to say:

And I ask myself, will it be the scars you can see that end my career, or will it be the ones you can't. Until our emergency services can count on legislation that supports and promotes their mental health, then no amount of work by the organisations themselves will alleviate the stigma and fear of coming forwards about mental health. No employee assistance program or peer counselling will dispel the fear of losing our identities. No well-intentioned case manager will mitigate the dread of losing our livelihoods. We have the right to remain silent, but we MUST stand up for the right to remain NOT silent.

First responders are twice as likely to suffer from suicidal thoughts than are civilians. We expect them to keep us safe but we also have a responsibility to ensure their own safety and wellbeing. I commend

the motion and I will urge members to support my amendment so that the committee can get a wider and clearer picture of the silent psychological killer that is post-traumatic stress. With that, I wish to move my amendment as follows:

Paragraph 1:

After 'SAPOL;' in subparagraph (f), leave out 'and' and insert new subparagraphs as follows:

- (fa) the prevalence, cause and effect of post-traumatic stress disorder among serving and retired police officers and prevention strategies to mitigate risk;
- (fb) consideration of legislative amendments to the Return to Work Act 2014:
  - (i) to prescribe that when a serving or former police officer is diagnosed with post-traumatic stress disorder, it is presumed to have arisen from their employment in the absence of proof to the contrary; and
  - (ii) the extent to which other first responders who deal directly with emergency situations when performing paid or voluntary work should be captured in the legislative amendments, including but not limited to ambulance officers, firefighters, nurses, medical practitioners, members of the SACFS and SASES, correctional services officers and train drivers; and

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:20):** I rise briefly to support my colleague the Hon. Laura Henderson's motion before the chamber today. In doing so, I would especially like to raise the need for this inquiry in relation to our former and current serving police officers in regional, rural and remote areas of South Australia.

A 2017 study conducted by Monash University on behalf of Victoria Police, titled Victoria Police Mental Health and Wellbeing Study, found clear evidence that police from regional areas were 26 per cent more likely to report symptoms of anxiety than their metropolitan colleagues. It states, and I quote from the text:

Wellbeing research throughout Australia has consistently shown that individuals living in regional areas are more likely to experience depression and suicide when compared to metropolitan areas.

It notes that the different results between metropolitan and regionally-based Victorian police is an important finding that requires further investigation. There is a need to identify contributing factors, and the inquiry put forward by my colleague is an opportunity for South Australia, I feel, to lead the way in discovering similarities and potential interventions that may assist police in multiple jurisdictions.

As a regional resident, I understand the lack of resources and contingency measures experienced by those who live in the country. I can well imagine the isolation felt by all of our emergency responders who operate in our most remote districts. There is often no backup available, no possibility of a contingency plan and, in some instances, no days off when representatives are few and far between. The pressure is real and deserves our respectful attention through this investigation and committee.

I hope this motion finds support in this place today and I applaud the honourable member for raising this important issue on behalf of our hardworking South Australian police. Before I sum up, I would like to move an amendment in my name as follows:

After paragraph 1, insert new paragraph 1A as follows:

- 1A. That the committee consist of seven members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members.

**The Hon. I.K. HUNTER (22:23):** The Malinauskas Labor government is committed to building a stronger SAPOL and ensuring that men and women on the frontline have the support they need to serve the community in a challenging profession. We rely on our police at some of the most challenging times of our lives. They witness road trauma, domestic abuse and street violence. It is vital they receive mental health support that recognises this.

We welcome the parliament's interest in the important issue of mental health services offered to police, former police and their families. Consequently, we will be supporting the motion as amended by the Hon. Mr Pangallo.

**The Hon. L.A. HENDERSON (22:23):** I thank the honourable members for their contributions and their indication of their support of this incredibly important select committee to inquire into mental health services for police and, more broadly, support for our police and their families. I would like to particularly acknowledge the Hon. Ms Franks, the Hon. Mr Pangallo, the Hon. Nicola Centofanti, and the Hon. Ian Hunter for their contributions on behalf of their respective parties.

We know that our police are met with challenges and risks to their safety by virtue of the nature of their employment. What is important to acknowledge is the reality that, as society changes, so too do the risks of the challenges that our police face. Not that long ago, within most of our lifetimes, including my own, mental health and PTSD was a topic that was not really discussed. It was a topic that was a little taboo. Whilst those discussions have changed, there can always be more done to ensure that we continue to check in with those who serve our community to keep us safe, to make sure they are given the best support they need to be able to do their service safely and, importantly, after they finish that service.

This committee intends to explore the mental health services and support provided to existing and former police and their families, police morale, resourcing and recruiting within SAPOL. I note amendments proposed to the terms of reference of this committee. Due to the level of interest in this committee, the terms of reference are proposed to be amended by amendments standing in the Hon. Nicola Centofanti's name, which will insert a new paragraph 1A to accommodate additional committee members than provided in the standing orders. I thank members for their keen interest in this incredibly important area and look forward to working very closely with them in this space.

I also indicate that the opposition will be supporting new subparagraph (fa) in the Hon. Mr Frank Pangallo's amendment, which looks at the prevalence, cause and effect of post-traumatic stress disorder among serving and retired police officers and prevention strategies to mitigate risk.

I further indicate that the opposition will be opposing new subparagraph (fb), submitted by the Hon. Mr Pangallo, which expands the scope of the committee to consider legislative amendments to the Return to Work Act to prescribe that when a serving or former police officer is diagnosed with PTSD it is presumed to have arisen from their employment in the absence of proof to the contrary, and the extent to which other first responders who deal directly with emergency situations when performing paid or voluntary work should be captured in the legislative amendments, including but not limited to ambulance officers, firefighters, nurses, medical practitioners, members of the SACFS and SASES, correctional services officers and train drivers.

The Hon. Mr Pangallo is correct to suggest that all of our frontline workers face challenges with their mental health. There is no denying the challenging nature of their work or the sacrifices that come with the nature of doing that work, and I commend the Hon. Mr Pangallo for his consistent and passionate advocacy in this space. The intention of the establishment of this committee, however, as the title suggests, was to inquire into support and mental health services of our police. While addressing an important topic, the proposed amendment by the Hon. Frank Pangallo exceeds the intention of the establishment of this committee to be able to look closely at and focus squarely on the practices within SAPOL.

The nature of employment, challenges and support programs provided to frontline workers will vary immensely across the board. While there are some common issues, the risks faced by our police ultimately vary from those faced by our nurses, our firefighters, our ambulance officers and our train drivers. It is my concern that including all frontline workers as a blanket group wrongly assumes that they are all the same, but they are not and their needs will vary immensely. It broadens the scope of the committee to a point where, within limited resources, it may only be able to hear high-level evidence of these very many groups, services and challenges. As such, I query whether we would be doing the needs of these groups a disservice to group them together as one and, by doing so, diluting the focus.

I note the parliament currently has a select committee on the Return to Work SA scheme which may be better suited to consider any legislative changes to the Return to Work Act in consideration of evidence and submissions this committee will have already received to date. I note

the Hon. Mr Pangallo has existing advocacy in this space through his Return to Work (Post Traumatic Stress Disorder) Amendment Bill, which he has discussed this evening, with proposals similar to those in subparagraph (fb), which is currently on the *Notice Paper*. It is my intention for this committee to be able to look very closely at police support and the challenges our men and women in uniform face and report back to this parliament on how we can assist in protecting and improving the support services for those who put themselves at risk to keep our community safe every single day.

This committee was intended to be specific to police; nonetheless, I appreciate that the Hon. Mr Pangallo may have the support of the chamber to make this amendment. I indicate that the opposition will oppose subparagraph (fb), but ultimately will support the committee in its final form.

The opposition, in particular myself, looks forward to conducting the very important work of this committee for the benefit of those who put themselves in harm's way every single day to keep us safe, and to ensure that our police are given the support that they need.

The Hon. F. Pangallo's amendment carried; the Hon. N.J. Centofanti's new paragraph 1A inserted; motion as amended carried.

**The Hon. L.A. HENDERSON (22:31):** I move:

That the select committee consist of the Hon. E.S. Bourke, the Hon. T.A. Franks, the Hon. S.L. Game, the Hon. D.G.E. Hood, the Hon. I.K. Hunter, the Hon. F. Pangallo and the mover.

Motion carried.

**The Hon. L.A. HENDERSON:** I move:

That the select committee have power to send for persons, papers and records and to adjourn from place to place and to report on 29 November 2023.

Motion carried.

#### *Parliamentary Committees*

### **NATURAL RESOURCES COMMITTEE: RIVERLAND FACT-FINDING VISIT**

Adjourned debate on motion of Hon. N.J. Centofanti:

That the second report of the Fifty-Fifth Parliament of the committee be noted.

(Continued from 22 March 2023.)

**The Hon. R.P. WORTLEY (22:32):** I rise to speak on the second report of the Fifty-Fifth Parliament of the Natural Resources Committee on its fact-finding visit to the Riverland. The visit proved to be timely, with members able to see firsthand the rising waters in the Murray River due to floodwaters moving downstream from Victoria and New South Wales. Added to this, the Riverland was experiencing a very wet spring; in October the Riverland experienced heavy rainfall, with 95 millimetres of rain recorded in one day.

The high water flows provided both a blessing and a curse to the region. They provided vital waters to wetlands in the region, with some areas being watered for the first time in about 10 years. The committee was impressed to see the Pike Floodplain and view the inundation occurring, as well as other areas such as Bookmark Creek and even Katarapko National Park near Loxton, which the committee could not visit due to the already high water levels but was able to appreciate the impact that the water levels were having.

Of course, the high river flows also brought concern from the community and the possibility of crops, homes and towns being flooded. Although the community was concerned, all were taking steps to manage the possibilities, and there was a general feeling of calm and control. Local councils were working together and with state government agencies in monitoring flow rates and preparing for the event. The committee was fortunate enough to see the levy works being undertaken in Renmark, which was particularly vulnerable as the river bends there and the town levy near the hospital takes the full impact of high water flows ahead on.

The irony of the high waters was the possibility that some crops would be starved of water, as crops further from the river require water to be pumped for irrigation and the high water levels

threatened to cut the power supply. Almond growers Drew and Caren Martin of Omega Orchards shared their experience, and showed the committee the measures they had undertaken to secure their pump house, some at great financial cost. However, they were still concerned that SA Power may cut the power supply as the water levels rose. I can report that this did not eventuate and the Martins were fortunate in this instance, but it would have been very close for a few days.

As part of the trip, the committee also visited places not related to high-water flows. They were thankful to Richie Roberts of RNR Farms for sharing his experience as a relatively new farmer in the area and allowing members to sample his delicious blueberries. This is a new crop to the region, and Mr Roberts' technique of using shade cloth to protect his crop from frost and sun has allowed this operation to establish in the Riverland. Blueberries bought in the summer months at SA supermarkets are generally sourced from RNR Farms. I encourage you to try this delicious and locally grown fruit.

In addition, the committee visited several key research facilities in the region, including the Australian Almond Centre of Excellence and the Loxton Research Centre. Both facilities are undertaking leading agricultural research work and large-scale trials to support not only the local industry but growers across Australia. These research facilities are vital to support our important agricultural sector and to help establish world-leading techniques.

Whilst at the Loxton Research Centre, the committee was briefed on the situation regarding fruit fly outbreaks in the Riverland, the issues facing the region, what PIRSA is doing in this area to manage the outbreaks and (looking to the future) how South Australia can maintain its fruit fly free status. This team is vital in our state's fight against this pest. Fruit fly has the potential to establish in South Australia and be costly to our fruit industry.

On the final day of the trip, the committee visited Calperum Station, which is nearly 243,000 hectares of open Mallee bushland in the western portion of the Riverland Ramsar wetlands. Calperum is owned and managed by the Australian Landscape Trust and is part of the greater Riverland Biosphere Reserve, an important part of maintaining the local biodiversity and providing critical habitat for threatened and endangered species.

Whilst at Calperum, the committee was honoured to have Ms Sheryl Giles and Ms Fiona Giles from the River Murray and Mallee Aboriginal Corporation. They are the native title holders of the region. We had a significant discussion with them about their work in the region, the First Nations history and the importance of and connection to country.

This was a very valuable fact-finding trip for the Natural Resources Committee, providing vital information regarding operations in the region, as well as some comfort regarding the management and preparations occurring in the region for the high-water event. I want to thank all those who were able to meet with the members of the committee and share their concerns and experiences, as well as the government agencies for showcasing the magnificence of the region.

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:37):** I would like to sincerely thank the Hon. Russell Wortley for his excellent contribution. It was an absolute delight to host members of the Natural Resources Committee in my home patch of the Riverland. As the Hon. Russell Wortley pointed out in his speech, members were given the opportunity to visit and view Pike Floodplain when water levels were high, providing some absolutely spectacular views. Members were given the opportunity to visit almond orchards, a blueberry farm, Calperum Station and, of course, the Loxton Research Centre and really appreciate the challenges but also the opportunities that the Riverland community have. With that, I commend the report of the Natural Resources Committee to the chamber.

Motion carried.

#### *Motions*

### **CRIMINAL LAW (CLAMPING, IMPOUNDING AND FORFEITURE OF VEHICLE) ACT REGULATIONS**

Orders of the Day: Private Business, No. 81: Hon. C. Bonaros to move:

That the general regulations under the Criminal Law (Clamping, Impounding and Forfeiture of Vehicle) Act 2007, made on 28 July 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:39):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **CRIMINAL LAW CONSOLIDATION ACT REGULATIONS**

Orders of the Day: Private Business, No.82: Hon. C. Bonaros to move:

That the regulations under the Criminal Law Consolidation Act 1935, concerning prescribed occupations and employment, made on 25 August 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:39):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **CRIMINAL LAW CONSOLIDATION ACT REGULATIONS**

Orders of the Day: Private Business, No. 83: Hon. C. Bonaros to move:

That the regulations under the Criminal Law Consolidation Act 1935, concerning serious vehicle offences, made on 25 August 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:39):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **WAKEFIELD REGIONAL COUNCIL BY-LAWS**

Orders of the Day: Private Business, No. 84: Hon. C. Bonaros to move:

That by-law No. 2 of the Wakefield Regional Council concerning local government land, made under the Local Government Act 1999 on 29 June 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:40):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **CITY OF PORT ADELAIDE ENFIELD BY-LAWS**

Orders of the Day: Private Business, No. 86: Hon. C. Bonaros to move:

That by-law No. 3 of the City of Port Adelaide Enfield concerning local government land, made under the Local Government Act 1999 on 12 July 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:40):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **CITY OF MITCHAM BY-LAWS**

Orders of the Day: Private Business, No. 88: Hon. C. Bonaros to move:

That by-law No. 3 of the City of Mitcham concerning local government land, made under the Local Government Act 1999 on 9 August 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:40):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **CITY OF MITCHAM BY-LAWS**

Orders of the Day: Private Business, No. 90: Hon. C. Bonaros to move:



That by-law No. 2 of the City of Mitcham concerning moveable signs, made under the Local Government Act 1999 on 9 August 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:41):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **CITY OF MITCHAM BY-LAWS**

Orders of the Day: Private Business, No. 92: Hon. C. Bonaros to move:

That by-law No. 5 of the City of Mitcham concerning dogs, made under the Local Government Act 1999 and the Cat and Dog Management Act 1995 on 9 August 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:41):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **CITY OF MITCHAM BY-LAWS**

Orders of the Day: Private Business, No. 93: Hon. C. Bonaros to move:

That by-law No. 7 of the City of Mitcham concerning waste management, made under the Local Government Act 1999 on 9 August 2022 and laid on the table of this council on 6 September 2022, be disallowed.

**The Hon. C. BONAROS (22:41):** I move:

That this order of the day be discharged.

Motion carried: order of the day discharged.

#### *Parliamentary Committees*

#### **LEGISLATIVE REVIEW COMMITTEE: INQUIRY INTO LOCAL GOVERNMENT LAND BY-LAWS—PUBLIC CONVENIENCES**

Adjourned debate on motion of Hon. I. Pnevmatikos:

That the report of the committee on its Inquiry into Local Government Land By-laws—Public Conveniences, be noted.

(Continued from 19 October 2022.)

**The Hon. I. PNEVMATIKOS (22:42):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### *Motions*

#### **DISTRICT COUNCIL OF MOUNT REMARKABLE BY-LAWS**

Orders of the Day: Private Business, No. 127: Hon. I. Pnevmatikos to move:

That by-law No. 6 of the District Council of Mount Remarkable concerning cats, made under the Local Government Act 1999 and the Dog and Cat Management Act 1995 on 19 April 2022 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. I. PNEVMATIKOS (22:42):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL ACT GENERAL RULES**

Orders of the Day: Private Business, No. 129: Hon. C. Bonaros to move:

That the general rules under the South Australian Employment Tribunal Act 2014, made on 3 February 2022 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. C. BONAROS (22:43):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **WORLD TOURISM DAY**

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Notes that 27 September is world Tourism Day;
2. Supports the sector's strategy to increase South Australia's visitor economy to an annual \$12.8 billion by 2030; and
3. Commends the Marshall Liberal government for its investment in infrastructure and marketing to encourage the sector's continuing growth and to help it manage the disruption caused by the loss of international and interstate visitation during COVID 19.

(Continued from 28 September 2022.)

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (22:43):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **DISTRICT COUNCIL OF FRANKLIN HARBOUR BY-LAWS**

Orders of the Day: Private Business, No. 155: Hon. F. Pangallo to move:

That by-law No. 2 of the District Council of Franklin Harbour concerning local government land, made under the Local Government Act 1999 on 9 February 2022 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. F. PANGALLO (22:43):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **DISTRICT COUNCIL OF FRANKLIN HARBOUR BY-LAWS**

Orders of the Day: Private Business, No. 156: Hon. F. Pangallo to move:

That by-law No. 3 of the District Council of Franklin Harbour concerning dogs, made under the Local Government Act 1999 on 9 February 2022 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. F. PANGALLO (22:44):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **DISTRICT COUNCIL OF KAROONDA EAST MURRAY BY-LAWS**

Orders of the Day: Private Business, No.157: Hon. F. Pangallo to move:

That by-law No.3 of the District Council of Karoonda East Murray concerning local government land, made under the Local Government Act 1999 on 8 February 2022 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. F. PANGALLO (22:44):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **DISTRICT COUNCIL OF KAROONDA EAST MURRAY BY-LAWS**

Orders of the Day: Private Business, No.158: Hon. F. Pangallo to move:

That by-law No.5 of the District Council of Karoonda East Murray concerning dogs, made under the Local Government Act 1999 and the Dog and Cat Management Act 1995 on 8 February 2022 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. F. PANGALLO (22:44):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **FLINDERS RANGES COUNCIL BY-LAWS**

Orders of the Day: Private Business, No.159: Hon. F. Pangallo to move:

That by-law No.3 of the Flinders Ranges Council concerning local government land, made under the Local Government Act 1999 on 15 February 2022 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. F. PANGALLO (22:44):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **FLINDERS RANGES COUNCIL BY-LAWS**

Orders of the Day: Private Business, No.160: Hon. F. Pangallo to move:

That by-law No.5 of the Flinders Ranges Council concerning dogs, made under the Local Government Act 1999 and the Dog and Cat Management Act 1995 on 15 February 2022 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. F. PANGALLO (22:45):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### **ELECTRICITY ACT REGULATIONS**

Orders of the Day: Private Business, No.167: Hon. C. Bonaros to move:

That the general regulations under the Electricity Act 1996 concerning payment condition, made on 9 December 2021 and laid on the table of this council on 3 May 2022, be disallowed.

**The Hon. C. BONAROS (22:45):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

#### *Bills*

### **RETURN TO WORK CORPORATION OF SOUTH AUSTRALIA (CONSTITUTION OF BOARD) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 8 September 2022.)

**The Hon. T.A. FRANKS (22:46):** I move:

That this order of the day be discharged.

Motion carried; bill withdrawn.

#### *Motions*

#### **BAROSSA COUNCIL BY-LAWS**

Orders of the Day: Private Business, No.174: Hon. I. Pnevmatikos to move:

That by-law No.5 of the Barossa Council concerning dogs, made under the Local Government Act 1999 and the Dog and Cat Management Act 1995 on 19 October 2021 and laid on the table of this council on 16 November 2021, be disallowed.

**The Hon. I. PNEVMATIKOS (22:46):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

### **ORGAN DONATION**

Adjourned debate on motion of Hon. N.J. Centofanti:

That this council—

1. Notes that 24 July to 31 July is DonateLife Week 2022;
2. Recognises that organ and tissue donation saves many lives every year;
3. Encourages people to discuss organ donation with their family and friends; and
4. Acknowledges the life-changing decision of donors and their families.

(Continued from 8 September 2022.)

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:47):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

### **DISTRICT COUNCIL OF MOUNT REMARKABLE BY-LAWS**

Adjourned debate on motion of Hon. I. Pnevmatikos:

That by-law No. 4 of the District Council of Mount Remarkable concerning local government land, under the Local Government Act 1999 made on 19 April 2022 and laid on the table of this council on 17 May 2022, be disallowed.

(Continued from 23 March 2023.)

**The Hon. I. PNEVMATIKOS (22:47):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

### **DUNCAN, DR G.I.O.**

Adjourned debate on motion of Hon. I.K. Hunter:

That this council—

1. Acknowledges that 10 May 2022 marks 50 years since the murder of Dr George Ian Ogilvie Duncan;
2. Notes the long-lasting impacts of Dr Duncan's death on law reform and the LGBTIQ community;
3. Recognises the risks of discrimination and violence still faced by LGBTIQ people today; and
4. Resolves to continue to work toward safety and equality for all LGBTIQ people.

(Continued from 18 May 2023.)

**The Hon. I.K. HUNTER (22:48):** I rise very briefly to thank honourable members who have made a contribution to the debate on the in memoriam motion about Dr George Ian Ogilvie Duncan. I will save my summing-up remarks, import them into the next item and combine the two to save honourable members' time this evening.

I am very pleased that honourable members have made contributions to remember Dr Duncan and the way that he died, and mostly with the anticipation that we can actually improve things in society for queer young people in particular.

Motion carried.

### **INTERNATIONAL DAY AGAINST HOMOPHOBIA, BIPHOBIA, INTERSEXISM AND TRANSPHOBIA**

Adjourned debate on motion of Hon. I.K. Hunter:

1. Recognises International Day Against Homophobia, Transphobia and Biphobia on Tuesday 17 May that is also known as IDAHOBIT;
2. Notes that, since its first celebration in 2004, IDAHOBIT had drawn attention to the violence and discrimination experienced by lesbian, gay, bisexual, transgender and intersex people and all other

people with diverse sexual orientations, gender identities or expressions and sex characteristics; and

3. Congratulates the Malinauskas Labor government on its opposition to conversion therapy and its commitment to make sure that this practice does not occur in South Australia.

**The Hon. I.K. HUNTER (22:49):** I will take a few more moments than I did in the last motion. Again, I would like to thank honourable members who have made a contribution to this debate. I understand there are two sets of amendments that have been moved to it; one is in the name of Hon. Tammy Franks, which I will support. They are sensible motions. They leave out 'Tuesday' so that the motion applies generally rather than to one particular year.

Secondly, the Hon. Ms Franks corrects my language, replacing the word 'therapy' with 'practice' or 'practices', and again she is absolutely correct because in fact conversion therapy does not stand up as a term any longer. It is not therapy in any sense of the word. It is a coercive practice and in fact it is a very damaging one, so I support the amendments in the name of the Hon. Ms Franks. There is also an amendment in the name of the Hon. Michelle Lensink, which I will oppose.

**The PRESIDENT:** The Hon. Mr Hunter, I do not know that the Hon. Ms Lensink ever actually moved that amendment, according to the Clerk.

**The Hon. I.K. HUNTER:** Thank you. I will accept the amendment in the name of the Hon. Ms Franks and indicate that had there been a thought to moving another amendment I would have opposed it. Having said that to the council, I did want to take a moment to reflect on the role and contribution of the Hon. Michelle Lensink over her years in this place and also as minister in standing up for, defending and supporting the LGBTI community in South Australia. She and another honourable member in the other place, Ms Vickie Chapman, have been stalwarts in their defence over the years, and I wanted to put on the record my appreciation and thanks for their support.

I will not go through all the details, which I already went to in my original speech, about why motions such as this are important. They are not merely to commemorate particular events over the years; that would be a waste of the chamber's time I think. The reason why I bring these matters to the attention of the chamber is basically this: whilst there have been a number of changes over the last several decades which we can commend and support, and they were fantastic for their time, in many respects and in many places around the world things have not improved all that much.

I only look to a report put out by the LGBTIQ+ Health Australia organisation, 'Snapshot of mental health and suicide prevention statistics for LGBTIQ+ people' of October 2021—I will not table it, as it is on the public record and there is no need to waste chamber time with that either—and the statistics that are provided are alarming.

Briefly, 11 per cent of queer youth between the ages of 16 and 27 have attempted suicide in their lifetime—11 per cent. Forty-eight per cent of transgender and gender diverse people aged between the ages of 14 and 25 have attempted suicide in their lifetime—48 per cent. Suicide is the second leading cause of death among young people, and queer youth are four times more likely to commit suicide. Queer youth, when they have a space where they are accepted by the people around them and supported in their identity, report much lower rates of suicide attempt and ideation.

For those reasons alone, it is worth us as a chamber reflecting on what more we can do to improve the lives particularly of young people as they are discovering who they are, and hence my final paragraph essentially about congratulating the election commitment of the Malinauskas Labor government to remove and oppose conversion practices, as will be amended by the Hon. Ms Franks. I think it is something that we can all get behind, if only for nothing else, if only just for the improvement in the lives of young queer people in South Australia and that fewer of them will attempt suicide into the future. I commend the motion.

Amendment carried; motion as amended carried.

**WADE, THE HON. S.G.**

Adjourned debate on motion of Hon. N.J. Centofanti:

That this council—

1. Notes the recent retirement of the Hon. Stephen Wade MLC after 16 years of service to the people and Parliament of South Australia;
2. Recognises his leadership as Minister for Health and Wellbeing throughout the COVID-19 pandemic; and
3. Wishes him well in his retirement from parliament and the years ahead.

(Continued from 28 June 2023.)

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (22:53):** I thank the Hon. Nicola Centofanti for moving this motion, and I join many members in acknowledging the distinguished service and outstanding contributions made by our former Liberal colleague the Hon. Stephen Wade, to this parliament to the people of South Australia and also in serving the Liberal Party of South Australia.

The Hon. Stephen Wade began his long and illustrious career in this Legislative Council in May 2006 through a casual vacancy. Stephen's prior knowledge and experience in the health and wellbeing sector enabled him to serve in the shadow ministry in portfolios including disability services, housing, families and communities, social inclusion, justice, health, mental health and substance abuse, ageing and suicide prevention. From 2018 he utilised his extensive knowledge, experience and advocacy gained in the shadow ministry, as well as his time spent as a parliamentary adviser to former Minister for Health Dr Michael Armitage, to undertake the important role of Minister for Health and Wellbeing in the Marshall Liberal government.

Stephen was well respected as a hardworking minister and his incredible work ethic was matched by his humility and approachability and gentle nature, which earned him the massive respect he maintains throughout the health system and in our community. I have many friends who work in the health sector. They all expressed their gratitude towards Stephen Wade as they said that he was one of the nicest and most humble ministers they had ever met and worked with.

His early morning starts, stacks of briefcases and close connection with key staff in the department served him well as he undertook one of the greatest challenges of our modern times when we were faced with the global COVID-19 pandemic. Following the declaration of a major emergency in March 2020, Stephen became the central figure in the state's response to COVID-19. His diligence, compassion and attention to detail helped to lead South Australia through the uncertainty and crisis of the pandemic. Through his competent leadership working alongside SA Health and SAPOL, Stephen helped the state to become more resilient and a shining example of how to manage COVID-19 for the betterment and safety of the public.

I want to place on the record my special thanks to Stephen Wade for the way that he worked closely with me during the pandemic to reach out to the multicultural community. It was through Stephen's support that we were able to have numerous COVID information forums with Professor Nicola Spurrier and those forums were tailored to addressing the special needs of culturally and linguistically diverse community groups. SA Health was working with Multicultural Affairs to translate all the COVID materials and vaccine materials into more than 25 languages.

I want to acknowledge Stephen's legacy as Minister for Health and Wellbeing, which will also be greatly marked by the many improvements and developments that he brought to the health system. Under the Marshall Liberal government, Stephen was responsible for saving the Repat and developing it into a thriving health precinct and for investing in building bigger and better hospitals with the \$3 billion building program. His enormous contributions were towards the new Women's and Children's Hospital and the upgrades to Modbury Hospital, the Lyell McEwin Hospital, The Queen Elizabeth Hospital, Flinders Medical Centre and Noarlunga.

Thanks to Stephen, our state had over 2,800 more beds, doctors, nurses and ambulance staff than under the Labor government prior to the 2018 election. I know that Stephen's long-lasting legacy will continue to have a positive impact on the health system and the people of South Australia. He will forever be a shining example of the influence and important role that we should all strive for as members of parliament and representatives of the South Australian people.

I want to express my sincere thanks to Stephen for his friendship, his wise counsel, his wisdom and his true commitment to making a difference to the lives of South Australians. I wish

Stephen well in his retirement from parliament and I also want to convey my best wishes to him and Tracey on their future undertakings and wish them all the best.

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

At 23:00 the council adjourned until Thursday 31 August 2023 at 14:15.