

LEGISLATIVE COUNCIL

Wednesday, 27 September 2023

The **PRESIDENT (Hon. T.J. Stephens)** took the chair at 14:16 and read prayers.

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. I. PNEVMATIKOS (14:18): I lay upon the table the 30th report of the committee, 2022-23.

Report received.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

South Australian Government Boards and Committees Information—Report, 2023

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

Reports, 2022-23—

Equal Opportunity SA

Legal Practitioners Education and Admission Council

South Australian Employment Tribunal (SAET)

Terrorism (Preventative Detention) Act 2005

Question Time

ELECTRONIC IDENTIFICATION TAGS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:22): I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries regarding ultra high frequency electronic identification eartags.

Leave granted.

The Hon. N.J. CENTOFANTI: A report by R&D group The Growth Drivers, in partnership with Meat & Livestock Australia and Integrity Systems Company, found that electronic IDs for livestock that use ultra high frequency technology can read 150 animals per second with high accuracy. There are lower prices for associated equipment due to market competition. Known as UHF tags, they also provide options for enhanced biosecurity strategies.

UHF is the fastest growing segment of RFID technology globally, with high competition. Approximately 90 per cent of global RFID investment is in UHF. UHF tags, readers and systems for livestock are in place and being trialled around the world: in Scotland, New Zealand, Kansas and parts of Asia. The primary commercial barrier to their uptake is incumbents hindering adoption and red tape, so this places Australia in an optimal position to utilise the technology going forward. My questions to the minister are:

1. Has the minister and her department sought advice from industry on the use of ultra high frequency electronic ID tags in the rollout of the mandatory sheep and goat eID program?

2. What has been the advice received from industry regarding these ultra high frequency electronic ID tags and their role in the rollout of the mandatory sheep and goat eID program?

3. Does the minister agree that it would be worth exploring the ultra high frequency technology, given the reported superiority of the tags in speed and accuracy?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:24): I thank the honourable member for her question. I am making the assumption that the question is in regard to the government's involvement in subsidising eID tags, as related in the announcement earlier this year of what the support package would be for stage 1 of the eID rollout.

With that in mind, the support package and subsidies for tags referred to the cost of essential tags, so, if you like, it's around what is needed to be able to ensure that we have the levels of traceability that are envisaged being achieved through eID. Tags need to be approved under the National Livestock Identification System (NLIS). Therefore, in terms of subsidies for tags, as long as they adhere to the NLIS they can be considered for that subsidy.

ELECTRONIC IDENTIFICATION TAGS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:25): Supplementary: has the minister received a briefing from her department on the benefits of the use of ultra high frequency electronic ID tags?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:25): I'm reasonably confident that I have not received such a briefing.

GIANT CRAB HARVEST

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:25): My question is to the Minister for Primary Industries and Regional Development on the total allowable commercial catch reductions of giant crab. What advice has the minister received from her department regarding the total allowable commercial catch reductions for giant crab fishing in the southern and northern zones?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:25): Obviously, I have frequent briefings on a number of matters, including on the extensive sectors which are part of the fisheries industry. I recall receiving a briefing—I can't remember the particular details—but happy to take on notice any specific questions should the honourable member have them.

GIANT CRAB HARVEST

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:26): Supplementary: is the minister aware that the total allowable commercial catch of giant crab has been reduced by 70 per cent in the southern zone and 50 per cent in the northern zone?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:26): Any changes to total allowable commercial catch briefings come to me from my delegate, Mr Gavin Begg, so certainly in terms of being aware, of course I am aware of what any changes are.

GIANT CRAB HARVEST

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:26): Supplementary: is the minister aware that this decision by her department will result in the majority of giant crab southern zone licence holders being made instantly unviable, and does she support that decision?

The PRESIDENT: Minister, in your original answer you did say you are happy to take further questions on this, so I will allow the supplementary question.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:27): I would like to further investigate the allegation which is

part of that question—which is inherent in that question. I don't think it would be appropriate to simply answer that on face value. I think there is more to be explored. As I mentioned, I will obtain the briefing again, and I will then be able to answer specific questions about it.

GIANT CRAB HARVEST

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:27): Final supplementary: will the minister consult with stakeholders in the southern and northern zones on the take reduction and the significant damage to their business their reductions will cause?

The Hon. I.K. HUNTER: Point of order: I believe the minister says she will be happy to take on board any questions of detail that the honourable Leader of the Opposition might provide, not wideranging questions about procedures but issues of detail about the declarations.

Members interjecting:

The PRESIDENT: Order! I am trying to listen to the point of order. The Hon. Mr Hunter, I am not going to rule in favour of your point of order because the minister did say that she is prepared to listen to questions. How she chooses to answer any question is her prerogative. Can you please repeat your final—

An honourable member interjecting:

The PRESIDENT: Order! Can you please repeat your final supplementary question and then the minister can answer it in a way that she thinks is appropriate, and then we will move on.

Members interjecting:

The PRESIDENT: Order!

The Hon. N.J. CENTOFANTI: Will the minister consult with stakeholders in the southern and northern zones on the take reduction and the significant damage to their businesses this reduction will cause?

Members interjecting:

The PRESIDENT: Order! Minister, answer, please, and we move on.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:29): I am glad the members opposite actually do want to hear the answer. It appeared the opposite for several minutes there.

Before a decision is made around such things as changes to the total allowable commercial catch in any zone for any particular species, there is consultation undertaken and discussions undertaken. That happens on every case where such a decision is being contemplated.

I recall specifically within the briefing that was referred to in the original question some details around the feedback and the diversity of opinion about it, so the short answer to the question is consultation has occurred.

WATER BUYBACKS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:29): I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development regarding the Murray-Darling Basin Plan and primary production.

Leave granted.

The Hon. N.J. CENTOFANTI: On 21 August 2023, it was reported that the federal water minister, Tanya Plibersek, had brokered a deal to rewrite the Murray-Darling Basin Plan to allow for a widescale resumption of water buybacks to achieve the remaining 450 gigalitres of environmental water to be recovered. South Australia's water minister, Susan Close, has since shown her support for the new deal. As of 30 August 2023, the total outstanding volume of environmental water to be recovered under the 450-gigalitre target, as reported on the Australian government Department of Climate Change, Energy, the Environment and Water's website, was 424 gigalitres.

My question to the minister is: as the Minister for Primary Industries and Regional Development, is she supportive of resuming water buybacks to achieve the full outstanding amount of 450 gigalitres of environmental water to be recovered under the Murray-Darling Basin Plan?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:31): I thank the honourable member for her question. As Minister for Primary Industries and Regional Development, what I support is having a healthy River Murray. We need to have a healthy River Murray for the communities that depend on it, as well as the industries, with agriculture being a significant industry—and horticulture, of course. What we saw under the previous government was capitulation on the River Murray. What we saw under the previous government was a total capitulation in terms of upstream irrigators—

Members interjecting:

The PRESIDENT: Order! The opposition and the government, I can't hear the minister's answer.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order! Attorney-General, lead by example. Minister, can you please conclude your answer as you see fit.

The Hon. C.M. SCRIVEN: Water recovery under the basin plan is absolutely essential to restore the balance between the water needs of the environment, communities and industries. What we saw under the previous government was total capitulation to the other states. What we have seen from the government since—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —is that it will not even criticise the other state that has refused to sign up to this plan. What we have seen from those opposite are attempts to make political capital instead of looking after the key issue and the key goal of the plan, which is to have a healthy River Murray.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: If the River Murray is dead, then regional communities are dead—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —and agricultural industries are dead. Without a successful River Murray, we know those industries will be dead. That is what the opposition appears to want. They refuse to support anything that actually results in a healthy river and, instead, we see the posturing and grandstanding that we are seeing here today and at other times in this place, and they should be ashamed.

OPHEL-KELLER, DR K.

The Hon. I. PNEVMATIKOS (14:33): My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the work of Dr Kathy Ophel-Keller PSM and the recent recognition of her work?

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:33): I thank the Hon. Ms Pnevmatikos for her question. It's a great opportunity to be able to highlight the work of an excellent, coincidentally female, member of the profession.

I was very pleased last week to be able to attend one of the investiture ceremonies at Government House, held by Her Excellency the Hon. Frances Adamson AC. Amongst the outstanding individual contributions recognised across many parts of our community, I was particularly proud to witness Dr Kathy Ophel-Keller receive her Public Service Medal (PSM) for, and I quote, 'outstanding public service to the agricultural industry through research and innovative leadership'. A graduate of agricultural science at the University of British Columbia, Dr Ophel-Keller also holds a PhD in plant pathology from the University of Adelaide and is an affiliate professor with the University of Adelaide.

She has recently retired from a very distinguished career, exceeding 35 years as a leader in primary industries research. She has held multiple roles across SARDI during that time, including research leader in plant health, research director in crop sciences and acting executive director of SARDI on two occasions, including in the lead-up to her retirement. She is an incredible example of the kind of expertise that we are fortunate to have had at SARDI and in South Australia more generally.

As a highly respected leader and scientist, Dr Ophel-Keller has led a number of successful research projects and teams, including the development of Predicta B, a unique DNA-based soil diagnostic technology. One of her final contributions in public service was to the development of the recently released SARDI Strategic Plan 2023-28.

She has also played an important role in developing future generations of researchers, mentoring females to advance to leadership roles and working with GRDC and SAGIT to establish a grains internship program, which is now a highly sought-after pathway for the next generation of agricultural scientists. I do recall, when I visited the SAGIT board meeting last year, seeing some of the outstanding work that has come through that internship program and some of the young women who were involved in that program to the greater benefit of the organisation.

Though she is now retired, I am pleased to hear that Dr Ophel-Keller will remain involved with PIRSA through her new role on SARDI's research and development advisory committee, meaning that her wealth of experience and knowledge will still be an important asset for SARDI going forward.

Talking with Dr Ophel-Keller at the investiture ceremony, she was of course typically humble about her honour and focused on how this recognition can promote agricultural science as a career of choice for young people. Once again, a huge congratulations to Dr Kathy Ophel-Keller and all the other recipients also who received their honours in the past few weeks.

HUMAN TRAFFICKING

The Hon. T.A. FRANKS (14:36): I seek leave to make a brief explanation before addressing a question to the Attorney-General on the subject of trafficking.

An honourable member interjecting:

The Hon. T.A. FRANKS: Trafficking. I know it's not actually a state issue.

Leave granted.

The Hon. T.A. FRANKS: A question was asked of you in the previous sitting week in this place. It pointed to an *Advertiser* report of 29 July this year of a blitz on brothels across Australia, which uncovered women who had been trafficked and, I assume, were potentially in sexual servitude. I note that the questioner then asked you whether, under the Summary Offences Act of our state, the maximum penalty for keeping or managing a brothel—for a first offence it being \$1,250 or three months' imprisonment or, for a subsequent offence, it being \$2,500 or six months' imprisonment—was strong enough to address trafficking.

I note that, under the Criminal Code Amendment (Trafficking in Persons) Act 2005, which is now contained within the Criminal Code Act 1995, in fact, under sections 270 and 271, trafficking brings with it terms of imprisonment of 12 years, 20 years or 25 years. My questions to the Attorney-General are: do you understand the difference in law between prostitution and trafficking, and is the Summary Offences Act ever applied in cases of trafficking, or is it indeed the Criminal Code Amendment (Trafficking in Persons) Act or the Criminal Code Act of the commonwealth?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:38): I thank the honourable member for her question. She makes a very good point: the Summary Offences Act is not meant to regulate or deter trafficking of people over international borders. That, of course, is done through the commonwealth criminal code.

I think the honourable member is right: when that question was put in this chamber, I think it confused two very, very different things. That is, the Summary Offences Act has it on the statute book, and my personal view is that I don't think it should have it on the statute book as an offence in terms of sex work. People would know that it's my personal view that we should reform and decriminalise sex work in South Australia.

I think the questioner, when the question was asked, was confusing what is a summary offence, albeit one that I think doesn't belong on our statute book, with something very, very different, and that is the offence of trafficking humans.

That can apply to any industry. There are many instances of successful prosecutions of people being trafficked across international borders for a whole range of reasons and to work in a whole range of industries. So in answer to your question, yes, I do understand the difference but I think, unfortunately, there was some confusion when that was asked last time.

HUMAN TRAFFICKING

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:39): Supplementary: does the minister concede that often sex work and trafficking are intrinsically linked?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:40): I thank the honourable member for her question. I am obviously not privy to the vast amounts of data and evidence that the honourable member has at her disposal in relation to what purposes people are trafficked across international borders for, but I know, certainly, from reading from time to time, it occurs in a whole range of areas for a whole range of industries.

GIANT PINE SCALE

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:40): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries regarding giant pine scale.

Leave granted.

The Hon. J.S. LEE: Giant pine scale has the scientific name of *Marchalina hellenica*, and is an insect that sucks the sap of pine trees, posing a threat to our softwood plantation industry. According to the PIRSA website, adult scale are able to carry 400 eggs in their bodies and those eggs are hatching right now, between September and December. An infestation of giant pine scale was reportedly the cause of the felling of trees in north-east Adelaide, in the popular locations of Elliston Reserve, near the Hope Valley Reservoir, and Highbury. To date, 483 trees have been removed. My questions to the minister are:

1. Can the minister inform the chamber when the giant pine scale was initially detected in Adelaide?
2. When did felling of the infected trees begin in order to halt the outbreak?
3. Can the minister table any evidence that the felling has halted the outbreak?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:41): I thank the honourable member for her question. Giant pine scale has previously been detected in Victoria and South Australia but hasn't been detected in other parts of Australia. To date, just for members' interest, it has not been detected in any commercial pine plantations.

It is native to the eastern Mediterranean region and it causes branch dieback, gradual desiccation and tree death. It feeds exclusively on plants from the pine family, such as pines, firs and

spruces. Earlier this year, detection was made in pine trees within SA Water's Hope Valley Reservoir Reserve, which is an area that is not accessible to the public. As per previous response operations, I am advised around 120 trees were felled and heaped, including infested and adjacent pine trees.

Back in 2017, it was agreed nationally that giant pine scale could not be eradicated from Australia. This is due to a couple of different reasons: in part, because there are ineffective chemical controls for the pest, and also because it is very difficult to detect in the early stages of infestation when it is in low numbers at the top of tall trees.

At that time, I am advised, PIRSA consulted with the forestry industries and agreed that implementing border controls for the pest would be too impactful on the industry given the amount of pine material that travels between Victoria and South Australia. With this being the case, it is very likely that more infestations of giant pine scale will continue to be found in South Australia.

Due to the endemic status of the giant pine scale in Australia, PIRSA Biosecurity does not initiate an eradication response to the pest and management of giant pine scale rests with land managers, landowners and industry.

Accordingly, PIRSA coordinated a meeting of industry stakeholders—I believe it was around about 30—to share information about the detection and formed a working group to coordinate surveillance and management activities. Working group members included representatives from the Department of Primary Industries and Regions, SA Water, ForestrySA, the City of Tea Tree Gully, the Australian Forest Products Association, UniSA, National Parks and Wildlife Service South Australia, and an independent expert.

Further detections have since been found in nearby Highbury. Staff from the Department of Primary Industries and Regions are working closely with local government and the forest industry to determine if the pest has spread further. ForestrySA is playing a key role in coordinating tree removal and mulching machinery because they see the benefit in preventing the current infestation from spreading into managed forests. They have been driving the process for the Department of Primary Industries and Regions, providing oversight and technical support.

GIANT PINE SCALE

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:44): Supplementary: out of the minister's answer, can she confirm whether there are monitoring processes that would document all the state-owned assets that contain trees that are susceptible to GPS?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:45): Since all pine varieties are susceptible to GPS, all the state-owned forestry areas would fall under the purview of that question.

GIANT PINE SCALE

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:45): Supplementary: is the minister satisfied that the measures undertaken right now would actually prevent more outbreaks and be able to address the problems very swiftly?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:45): What was the last bit?

The Hon. J.S. LEE: Very quickly to address the problems when they have been detected.

The Hon. C.M. SCRIVEN: It is worth referring back to my answer where I mentioned that this is now considered an endemic disease in Australia, so that means that eradication is not considered possible. Managed forests, of course, in South Australia, have incredibly high levels of management essentially. They are world renowned in terms of their management systems and, of course, it is in the interests of the commercial growers to ensure that they have as much surveillance for all pests including giant pine scale. They are continuing to work, obviously, with that and, as I outlined in my original answer, in terms of this particular outbreak, which is in a metropolitan suburban area, there has been the working group of many stakeholders.

GIANT PINE SCALE

The Hon. J.M.A. LENSINK (14:46): Supplementary: the honourable minister might need to take this on notice. Can she confirm whether there have been detections in the Highbury Aqueduct Reserve, which is predominantly Aleppo pines but other species as well?

The PRESIDENT: The minister might choose to take that on notice.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:46): Yes, I will take that on notice, thank you.

MARY KITSON AWARD

The Hon. R.P. WORTLEY (14:47): My question is to the Attorney-General. Will the minister inform the council about the winner of the Law Society of SA's Mary Kitson Award in 2023?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:47): I thank the honourable member for his question, and I happen to have a little bit of information about that to let the council know about it. The Law Society's Mary Kitson Award recognises a contribution to the advancement of the interests of women lawyers or to issues in legal practice which affect women. The award recognises commitment to the advancement of the interests of women lawyers demonstrated in a range of activities over an extended period or any single activity of significance.

This year's Mary Kitson Award winner is Julie Redman. Julie has made a great contribution to the law in South Australia. Her tireless campaigning for our most vulnerable citizens has been one of great impact, and any one of her activities could have merited acknowledgement as an activity of significance, but it is a huge range over a career spanning decades.

Julie's story begins many years ago on Eyre Peninsula in 1978 when she first began practising. In her early years of practice, as a sign of what was to come, Julie was instrumental in the establishment of Port Lincoln's first women's shelter, providing the women of Port Lincoln a safe haven when escaping domestic abuse situations.

When Julie arrived to establish a firm in suburban Adelaide, she provided legal support to Bramwell House, one of Adelaide's first women's shelters. She then, after a decade of legal work, started to specialise in family law and joined JK & JR Alderman in 1987 before taking over and continuing as Alderman Redman until 2018. In 2018, she merged Alderman Redman with Adelta Legal to establish the Adelta family law unit.

Julie is well renowned for handling complex matters involving large property pools, family businesses, companies, trusts and third-party interveners. She is also highly regarded in dealing with complex children's matters with compassion, and is highly experienced with international efforts of relocation and of Hague Convention matters. Julie is an accredited family law specialist, a nationally accredited family dispute resolution practitioner, an independent children's lawyer and a nationally accredited mediator in mediation practice since 1990.

Julie is also an independent children's lawyer, appointed to ensure that a child's best interests are recognised and taken into account during family law disputes. It has been reported to me that she takes great care when dealing with a child's best interests, and this diligence received national acknowledgement when she was named the National Children's Lawyer of the Year by the National Children's Legal Service.

Her achievements do not just span inside the courtroom but also outside. Julie has made significant contributions to community organisations, which include chairing Uniting Communities for six years. She has also volunteered at various organisations including the Women's Information Switchboard, the Norwood Community Legal Service and the Law Society advisory service.

Julie was also the inaugural chair of the Law Society's Children and the Law Committee, a position she held for more than a decade. She also helped establish many other areas, including childcare centres. She has received numerous other awards and commendations, including as a finalist in the Telstra Business Women's Awards and the UNESCO Achievement Award for her work promoting children's rights within the legal system.

Julie's outstanding career has left a mark on South Australia's legal system, and her tireless efforts in advocating for the rights of women and children have made our state a better place. Julie has inspired many of the next generation of lawyers to help out our most vulnerable members of society. Her career and her efforts don't go unacknowledged in improving the lives of many, and I am deeply grateful for the impact she has had on our state. I am looking forward to the next generation of lawyers that will follow in Julie's footsteps.

OFFICE FOR WOMEN

The Hon. S.L. GAME (14:51): I seek leave to make a brief explanation before directing a question to the Attorney-General, representing the Treasurer, regarding the Office for Women.

Leave granted.

The Hon. S.L. GAME: I have advocated in this place multiple times for an office and minister for men to be created. We know males are three to four times more likely to take their lives than females. In 2021, there were 2,358 male deaths at a rate of 18.2 per 100,000 and there were 786 female deaths at a rate of 6.1 per 100,000. In 2021, the number of deaths by suicide was higher for males than females in all reported age groups, yet this government has not provided any indication that this issue is important enough to have a dedicated office for men.

I want a minister and office for men like there is for women. My office began looking at the funding allocation provided to the Office for Women and ran into many roadblocks. We went to the state budget: there was nothing. We looked at the Auditor-General's Report: there was nothing. We tried on the Office for Women's official website: again, nothing.

We then engaged the Parliament Research Library to shed light, and their response showed there is no clear indication of how much this office is funded. What we do know is that it is a business unit within the Department of Human Services and recent estimate debates revealed the department is funded \$963 million, with funding directed towards many initiatives for women but no indication of what that elusive figure is for the Office for Women. My questions to the Attorney-General are:

1. What portion of the state budget is specifically directed to the Office for Women and its many initiatives?
2. How can we take the government seriously on issues of equity and equality if the government is not willing to establish an office for men?

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 to say, this government doesn't share the member's view about the need for what she is suggesting. Historically, the structural impediments to women taking their rightful place in society have been many and varied.

Over the centuries gone by, men have done alright. The fact that we see representation in parliaments throughout this country being so male-dominated, to this day, speaks volumes to that. I am proud of my party, which has had quotas in that have seen so many amazing, talented women represent the parliamentary Labor Party in this parliament.

As I say, we don't share the honourable member's view about the necessity for what is being suggested. Certainly, there are areas and outcomes in health and other areas where men have disproportionately higher adverse outcomes than women, and they are being addressed in health programs and in other programs. I have to say, we just don't share the views of the honourable member in this respect.

OFFICE FOR WOMEN

The Hon. S.L. GAME (14:54): Supplementary: is the Attorney-General suggesting that in comparison to women, men have it good? How would he then explain the fact that men live shorter lives and take their life, in fact, more often than women?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:54): In terms of the roles and functions performed in society, historically, yes. The evidence is there. The gender pay gaps, the number of men and women

comparatively in senior positions in private companies, the number of men and women comparatively in parliament, in almost every facet there is that gap.

I completely agree with the honourable member: there are some areas where special programs need to be implemented for men, and that is exactly what the government does. The government funds things in health and other areas to look at where men face adverse outcomes. But historically, absolutely, women have not taken their place in society, in many institutions, in as many areas as men have.

CABINET DOCUMENTS

The Hon. J.M.A. LENSINK (14:55): I seek leave to make a brief explanation before directing a question to the Attorney-General regarding one of the recent reports from the Auditor-General.

Leave granted.

The Hon. J.M.A. LENSINK: Two days ago, or yesterday maybe, the Auditor-General, Mr Andrew Richardson, released a report entitled 'Report 7 of 2023 Access to Cabinet documents' from which I now quote:

Several times since 2016, I have reported on issues associated with the Auditor-General's access to Cabinet submissions. In 2016, the then SA Government introduced changes to accessing Cabinet submissions for the given reason of maintaining Cabinet confidentiality. These changes had the effect of restricting the Auditor-General's access to Cabinet submissions for audit purposes.

This report clearly sets out that since 2016 whenever Labor has been in government, including the recent Malinauskas government, access to cabinet documents has been denied, which in comparison to the Marshall Liberal government access was granted. On page 2 of the report, Mr Richardson states that all his 2023 requests, a total of 32, for cabinet submissions for audit purposes are unresolved. He states categorically that failing to provide the requested information means that the work the parliament has assigned to the Auditor-General cannot be completed.

My question for the Attorney-General is: how does he respond to the Auditor-General's comments regarding cabinet's refusal to provide the information requested and that this is hindering the proper performance of his office's statutory functions as stated in the report?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:57): I thank the honourable member for her question. As noted on page 1 in the executive summary of the Report of the Auditor-General, 'Report 7 of 2023 Access to Cabinet documents', for the majority of the time from the last government from March 2019 to March 2022 and since March 2022 the exact same process has applied.

CABINET DOCUMENTS

The Hon. J.M.A. LENSINK (14:57): Mr President, the Attorney didn't actually reply to the comments that I specifically put to him about his inability to do his work without access being granted.

The PRESIDENT: The Hon. Ms Lensink, the very brief answer that the minister gave, I can't get a supplementary question out of that.

Members interjecting:

The PRESIDENT: Order! Before I go to the Hon. Mr Ngo, the Hon. Ms Bonaros is on her feet.

Parliamentary Procedure

CONTINGENT NOTICE

The Hon. C. BONAROS (14:58): Thank you. While this goes on, can I just, Mr President, contingently on the Statutes Amendment (Ombudsman and Auditor-General) (Terms of Office) Bill being read a second time, move that it be an instruction to the committee of the whole on the bill that it have power to consider a new clause to provide for a review of the Public Finance and Audit Act 1987.

The PRESIDENT: So you are giving contingent notice that you will move. Thank you.

Members interjecting:

The PRESIDENT: Okay, everybody is happy.

Question Time

FRUIT FLY

The Hon. T.T. NGO (14:59): My question is to the Minister for Primary Industries and Regional Development. Can the minister tell the council about the spring fruit fly traveller campaign?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:59): I thank the honourable member for his question. As members in this place would be aware, fruit fly is one of the world's worst plant pests. The value of South Australia's horticultural industry is \$1.3 billion, and that is why it is critical to continue eradication efforts in the Riverland. We need to do everything we can to protect commercial fruit and vegetable farmers, as well as the backyard growers, from this pest. Just one piece of fruit infested with larvae or eggs can result in a fruit fly outbreak, with significant costs and impact on industry, government and the local community.

The South Australian government remains committed to maintaining South Australia's status as the only mainland state free of fruit fly, and continues to apply significant efforts to eradicate the pest from outbreak sites in the South Australian Riverland. That is why I am pleased to be able to update this chamber about a new advertising campaign, which is aimed at travellers and is now on air, digital screens and in print to highlight the dangers of bringing fruit and vegetables into the Riverland.

The traveller campaign, *Your Fruit Can Have Devastating Impacts*, launched today, in time for the October long weekend, along with the school holidays. The advertising will appear across print media, radio, social media and outdoor spaces, such as notice boards, roadhouse signage and flyer stands. As I mentioned earlier, one piece of fruit can cause an enormous amount of devastation, resulting in fruit fly outbreaks, and this campaign seeks to amplify this message. It does not matter if it is homegrown fruit or fruit purchased at the shops, during this spring campaign travellers will be reminded that they must eat their fruit or dispose of it using the designated quarantine bins at key entry points into South Australia, or they will face an on-the-spot fine of \$414.

As the school holidays approach, it is particularly timely to remember that anyone seeking to travel through areas with fruit fly restrictions needs to be mindful of their obligations. Everyone has a role to play in achieving eradication of fruit fly from the Riverland. The 2023 fruit fly traveller campaign aims to:

- rejuvenate fruit fly prevention messaging to educate travellers into South Australia and the Riverland on fruit fly prevention measures;
- heighten awareness of the actions travellers need to take to help prevent the spread of fruit fly; and
- encourage travellers to find out more information from the fruit fly website and hotline.

Of course, this campaign is one of a raft of response measures the state government has implemented in the ongoing efforts to eradicate fruit fly from the Riverland region. I understand there are currently 170 staff on the frontline of the Riverland response, and they are undertaking work that includes:

- supplying bait to outbreak areas;
- regular checking of fruit in the region for the presence of larvae;
- rolling out attract and kill devices, which follows the successful pilot trial in autumn this year;
- applying a staged aerial release program for sterile Q flies—the SIT (sterile insect technology) facility across all outbreak areas. This will now be increased from 20 million

fruit flies to 40 million sterile fruit flies a week because of the recently expanded Port Augusta SIT fly facility;

- engaging fruit fly dog sniffers or detector dogs; and
- staff picking up fallen fruit and taking unwanted fruit from trees.

These are just some of the measures, and I am very pleased that we are continuing our strong fight against this pest.

FRUIT FLY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:03): Supplementary: has the minister communicated with her federal colleagues in the last three months regarding funding for the critical irradiation and fumigation facility in South Australia to assist with fruit fly prevention and eradication?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:03): I thank the honourable member for her supplementary question. Of course, \$20 million is available to South Australia for the fight against fruit fly, and I am very pleased that we have had ongoing support from the federal government in regard to that. In terms of any announcements that might be made, I look forward to being able to say more into the future, but I have ongoing engagement with my federal colleagues on a range of matters.

FRUIT FLY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:04): Supplementary: when can we expect further announcements on this subject?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:04): I look forward to making an announcement in due course.

Members interjecting:

The PRESIDENT: Both sides, settle down! Order! You are wasting question time.

APY LANDS, POLICING

The Hon. F. PANGALLO (15:04): I seek leave to make a brief explanation before asking a question of the Attorney-General, as Minister for Aboriginal Affairs, about violence in the APY lands.

Leave granted.

The Hon. F. PANGALLO: *The Australian* is carrying a disturbing story today about alcohol-fuelled violence in the APY community of Mimili. The school had to be closed because there were fears for the safety of terrified, mostly female teachers and government workers. APY Lands Council General Manager, Richard King, is reported as saying that police are not responding to calls for assistance and to address alcohol being brought into the dry community. Another worker said that the policing model of fly-in fly-out officers was not working.

The policing problems and the level of crime, particularly child abuse, in the APY lands were highlighted to me recently by a former policeman who spent several years working there. My questions to the Attorney-General are:

1. How long has he and his department known about the serious problems in the APY lands and the community of Mimili, and what does he intend doing about it?
2. Has he spoken or communicated with Mr King?
3. Has he contacted the Commissioner of Police about the violence and safety concerns, addressing the bootlegging of alcohol on the lands and boosting police presence?
4. Does he intend visiting the community?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:06): I thank the honourable member for his questions and his interest in this area. I stayed in the community of Mimili, which is about an hour and a half or

so off the Stuart Highway into the APY lands, last month; I am regularly in many communities across the APY lands and in August I spent time in the community of Mimili, where I have spent a lot of time over the last couple of decades.

It is distressing and disturbing to see reports from anywhere in the country where there is unrest and violence occurring. I know that it occurs in all parts of this country from time to time: in suburban areas of capital cities, in regional centres, and also in remote communities. I certainly have spoken to a number of people who either live in or have links to the Mimili community over recent days and weeks. As I understand it, there are a couple of families who have longstanding disagreements and that has spilled over into violence in the community, which is exceptionally unfortunate for the rest the community.

In terms of policing across the APY lands, I am pleased that there has recently been an announcement of significant extra resources for policing in the APY lands. There is funding now, and it will be built—I just can't remember the date. I was talking to SAPOL about this in August when I went up for the opening of the new multiuse government facility based in Umuwa, which I have talked about in this chamber. There is funding that will be rolled out—I just can't remember the date it will be completed—for extra policing facilities in communities that don't have them.

There are police facilities in the communities of Murputja, in Amata, there is the multiuse facility in Umuwa, in Pukatja, and in Mimili. There will be built at some time in the not too distant future—planning is well underway—some policing facilities that would allow police to stay overnight in communities. That includes Pipalyatjara, Kaltjiti and also Indulkana. I am pleased that those extra facilities are going in—and yes, it does distress me to see, anywhere in the country but also in remote communities, where there is that unrest.

APY LANDS, POLICING

The Hon. F. PANGALLO (15:09): Supplementary: is the minister concerned about Mr King's and others' claims that there is no police presence and that their calls are diverted to Port Augusta, that they can't get police to go up there, and that there is a fear that people could be seriously injured? Has he contacted the police commissioner about boosting some presence in that community?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:09): I thank the honourable member for his question. As I have said, I specifically was talking to the police commissioner in the APY lands while I was on the APY lands last month. I have met over the last couple of decades many very good and very dedicated police officers who spend years in the APY lands in community. I know that there are many police officers who do a lot of work that is not just the reactionary work to incidents that occur but work with communities before those incidents occur.

As I have said, there is a permanent police station and police presence in the community of Mimili, which the honourable member referred to reports in. Certainly, I know from past experience that when there is unrest or difficulties in communities the police look to move officers around to make sure it is addressed as well as it can be.

APY LANDS, POLICING

The Hon. F. PANGALLO (15:10): Supplementary: so the minister and the police commissioner would have been aware of the violence in the community when they were there a month ago?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:10): I thank the honourable member for his question. I said it was last month, so it was early August when I was in the community of Mimili. As I said, I stayed in the community of Mimili and was there for a couple of days. I didn't encounter that violence, but certainly the incidents the honourable member referred to, as I understand it, have occurred in the last couple of weeks.

The PRESIDENT: Final supplementary question, the Hon. Mrs Henderson.

APY LANDS, POLICING

The Hon. L.A. HENDERSON (15:11): What new interventions have the government put in place to keep those in the APY lands safe from violence in this Indigenous community since the minister has been aware of the current situation in Mimili?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:11): I thank the honourable member for her question. As I said in my answer, if the honourable member was listening, these have only occurred, as I understand it—the incidents the Hon. Frank Pangallo referred to—in the last week or so, certainly within the last couple of weeks. As I said, from my experience the police often look at how they shift resources within the APY lands to meet the needs of those communities.

POLICE MOUNTED OPERATIONS UNIT

The Hon. H.M. GIROLAMO (15:11): I seek leave to give a brief explanation before asking the Attorney-General a question about the Courts Administration Authority.

Leave granted.

The Hon. H.M. GIROLAMO: It has been confirmed that the staging area behind the Supreme Court will be used to prepare the police greys for duty from their paddocks at Gepps Cross. My questions are:

1. What consultation was undertaken with the Courts Administration Authority in regard to these changes and the likely impact on the Courts Administration Authority?
2. What concerns have been raised by the Courts Administration Authority?
3. Is there sufficient parking and other facilities available in the location behind the Courts Administration Authority?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:12): I thank the honourable member for her question. Certainly, there were discussions at a very high level that were held immediately before announcements were made in relation to the use of the land behind the Supreme Court. I know there have been a lot of discussions that have been held at a departmental level in relation to, as the honourable member refers to, car parking and other issues associated with using that land.

Certainly, one thing that has been said is the Courts Administration Authority have ambitions over time to look to have building upgrades, and one thing we have certainly said is that any use of this land now by the police in terms of a staging facility won't sterilise that portion of land into the future should those ambitions be able to be realised.

POLICE MOUNTED OPERATIONS UNIT

The Hon. H.M. GIROLAMO (15:13): Supplementary: have any concerns been raised in regard to parking, and will that be addressed by the government?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:13): As I have said, issues in relation to using that as a staging facility I know are under discussion at a departmental level, and all the issues associated with that location will certainly be ventilated.

SAFEWORK SA INVESTIGATIONS

The Hon. J.E. HANSON (15:13): My question is to the Minister for Industrial Relations and Public Sector. Will the minister inform the council about the use of body-worn cameras in work health and safety investigations?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:14): I thank the honourable member for his question and his very strong interest and advocacy over most of his life for working people in South Australia and their safety. As members of this council would appreciate, the careful collection and preservation of evidence is an essential element of the investigation of serious offences.

This is just as important for offences under the work health and safety regime as it is for other laws of this state. That is why we have been pleased to welcome the recently introduced new regulations under the Surveillance Devices Act to clarify the ability of the investigators and inspectors at SafeWork SA to use body-worn cameras.

These cameras are fitted to the front of inspectors' uniforms and record audio and video footage during worksite visits and while undertaking compliance and investigation activities. Inspectors have been trained in the use of these cameras and will advise people of the presence of the camera and their intention to use them to record audio and video. The cameras are consistent with cameras used by other investigative agencies including SAPOL, the Environment Protection Authority and Consumer and Business Services.

The use of these cameras by SafeWork SA staff has a number of significant benefits. Firstly, the audio and footage recorded will reduce disputes and enable complaints to be more easily investigated and resolved by reviewing the relevant footage. If a SafeWork inspector happens to observe a breach of the Work Health and Safety Act while on a worksite, there will be an independent record of that behaviour.

Secondly, it will support transparency and accountability by creating that independent record of the actions undertaken by SafeWork SA inspectors when administering their duties in the exercising of their statutory powers. If there is any doubt about the proper exercise of powers and functions by an inspector, then the body-worn camera footage will be able to assist in reviewing that. Indeed, allowing inspectors to use body-worn cameras is consistent with the 2018 ICAC evaluation of SafeWork SA, which recommended the use of these cameras to reduce the risk of any disputes in the future.

Thirdly, it's hoped that these cameras will reduce any aggressive behaviour towards SafeWork SA inspectors by encouraging respectful interactions and keeping a record of any such behaviour. One would hope that anyone who is inclined to take an aggressive stance towards SafeWork inspectors will moderate their behaviour knowing it will be caught on this footage.

Recordings from these body-worn cameras will be stored in a secure evidence management system with controlled access and are subject to strict confidentiality provisions contained within the Work Health and Safety Act. That means these audio and video recordings can only be used for a proper purpose authorised under the Work Health and Safety Act. With this new regime to use body-worn cameras, we are continuing to give SafeWork SA and its staff the tools they need to effectively improve work health and safety outcomes in the state.

SAFEWORK SA INVESTIGATIONS

The Hon. F. PANGALLO (15:17): Supplementary: can the minister explain if he has engaged with unions in relation to the use of these cameras, particularly if they are going to be used on a construction site? Has there been any discussion with any unions about the wearing of these body-worn cameras?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:17): I thank the honourable member for his question. Certainly there have been trials over an extended period of time in relation to the types of cameras and how they are used and have been selected, but they could be used for any breach of the work health and safety system. Certainly, I haven't undertaken consultation with unions about their use or otherwise.

SAFEWORK SA INVESTIGATIONS

The Hon. F. PANGALLO (15:17): Supplementary: is the minister concerned that perhaps unions may take some stand on this, particularly the CFMEU?

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 his question. No, I have had nothing brought to my attention and I can't see any reason that that would be.

YOUTH DETENTION

The Hon. R.A. SIMMS (15:18): I seek leave to make a brief explanation before addressing a question without notice to the Attorney-General on the topic of youth detention.

Leave granted.

The Hon. R.A. SIMMS: Yesterday, the Tasmanian government tabled a report titled 'Who was looking after me? Prioritising the safety of Tasmanian children'. The 2,922-page report contains recommendations to reduce the number of children in youth detention and states that the Tasmanian government should, and I quote:

- a. introduce legislation to increase the minimum age of criminal responsibility to 14 years, without exception
- b. develop and provide a range of community-based health, welfare and disability programs and services that are tailored to...the needs of children and young people under the age of 14 years who are engaging in antisocial behaviour, and to address the factors contributing to that behaviour
- c. work towards increasing the minimum age of detention (including remand) to 16 years by developing alternatives to detention for children aged 14 to 15 years who are found guilty of serious violent offences and who may be a danger to themselves or the community.

My question to the Attorney-General therefore is: is the Attorney-General aware of the recommendations contained in the Tasmanian report, and does he share similar concerns in relation to the welfare of children in detention here in South Australia?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:19): I thank the honourable member for his question and his continued interest in the area of the criminal justice system and its interaction with young people. I had the opportunity, I think it was on Friday last week, to speak to the Tasmanian Attorney-General, the Hon. Elise Archer. Although this report hadn't been released and couldn't be canvassed in detail, I was made aware that there would be a substantial report. As the honourable member indicated, it comes in at just under 3,000 pages of a very substantial report.

One of the areas that I did traverse in discussions with the Tasmanian Attorney-General is what the report may say in relation to the minimum age of criminal responsibility, and also the minimum age of detention, as there are a couple of jurisdictions in Australia that have already indicated and flagged that they will be looking to raise the minimum age of criminal responsibility.

I think the Northern Territory has implemented that and Victoria and the ACT have given an indication that that's what they will be looking at doing. I think all those jurisdictions have not done as the honourable member has outlined in the recommendation, which is to raise it to 14, but have raised the minimum age to 12. I can't remember which jurisdiction it is, but I think most, if not all of them, have indicated that that is a first step, with an ambition to raise the minimum age to 14.

Certainly, I haven't read the whole report since it was released this week, the 3,000 pages, but, as I said, having had the benefit of hearing directly from the Hon. Elise Archer, the Tasmanian Attorney-General, I was able to get a bit of an understanding of some of the things that it might traverse. It will of course be up to the Tasmanian government for their implementation of the many and varied recommendations in that report. If I remember correctly, I think the Tasmanian government has previously announced an intention to raise the minimum age of criminal detention to—I can't remember if it's 12 or 14. It's not the minimum age of criminal responsibility but the minimum age of detention. I am sure the Tasmanian government will be looking very carefully at this very substantial report.

In terms of the parallels that might be drawn with the South Australian youth justice system and Kurlana Tapa, obviously I will seek to get some understanding of what they are, but I am not sure how directly the parallels relate to the Tasmanian youth detention system. I know there has been very significant media attention on some of the difficulties with the Tasmanian youth detention system, which I am not sure are necessarily present in the South Australian system. That is certainly something I would be happy to look at in the weeks and months to come, and also to finalise it, too, because I know it is of great interest to the honourable member and to the Greens party in general.

We continue our work in relation to this area. I have said before in this chamber, and I am happy to reiterate it, that we are considering what the responses would be should we raise the minimum age in South Australia—as I have said before, those interventions that wouldn't be criminal justice but therapeutic family support interventions with the overriding aim of making the community safer. That work in South Australia continues, and it will be good to look at any parts of this report that can help inform and supplement the work we are doing in South Australia.

Matters of Interest

EIGHT-HOUR WORKING DAY

The Hon. T.T. NGO (15:23): Last Friday, on 22 September, I attended the 150-year anniversary celebration of the eight-hour working day, organised by SA Unions. I want to speak about the significant change that was won for the South Australian working people in 1873. Before 1873, employment was unregulated and workers lived day by day, hoping to pick up a day's work as they lined up every morning at the wharves or factory gates. In some ways, you could compare this to today's version of gig economy workers, who also live day by day, with many of these workers surviving on inconsistent incomes and working hours.

In the mid-1800s, those who had steady work often did 14 or 16-hour days, six to seven days a week. Although these working hours may have become more commonplace for today's workforce, workers are better paid and have much better working conditions than 150 years ago.

It was in South Australia that the movement for an eight-hour day gained momentum, following a stonemasons' strike in Victoria in 1856. Melbourne was growing at a startling rate due to the gold rush that brought an influx of hopeful migrants to the city, and building tradesmen were working extremely long hours in harsh conditions to keep up with the demand for new buildings.

This action in Victoria inspired similar movements in other parts of the country, resulting in the most successful campaign in South Australia. On 21 April 1856, the Adelaide eight hours committee organised a workers' demonstration to demand an eight-hour work day. This was actually one of the world's first organised labour marches, which led to the success of this movement here in our state and had a lasting impact on improved working conditions. The major achievement for South Australian trade unions was winning the eight-hour work day in 1873.

In Australia, as we know, Labour Day is celebrated through various events, parades and activities that showcase the achievements of workers and trade unions while fostering a sense of community. South Australia has always led the nation when it comes to social justice and social equality. We can stand proud knowing that, in 1894, South Australia was the first place in the world to give equal political rights to both men and women, including Aboriginal women.

Ironically, after attending this important anniversary celebration for workers, we are now in a position in which we must fight to defend this eight hours a day, as it is being eroded. Today's long working hours are often seen as a badge of honour and dedication, which can discourage sticking to an eight-hour day. Legislative changes have also had some effect, by allowing for longer working hours and flexible working days.

Then there is a decline in union influence, making it more challenging for workers to negotiate and protect their rights. More workers have moved into freelance work with the rise in the gig economy. All of this has blurred the line between work and personal life, and clearly highlights the need for ongoing debate about work-life balance.

Labour Day remains an integral part of Australian culture and, as I have said, we must now fight to defend it to make sure all it stands for is not lost. To conclude, I want to thank SA Unions and all affiliate unions for recognising the past struggles of Australian workers and supporting workers with the new struggles they face that come with the modern working world.

WORLD MENTAL HEALTH DAY

The Hon. L.A. HENDERSON (15:27): I rise today to speak about World Mental Health Day, which is held on 10 October. This year's theme is 'Mental health is a universal human right' and aims to improve knowledge, raise awareness and drive actions that promote and protect everyone's mental health as a universal human right.

One in eight people globally are living with mental health conditions which can impact their physical health, their wellbeing, how they connect with others, and their livelihoods. The prevalence of mental health conditions is increasing worldwide, with the WHO saying that this is mainly because of demographic changes and that there has been a 13 per cent rise in mental health conditions and substance use disorders in the last decade to 2017.

We know that good mental health contributes to overall health and wellbeing. I think more and more we acknowledge the importance of good mental health and the impact that poor mental health, and at times the challenges that it poses, has on not only the individual but their broader support network as well. The Marshall Liberal government made significant contributions towards providing mental health services for South Australians and included significant funding in their budget.

In the 2021 state budget, \$163.5 million was invested over four years in both recurrent and capital funding, supporting the implementation of several initiatives in the Mental Health Services Plan 2020 to 2025. This included \$20 million to build a 16-bed crisis stabilisation centre for the northern suburbs and \$8.5 million in annual operational funding, and \$48 million to build a new 20-bed older persons acute mental health unit at Modbury Hospital, addressing the mental health needs of the elderly in the north-eastern suburbs as the current Woodleigh House was no longer fit for purpose as a mental health facility.

In 2021, the Marshall Liberal government introduced the Suicide Prevention Bill, the first of its kind for any jurisdiction in Australia, I understand, establishing the council and state Suicide Prevention Plan to enable evidence-based strategies to address risk factors and reduce the risk of suicide occurring in particular places, in particular circumstances, or among particular groups of people, including but not limited to groups like veterans, culturally and linguistically diverse people, Aboriginal and Torres Strait Islander people, young people, older men and women, and many more to be supported across all levels of government.

The importance of access to mental health care and changing the stigma around mental health is something that I have raised in this chamber before and I will take the opportunity again today to continue to raise awareness and change the stigma. In my maiden speech, I highlighted that I will champion for all those who serve our community, for those who put on a uniform every day to make sure that they keep Australians safe, at times to the detriment of their own safety.

I committed to champion to ensure that they are given the best support possible so that they are able to do their job safely and, importantly, are given the support they need after they finish their service, and to champion for the support of their families, who themselves make many sacrifices to support their loved ones through the challenging times that they face.

This chamber recently supported a select committee that I moved—and I was very grateful for the support of many in this chamber—that will inquire into support and mental health services for police and more broadly look into our frontline workers and the support that they receive. The establishment of this select committee acts to check in with our police and their families to ensure that they have the support they need to fulfil their duty safely. Decision-makers taking the time and taking a moment to check in with our frontline workers to ensure that the systems that are in place are still sufficient for the ever-changing nature of the work that they do is critical.

Mental health is a basic human right for all people. Everyone should have access to mental health care when they need it but, importantly, have access to preventative mental health care as well before they get to that critical point.

INDEPENDENT COMMISSION AGAINST CORRUPTION

The Hon. F. PANGALLO (15:32): I want to address the extraordinary rant levelled at unnamed media and unnamed parliamentarians by ICAC Commissioner Vanstone KC in her response to the inspector's review of Mr John Hanlon. She presents a perfunctory defence for the institution while admitting its mistakes in the bungled investigation and prosecution. She accepts criticisms levelled by the inspector but then takes a backhanded swipe at what she labels 'ill-informed criticisms and falsehoods' in the media and to the Select Committee on Damage, Harm or Adverse

Outcomes Resulting from ICAC Investigations on 21 August, where I asked almost all the questions of Inspector Philip Strickland KC.

She does not name the media outlets or name the individuals in the parliament who have conducted this false narrative. As everyone in this place would know, as does Ms Vanstone, I am the parliamentarian who has been consistently outspoken about ICAC investigations. I can only conclude that I am the prime individual she is talking about who is spreading lies and misinformation. My motivation has, and will continue to be, exposing and advocating miscarriages of justice and sometimes that leads you to the most sensitive and guarded echelons of our institutions, which may find that intrusion uncomfortable.

I make no apologies for trying to pursue truth and justice. Getting there is not easy nor perfect. Since she took office, the commissioner has attacked me publicly, in parliament, in correspondence and through committee hearings here and in Canberra. However, much of what has happened resulting in ICAC having to clean up its act would not have been possible had I not raised it in parliament.

On 10 December 2020, Commissioner Vanstone came breathing fire and brimstone to a meeting of the Crime and Public Integrity Policy Committee, which I chaired. She expressed her dissatisfaction with the establishing of the other committee and said she was not afraid of examination or scrutiny. Let me quote her directly from *Hansard*:

I confess that I am perplexed at this initiative, absolutely perplexed. I ask myself: what is the point of this? Anyone reading the transcript of *Hansard* might infer that ICAC operates outside a regulatory framework and acts like cowboys and neither of those things is true in the least. Nothing could be further from the truth.

Fast forward to September 2023: the truth is that Ms Vanstone now presides over the only integrity agency in the nation to have been judged as behaving badly, unlawfully, unethically and breaching the rule of law and common law in its failure to disclose evidence. In anyone's language, particularly in the justice system with which she is so familiar, failure to disclose is a serious violation, particularly when the state must act as model litigants.

The inspector found impropriety, incompetence and negligence—an integrity agency that lacked integrity. I rest my case. However, what is still totally mystifying is that the inspector, bizarrely, deduced that all this appalling, inexplicable and inexcusable conduct and maladministration, which put at risk the reputation of the Australian and South Australian governments, was institutionalised; that no individual was to blame; not the former ICAC, Mr Lander, who apparently was unaware of the mismanagement and misconduct going on under his nose in their biggest case to date; not the officers who caused the damage; not Ms Vanstone, who had no knowledge of it even though she had been in charge for two years before the Hanlon case fell to bits in November 2022. Nobody was accountable. The mess was all the creation of the institution itself. That defies credulity.

Of course, had it been an ICAC investigation into a government department which found maladministration—like it did with Gillman and Oakden—executive heads would have rolled. We still do not know the circumstances behind the departures of ICAC head of investigations Andrew Baker and his assistant in the Hanlon debacle, Amanda Bridge.

Ms Vanstone also raises concerns about the demonising of whistleblowers, and is probably referring to the former Renewal SA workers who filed the complaint against Mr Hanlon and Ms Vasilevski. From that, do we assume all whistleblowers must be telling the truth? Demonising whistleblowers is both unfair and unhelpful and it has a chilling effect on those who want to speak up, she says. Too right—just tell that to Richard Boyle, David McBride and Julian Assange. And what about me, Madam Acting President? I consider myself a whistleblower here, and I have been demonised too.

Can I point out that Mr Hanlon's defence has yet to be heard by anyone. Only the DPP's prosecutor Carmen Matteo KC saw it, and the case collapsed. I suspect the matter is far from over. Stay tuned.

PETRAKIS, MS A.

The Hon. E.S. BOURKE (15:37): Last sitting week, I made comment on a local sporting champion, and this week I would like to shed light on another local South Australian who is wearing

the green and gold. Today, I would like to recognise a member of the South Australian autistic and autism community whose success on and off the tennis court is nothing short of inspirational.

Andriana first started playing tennis at the age of nine after having a session with an occupational therapist (OT) who recommended Andriana pick up a tennis racquet. From that moment, and with the help of her dad, Petros, she trained and trained and trained. It seemed that the OT was onto something. Andriana was quickly finding that tennis was helping to improve her hand-eye coordination, as well as helping to build her sense of belonging, social skills and positive connections with the community.

Andriana continued to train every Monday and Wednesday morning from 6.30am to 8am and also had private lessons on Fridays. Her training and hard work soon paid off. In 2016, Andriana won her first women's singles title at the Peter Smith Players with an Intellectual Impairment Open at Memorial Drive. But her success has travelled far beyond South Australia. Last year, Andriana travelled to Poland for the European summer games. She won bronze in both the women's event and the mixed doubles.

In June this year, Andriana travelled to France to compete in the Virtus Global Games. For those who do not know, the Virtus Global Games are the world's largest elite sports event for athletes with an intellectual disability, and they take place every four years. I am proud to say that Andriana is ranked number 5 in the world.

Andriana has spoken to me about how proud and humble she felt to wear the Aussie green and gold on the other side of the world. She was so proud to be part of something bigger than herself, to be representing Australia and, on top of that, playing her best tennis, making new friends, team bonding, learning about French culture and trying lots of delicious food. Apparently, ham and cheese baguettes are her new favourite. I remember smiling from ear to ear when hearing of Andriana's success and her sending me a photo of her smiling from ear to ear standing in front of the Eiffel Tower with her hands held almost as wide as her smile as she took the photo.

Now back in South Australia, Andriana is continuing to serve ace after ace. Andriana has been awarded Tennis SA's Most Outstanding Athlete with a Disability and she is currently ranked second in the women's singles in the People with an Intellectual Disability Australian ranking. Andriana is now beginning her latest exciting chapter to become a pillar of knowledge for others also wanting to join in the happiness and sense of belonging that a sport like tennis can bring.

In big news, Andriana is now the assistant tennis coach at Tennis SA in their Pathway Program for players aged over eight who have autism or an intellectual disability. Andriana specifically tailors sessions to support the needs of participants and to provide them an opportunity to play tennis at whatever level they may be, whether they are beginners or an international champion like Andriana.

Andriana has told me that she wants this job to help inspire people to learn new skills, meet new people, play tournaments and make sure that they are applying themselves and having fun at the same time. I would like to close with Andriana's own words and her message to other autistic people, 'to keep following your dreams, stay positive, work very hard, enjoy the moment, and love every success you have in life.' Thank you, Andriana.

SALVEMINI, MR L.

The Hon. C. BONAROS (15:42): Today, I wish to speak very briefly in memory of a larger than life man I had the privilege of knowing and calling a friend. We met in the worst circumstances following the death of his beloved son Jack, and he is known to many of us in these corridors as Mr Lee Salvemini.

It is fair to say that Lee's remaining years after Jack's passing were spent not just stricken with grief as a parent having lost a child but also doing his level best in terms of advocacy in relation to our work safety laws. He spent many years consulting with many of us in this place; Madam Acting President, you included; members of the crossbench; members of the opposition; and members of the government. He became almost a permanent fixture in this place in his own quest.

But I do not want to focus on that today. What I want to focus on is the friendship that I had with Lee, and it was a special friendship. He was very much a larger than life man. His voice alone was enough sometimes to intimidate people. I laughed yesterday when I attended his funeral—a packed funeral with 300-odd people—in hearing the memories that were shared by his son Gavin of all the things that Lee had achieved in his life but also all the funny moments.

I reflected with his daughter Maria and his wife, Carol, also a very dear friend, about our screaming competitions on the phone, because Lee would raise his voice and I would raise mine a little louder, and she said you would almost have to kick him under the chair when you took him to a meeting to get him to calm down and stay in line and stay focused.

Above all, and I have not come prepared for this today, I just want to wish and extend my condolences once again to his family: to his beloved wife, Carol, who we know he absolutely adored; to his children, Maria, Francine, Gavin and Carlee-Ann; and of course, in memory of his loving son Jack.

We know what impact Jack's death had on Lee. He said at one meeting, 'We will fish the great oceans of heaven, and I will be able to see his big smile. We will be able to laugh about the big one that got away. This is my light at the end of the tunnel.' When I received the phone call to say that Lee was close to falling asleep, I know that everyone I spoke to said that, finally, he will find the peace that he deserves, and he held on to that hope of being reunited with his son and finally having some peace in his life. That is what we wish more than anything for Lee.

Once again, I extend my heartfelt condolences to his family, and I think I speak for all of us when I say that. Lee was, above everything else, a very simple, hardworking, loving man who loved his family, who loved his children, who loved his grandchildren, who loved his great-grandchildren. I know on a personal level that the friendship he showed me and my family is one that I will treasure forever. I certainly hope that he reaches Heaven's pearly gates and is reunited with his son, that they can fish those great oceans again and that he finds the light at the end of that tunnel.

CLIMATE CHANGE

The Hon. D.G.E. HOOD (15:46): I rise today to speak on an issue that causes headlines around the world. We read about it almost every day, and that of course is the topic of climate change. I read with some interest just a few weeks ago that the United Nations and also a European science agency stated that the July just passed this year was certain to be the hottest month on record globally and that climate change was driving the heat. UN Secretary-General Antonio Guterres has said, in relation to the claim, and I quote him directly:

The only surprise is the speed of change. Climate change is here. It is terrifying. And it is just the beginning. The era of global warming has ended; the era of global boiling has arrived.

Global boiling—we have apparently gone from experiencing global warming to global boiling. I was not surprised following these comments, very shortly after that, that some top climate scientists have since debunked these claims and that the past July was not the hottest month ever. In fact, they have gone so far as to condemn the UN Secretary's comments.

Cliff Mass, a Professor of Atmospheric Sciences at the University of Washington—hardly a hotbed of conservative thinking—has said that the public has been misinformed on a massive scale stating:

It's terrible. I think it's a disaster. There's a stunning amount of exaggeration and hype of extreme weather and heatwaves, and it's very counterproductive.

John Christy, another Professor of Atmospheric Sciences, this time from the University of Alabama, weighed in on the issue and said that the heatwaves in the first half of the 20th century were, at the very least, as intense as those that occurred in more recent decades, based on long-term weather stations going back over 100 years. Professor Christy has stated:

I haven't seen anything yet this summer that's an all-time record for these long-term stations, 1936 still holds by far the...most number of stations with the hottest-ever temperatures.

It certainly is not the first time the United Nations has made some radical and ultimately false assertions about climate change and its effect on our planet.

In June 1989, a senior United Nations environmental official said that entire nations could be wiped off the face of the earth by rising sea levels if the global warming trend was not reversed by the year 2000. Noel Brown, Director of the New York office of the United Nations Environment Program, said that governments had a 10-year window of opportunity to solve the greenhouse effect before it would get beyond human control. It has been 23 years now since both those assertions, and of course we know they have not proved to be even the slightest bit true.

There are numerous other examples of incorrect predictions that have been made concerning our climate and environment. I am not an expert—I make no comment on the validity of the general scientific view—but what I am saying is that some of these extreme predictions need to be reined in. Back in 1970, so going back quite some time, a Harvard biologist by the name of George Wald estimated, and said publicly that:

Civilisation will end within 15 or 30 years—

which would have been by 1985 or the year 2000—

unless immediate action is taken against problems facing mankind.

American biologist Paul Ehrlich told readers of the 1970 Earth Day issue of *The Progressive* that some four billion people would perish in the Great Die-Off between 1980 and 1989. In fact, our population has actually increased by over four billion since then. He was wrong only by about eight billion people.

In January 1970, the publication *Life* reported—I am giving these older examples to emphasise how long these exaggerations have gone on—and I quote:

Scientists have solid experimental and theoretical evidence to support...[that] urban dwellers will have to wear gas masks to survive air pollution...By 1985 air pollution will have reduced the amount of sunlight reaching earth by one half.

Of course, that has also proved not to be the case—far from it. Climate scientist Kenneth Watt further warned about a pending ice age in a speech, declaring:

The world has been chilling sharply for about 20 years. If present trends continue, the world will be about four degrees cooler for the global mean temperature in 1990—

he was saying this years before—

but 11 degrees colder in the year 2000. This is about twice what it would take to put us into an Ice Age.

This is a far cry from global boiling; this gentleman was actually talking about an ice age, or worse than an ice age, yet the UN now predicts, or rather says, that we are currently experiencing global boiling.

My point here is that we need to rein in these predictions, be careful with what may or may not be true, and allow science to do its job.

FEDERAL VOICE TO PARLIAMENT REFERENDUM

The Hon. J.E. HANSON (15:51): About 19 years ago, a then little-known guy called Barack Obama said:

Hope in the face of difficulty. Hope in the face of uncertainty. The audacity of hope!

With all due respect to Mr Obama, our nation has always had a place in its heart for the notion of audacity—our poets, our sporting champions, our criminals, and even those we choose as our heroes. Indeed, if you go back to the very start of our nation, Australia was the first nation in the world to take its national constitution to the people for their approval, the first nation in the world that chose to do that.

It is fair to say that it did not fly through. Anyone who might be a constitutional observer would know that there was a pretty concerted no campaign, but it did not play on the simple ignorance of petty slogans: it actually argued the issues of the day. It argued that it would, for instance, weaken colonial parliaments of the day, it would lower wages, it would lose jobs, and that it would be confusing back then—I know it seems odd now—as to where the capital city might be.

Of course, we can look back now on how catastrophic it would have been had we listened to those 'no' arguments way back then, to have not had the audacity to hope as a nation. It is fair to say that if you were going to vote yes back then you may have thought something like this:

We have the chance to be part of a moment that brings people together, to work hard for something that we can all believe in. And right now, each of us can be part of something that really matters. To stand together and to show our support for Australians who need it the most.

You can imagine someone going to create our nation, hoping that they were doing the right thing, hoping for the best—but they did not say that. Cathy Freeman said that very recently. On 14 October you will have the opportunity to make history by voting yes.

The referendum really has not changed too much since we started our nation. It is about something pretty simple: it is about listening. When governments listen to people about issues that affect them they make better decisions, they achieve better results, and get better value for our taxes.

I have had a lot of local Liberal voters in the community where I live approach me to say that they will be voting yes; it is disappointing that my local MP, Mr David Pisoni, the member for Unley, is not one of them. It is a pretty bizarre fact that Mr Pisoni in fact was part of a Liberal government that promised and would work towards a policy of legislating a Voice to Parliament, something that doesn't seem to matter too much to him now.

I will be voting yes, and I love seeing how many of us in the Unley electorate are showing support for the yes vote, with so many posters on fences and in shop windows. But I also know from the questions that I am receiving from people I represent in state parliament that the fearmongers are trying to sow the seeds of doubt in our community. Please, if you are listening to this, do not be swayed by false information. There is plenty of negativity around about this referendum. Indeed, former PM John Howard has asked Australia to maintain the rage against the Voice, but to put it simply this is not about rage. It is about listening.

I urge everyone to go into this referendum fully informed. By the time I sit again in this place, it will have occurred. If you do not know, find out. Do not be tricked by the fearmongers. Go to reputable websites, like yes23.com.au and check your facts. What is being proposed federally is a non-binding advisory committee to advise the federal parliament on federal issues. Its job will be to provide advice, not raise money or spend money. Its members will not be appointed by government.

I will choose to listen by voting yes. I hope you will find out the facts and join me so that we can move forward with an even better constitution as a nation that involves everyone in it.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE: CONTROLLED SUBSTANCES (YOUTH TREATMENT ORDERS) REGULATIONS 2021

The Hon. I. PNEVMATIKOS (15:57): I move:

That the report of the committee, on the Controlled Substances (Youth Treatment Orders) Regulations 2021, be noted.

The committee has inquired into the regulations and has noted its concerns in its report. Rather than address the house today, I will allow another committee member to provide an account of the committee's report on another occasion.

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

LEGISLATIVE REVIEW COMMITTEE: TERMINATION OF PREGNANCY REGULATIONS 2022

The Hon. I. PNEVMATIKOS (15:58): I move:

That the report of the committee, on the Termination of Pregnancy Regulations 2022, be noted.

The committee has inquired into the regulations and has noted its concerns in its report. Rather than address the house today, I will allow another committee member to provide an account of the committee's report on another occasion.

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

LEGISLATIVE REVIEW COMMITTEE: BURIAL AND CREMATION (SURRENDER OF INTERMENT RIGHTS) VARIATION REGULATIONS 2021

The Hon. I. PNEVMATIKOS (15:58): I move:

That the report of the committee, on the Burial and Cremation (Surrender of Interment Rights) Variation Regulations 2021, be noted.

The committee has inquired into the regulations and has noted its concerns in its report. Rather than address the house today, I will allow another committee member to provide an account of the committee's report on another occasion.

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

LEGISLATIVE REVIEW COMMITTEE: POLICE (POLICE SECURITY OFFICERS) AMENDMENT REGULATIONS 2022

The Hon. I. PNEVMATIKOS (15:59): I move:

That the report of the committee, on the inquiry into the Police (Police Security Officers) Amendment Regulations 2022, be noted.

The report of the Legislative Review Committee that accompanied the Police (Police Security Officers) Amendment Regulations 2022 advised that these regulations were drafted to support a transition from protective security officers to police security officers, also known as PSOs.

As part of the reforms, PSOs can be assigned additional duties and are granted increased powers when conducting those additional duties. The committee found that the regulations raised a number of concerns against the committee's scrutiny principles. One of the committee's scrutiny principles is whether adequate consultation occurred in relation to a legislative instrument. The committee found the consultation undertaken by SAPOL before enacting the regulations to be inadequate, as it did not include any bodies that represent members of the public who might be impacted by the regulations.

To understand the possible impact upon the public, the committee sought and received the views of the Law Society of South Australia, the Legal Services Commission of South Australia and the Aboriginal Legal Rights Movement. These organisations provided oral and written evidence expressing concerns about the Police (Police Security Officers) Amendment Regulations 2022.

Another of the committee's scrutiny principles is whether an instrument unduly trespasses on personal rights and liberties. The regulations extend to PSOs who perform additional duties, the same powers as police officers, including the power of arrest. At the same time, when a PSO makes an arrest, the regulations suspend the rights otherwise required to be provided to an arrestee, until the arrestee is delivered into the custody of a police officer.

These arrest rights are set out in section 79A of the Summary Offences Act and include the right to a phone call, the right to a solicitor, the right to an interpreter and the right to remain silent. The witnesses advised that these are fundamental rights which have been recognised by the common law for centuries. Mr James Marsh, Special Counsel and President of the Law Society, advised the committee: 'It is difficult to overstate the importance of a person being provided with these rights at the time of arrest.'

The witnesses objected to PSOs, who received limited training, having the same powers as police officers. They were strongly opposed to PSOs being empowered to make arrests, but were most concerned that those being deprived of their liberty are being denied their fundamental legal rights.

As part of its scrutiny function, the committee also considered whether a legislative instrument is made in accordance with its enabling act and whether it contains matters more appropriate for parliamentary enactment. The witnesses argued, as a result of the inquiry, that these regulations are beyond what was envisaged by parliament in enacting the Police Act 1998. They stated that the Police Act does not extend power to the executive government to grant arrest rights to PSOs and that it is not appropriate for the executive to remove fundamental personal rights through regulations. The Law Society further advised that the intention of the Police Act is that additional

duties for PSOs are able to be enabled by regulation, which are made public and overseen by the parliament.

However, the police commissioner has set out additional duties for PSOs in a special order that is not a public document. The Law Society expressed concern that the commissioner can at any time declare further additional duties in another special order without the knowledge of the public or the parliament. The witnesses expressed concern about the significant additional duties set out in the special order and the powers granted to PSOs, given that PSOs receive far less training than police officers.

The additional duties bestowed upon PSOs include transporting vulnerable children under the guardianship of the Department for Child Protection; guarding crime scenes and exhibit property, which can consist of large amounts of illicit drugs or firearms; and arresting and transporting young people without being required to inform them of their right to have someone present to represent their interests while being questioned.

The witnesses are of the view that the regulations are beyond power and improper. They also raised concerns that the regulations create conflict in the legislation, are vague and can lead to confusion and uncertainty and increased litigation and delays in the court. The committee agrees with the views of the witnesses who provided evidence before the committee on these regulations. Therefore, the committee recommends that the Police (Police Security Officers) Amendment Regulations 2022 be disallowed.

The committee would like to express its appreciation to the Law Society, the Legal Services Commission and the Aboriginal Legal Rights Movement for the evidence they provided in relation to this inquiry. I would like to thank also the other members of the Legislative Review Committee for their work on this matter. In the House of Assembly, I thank Mr John Fulbrook MP, the member for Playford; Mr Sam Telfer MP, the member for Flinders; and Mr Tony Piccolo MP, the member for Light. In this place, I would like to thank the Hon. Connie Bonaros MLC and the Hon. Nicola Centofanti MLC. In addition, I would like to thank the committee secretary, Mr Matt Balfour, and the committee's research officer, Ms Maureen Affleck, for their assistance with the inquiry and their report.

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

SOCIAL DEVELOPMENT COMMITTEE: INQUIRY INTO THE NATIONAL DISABILITY INSURANCE SCHEME

The Hon. I.K. HUNTER (16:07): I move:

That the report of the committee, on the inquiry into the impact of the National Disability Insurance Scheme (NDIS) on South Australians living with disability who have complex needs and are, or are at risk of, residing for long periods in inappropriate accommodation, be noted.

I would like to take the opportunity in the council to acknowledge and thank all of those who have contributed to this inquiry. On behalf of the Social Development Committee, I thank the state and commonwealth government agencies that gave evidence to the inquiry: the Department of Human Services; the Department for Health and Wellbeing, including the local health networks; the Women's and Children's Health Network; the commonwealth Department of Social Services; and the National Disability Insurance Agency (NDIA).

I would also like to express my thanks, and thanks on behalf of the committee, to the state's Disability Advocate, Dr David Caudrey, for his work in this area; the Commissioner for Children and Young People, Ms Helen Connolly; and the Guardian for Children and Young People and Training Centre Visitor, Ms Shona Reid. Thank you also to Professor Richard Bruggemann, a passionate advocate for people with intellectual disability and a man whose advice we came to rely on.

The committee further wishes to thank the Summer Foundation and the Housing Hub for their submissions and ongoing work in this space; the Disability Advocacy and Complaints Service of South Australia; the First Peoples Disability Network; OARS Community Transitions; and Seeds of Affinity. There are many other non-government organisations who provided valuable evidence to the committee. We thank them too. They include the Mental Health Coalition of South Australia, the group of Uniting services, AnglicareSA, Brain Injury SA, Minda Inc., JFA Purple Orange and the

Multicultural Communities Council of South Australia. We would also like to thank Dr Bronwyn Morkham and Mr Alan Blackwood of Young People in Nursing Homes National Alliance for their work and their contributions.

Lastly, and most importantly of all, I would like to thank, on behalf of the committee, those individuals who have shared their own personal stories of living with a disability, and the families and carers of those individuals who have shared that journey through the NDIA system. This includes the family of Mr H; 'Karen' and her brother Phil and her support coordinator, Elizabeth; Mr Allan Hunter; Ms Elizabeth Mann and her son, Luke; Ms Libby Crawford; and Ms Lisa Murray. Thank you for giving the committee insight into what you had to endure. Your evidence was compelling. As the Presiding Member, I also of course wish to thank the members of the committee and the secretariat for their work during this inquiry.

As a result of the inquiry, the committee has made 53 recommendations to the government of South Australia through the Minister for Human Services. It is a great privilege for me to speak to the 46th report of the Social Development Committee today. The committee notes there has been a lot of work done to improve the NDIS for some 600,000 people across Australia who receive supports through the scheme.

By way of brief summary of what is happening at the national level, in early October, it is expected that the panel on the Independent Review of the NDIS, led by Professor Bruce Bonyhady AM and Ms Lisa Paul AM, PSM will hand down its final report to the Australian government, and the committee is anticipating this very keenly.

The committee notes also the work of the Senate Joint Standing Committee on the NDIS and understands the JSC will produce the final report concerning the capability and culture of the NDIA in due course. This week, the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, which was established in 2019, will be reporting. The committee looks forward to the recommendations of the royal commission and seeing those implemented by the national government.

By now, I think most honourable members would have heard of the inhumane practices that are present in a number of NDIS service providers, as reported by the ABC I think on the Monday night *Four Corners* program, and of the failures within the NDIA that have led to participants having less than ordinary outcomes and, in some cases, traumatic and very detrimental outcomes.

That is not to say that the NDIS has not been worthwhile. It has been a life-changing scheme for many Australians and the committee welcomes that outcome in the lives of so many Australians living with a disability. Yet still, for some of the most vulnerable in those communities, it has not delivered the promise of an ordinary life. There is still work to do.

Some participants have been forced to live in situations that have caused them harm. They have been left living in degrading circumstances, at times with too many co-residents in group homes, or with service providers unwilling or unable to provide adequate care and support. The committee acknowledges some of the work needed to address the issues that have arisen during our inquiry and that are referenced in the report have already commenced as a result of previous inquiries in other jurisdictions. The committee acknowledges the work of the South Australian government to address the ongoing housing crisis and the work it has done to improve the availability of short to medium-term accommodation for participants exiting hospital, such as the Regency Green facility.

The committee has received evidence from people living with disability, NGOs and advocates that South Australians who live in rural and remote areas face additional challenges in accessing supported accommodation and the support services that they need to build around them. To that effect, regional and rural participants have less opportunity to exercise their choice and control. This is even more the case for Aboriginal and Torres Strait Islander people, whose needs are not being met because a market-based approach, which was originally envisioned, will fail in regional, remote and outback locations, at least in South Australia.

The committee heard there are other gaps in the system that need to be filled and there will continue to be an ongoing need for mainstream services that support people with a disability, even if they do have an NDIS package. This presents unique opportunities for the government of

South Australia to step in when needed and fill these gaps, and to work with people with a disability and other stakeholders to develop and implement innovative and novel solutions that work for that individual.

A constant refrain heard from many of those giving evidence to the inquiry was the ongoing need for the state and federal governments to work together to specifically address accommodation needs of South Australians living with very complex disability needs. There also needs to be a renewed commitment to closing the gap in the accommodation opportunities for Indigenous South Australians here in the city but also in remote communities.

The committee has made a recommendation that the government of South Australia implement a co-design process to update the state's housing strategy, *Our Housing Future 2020-2030*, including a focus on housing that will be accessible to people who live with a disability.

The committee has also made several recommendations that the South Australian government works with the federal government to improve safeguarding mechanisms for children and young people—again, particularly in Aboriginal and Torres Strait Islander communities and for young people with disability and complex needs—and that the NDIS Quality and Safeguards Commission be given greater powers to investigate breaches.

Between 1 July 2022 and 30 June 2023, the NDIS provided funded supports to 610,502 participants across the nation, with a total cost of \$34.7 billion. Of this amount, a total of \$11.5 billion was in supported independent living (SIL) payments for 31,509 participants. Participants with SIL in their NDIS package make up just 5 per cent of the total number of participants Australia wide, but the total cost of SIL makes up 33 per cent of all NDIS costs.

In contrast, the total payments for SDA in 2022-23, which went to 23,092 Australians, was a fraction of the SIL cost, a total cost of \$230 million or around 2 per cent of the total SIL cost. Approximately 8,400 participants receive SIL but do not have an SDA in their package, that is, supported accommodation.

South Australia's 2022-23 NDIS contribution under the agreement with the commonwealth was \$874.4 million, and that was offset by in-kind contributions for supported accommodation services which was later revised to \$711 million. The NDIS has the capacity to provide the funding for around-the-clock care and support to those participants with the greatest need, but there are participants whose need is very great but for whom, for many different reasons, the system that was set up to assist them has failed.

The committee received evidence during this inquiry to show that between 1 January 2021 and 30 June 2022 at least 71 NDIS participants presented to a public hospital for a non-health-related admission. There are also a significant number of other NDIS participants who will present to an ED or require an ambulance response for non-health-related needs but they do not progress to an admission in a hospital. This costs participants greatly in terms of their health and wellbeing, the time taken to service them, and it also costs the state's health system and diverts resources from where they need to be.

The committee understands that minimising non-medical hospital admissions requires a whole-of-person, a whole-of-system preventative healthcare approach, which pulls in many different service areas from government, non-government and private sectors, such as early disease management, mental health and other psychosocial supports, allied health, aged care and housing. Where other services cannot provide adequate or appropriate care, support or accommodation, the committee believes that the state must finally step in and assist.

It seems then that the state, along with the commonwealth, has a role to play in ensuring that South Australians can readily access mainstream services that will have a preventative action to avoid people ending up in worse situations, requiring more services later on and probably more costly services. This is especially important when we consider the cost of the combined discharge delay of 67,188 days, for the period of June 2019 to 31 December 2021, for 830 NDIS participants in South Australian hospitals.

While both state and commonwealth governments have taken steps to improve these figures, the numbers alone suggest there needs to be further work done—certainly in terms of

processes for accessing NDIS, the SDA in particular, and SIL—and greater collaboration between the state and commonwealth government agencies.

Part of what makes the NDIS so unique is the participant's right to exercise their choice in relation to how they live their life, and not least of all, of course, in terms of where they live. Specialist disability accommodation is a funding stream under the NDIS home and living supports program, which can provide opportunities for participants to exercise their right to choice and control.

Whilst that works very well for many people, as we heard in evidence there are a number of people who fall through the cracks. The committee was informed that decisions about a participant's home and living arrangements could be in the hands of a person on the end of a phone who has never visited the participant in their own home, nor even met the participant. For these participants, their choice and control has been impacted as their NDIS plan meetings were conducted over the phone.

We understand that this was a particular problem during the recent COVID years, but it highlights for the committee and also for those giving us evidence that it is a very unsatisfactory way of handling an individual's choices and trying to give them some power over decisions made affecting their lives. The committee understands in some cases there has never been any face-to-face contact at all between some participants and the NDIA staff making decisions about their plans.

The same was said about the NDIS Home and Living panel, which decides whether a participant will receive specialist disability accommodation funding and what level of funding is to be granted. Many advocates raised concerns that there is absolutely no transparency in this process, and no information about the panel is provided publicly.

The training of NDIA staff, along with the agency's interpretation of the legislation in its policymaking, has been another area of concern highlighted throughout the inquiry. These concerns relate to the widespread degree of prejudice against people with a disability and complex needs, especially for minority cohorts such as those from CALD backgrounds, Aboriginal and Torres Strait Islander backgrounds, and people with a psychosocial disability. The NDIA is charged with an incredible responsibility and it was quite troubling to learn that such important decisions were being made in such impersonal circumstances.

It is not surprising that a new and large bureaucracy occasionally gets things wrong. It is also no surprise that so many participants who have challenged these decisions made by the NDIA have had those decisions overturned—in other words, they have won. The trick is, then, for the bureaucracy to learn from its mistakes, prove systems and not have so many of its decisions overturned at the Administrative Appeals Tribunal.

Support coordination is known to be important for people with complex support needs, yet the committee was informed that many support coordinators lack the essential skills expected of them. The committee heard that there is a need for increased scrutiny over these roles, meaning an increase in the minimum standard of training for anyone providing support coordination services. The committee has recommended this be mandated at the national level.

Concerns were raised about the evidence that is needed to support a person's SDA application. The evidence of specialist clinicians, allied health and occupational therapists is often required, but when it is provided it is not acted on for several months and then the agency gets back to participants and says the data that has been provided is out of date. They have to go back once again and provide additional evidence, which ends up being exactly the same.

Access and equity issues were raised in relation to the adequacy of the resources available for our hard to reach cohorts, such as people facing homelessness, CALD communities, people with experience of the criminal justice system and, again, Aboriginal and Torres Strait Islanders.

The committee has also heard that local area coordinators, whose role it is to provide service and support to people trying to access the NDIS for mainstream services, need to have their role redefined. The committee heard that in some instances there were cases of local area coordinators (LACs) having absolutely no understanding or experience with disability, and for people with complex support needs the LACs were not able to provide the degree of assistance required, which in effect was exactly their job. They could not do it; they did not have the prerequisites.

The committee heard that case management is not funded, nor is it part of the NDIS model of support. However, some submissions gave evidence about a need to reintroduce what we used to have in this state, and that is a one-to-one case management service for some cohort of participants who have very high needs. It would be very beneficial for the cohort and I would suggest, and I think the committee believes, it would be very beneficial for state-run programs as well. The committee has therefore recommended the government of South Australia work with the Australian government for the NDIA to implement case management for the small percentage of participants with complex support needs.

One of the key concerns highlighted during the inquiry regarding participants' funding packages for SDA was that the NDIA has been taking a cost-saving approach to its assessments of participants' home and living applications. Some submissions made by advocates commented that their organisations had witnessed participants being rejected for funding for SDL and SIL because it would not be value for money for the organisation.

Another issue that emerged in the evidence was the NDIA has started to place a bigger burden on families and carers, who are already stretched, through assessing familial relationships as an automatic informal support, hence reducing the amount of funding approved to that individual as a consequence. So an individual who has family support is actually going to be treated worse in terms of their funding than an individual with no such family support. That, we believe, was iniquitous. This has been especially common for parents of children and young people who have disabilities with very high support needs. It is an issue felt in the whole community.

The committee has recommended that the state government work with the federal government to urgently develop a policy and procedure to allow for flexibility to be built into the NDIS plan to respond to the fluctuating needs of children and young people over time. Evidence provided to the committee by the Housing Hub shows that time frames for SDA applications for NDIS participants in hospital can take from 60 days to 90 days, and in some cases even longer. The NDIA has been working on improving SDA decisions time frames and there has been a lot of work done with the agency following the 2019 David Tune review which saw implementation of the NDIS Participant Service Guarantee.

However, there still needs to be improvement in time frames, particularly when a person is in a state of crisis. The committee was advised that the Department of Human Services and the Department for Health and Wellbeing had implemented a coordination assessment team to facilitate hospital discharge for 169 patients in the local health networks across the metropolitan area from January 2022 to February 2023. The funding for this project was provided by the commonwealth and the DHS has been working with the NDIA to establish the model on an ongoing basis.

The welfare of younger South Australians in residential aged-care facilities has been raised over decades, but it is a significant and ongoing issue. The NDIS quarterly report to disability ministers on 31 December 2022 shows that there are 11 participants under the age of 45 and 13 participants aged between 45 and 54 in residential aged-care facilities in South Australia. Some advocates who provided submissions to the inquiry have argued that participants in these residential aged-care facilities are left to languish and the data changes are more likely to represent the younger people in RACFs who die before they are able to exit the system than those who have been able to find alternative accommodation.

According to research provided to the committee, reasons for younger people exiting from residential aged-care facilities who were under the age of 65 years Australia-wide in 2019-20 were approximately one in eight returned to the community, more than half died in the facility, 4½ per cent exited to hospital, 17.5 per cent moved to another residential care facility, and 8.2 per cent left for other reasons. For people under the age of 45 living in aged-care facilities, approximately one in seven returned to the community while 37.1 per cent exited due to death.

In South Australia, during the same period, approximately 65 per cent of people under the age of 65 years in residential aged-care facilities exited due to them dying. Evidence shows in South Australia young people under 65 in permanent aged-care facilities who identified as Indigenous as at 30 June 2020 accounted for 4.7 per cent of the total number—about 15 young

people. South Australia also had 16 young people under the age of 65 who had English as their second language living in residential aged care.

The committee has made a recommendation that the government of South Australia work with the federal government to urgently integrate the housing outcomes and targets of the National Agreement on Closing the Gap and Australia's Disability Strategy to develop future housing policies and frameworks, including those under the NDIS and South Australia's Disability Inclusion Plan. It is not appropriate and it is not acceptable that people under the age of 50 should spend long periods of time in aged-care facilities. It is not appropriate that large proportions of them should die in those aged-care facilities without getting appropriate accommodation.

The committee has recommended that both governments urgently address achieving the younger people in residential aged care targets in response to the Royal Commission into Aged Care Quality and Safety and that the South Australian government work with the joint agency task force to ensure all South Australian people under the age of 65 with disability and complex needs who live in residential aged-care facilities have easy access to information they require to make informed choices.

For some participants who are successful in their SDA applications, the committee heard that this is not the end of the road in terms of gaining appropriate accommodation. Rather, it can be the beginning of an even longer and more painful journey. Participants and disability advocates describe the toll it takes to locate, apply for and 'win' SDA in a market that has not expanded as was envisioned originally. On the subject of an SDA market, witnesses provided evidence that the infrastructure for SDA is not adequate. There is not enough supported disability accommodation, or there is not enough of the right SDA for participants in South Australia.

To provide some insight into the numbers, in the quarter to 31 March 2023 there were 2,316 South Australian participants with an improved SDA funding in their plans, while there were only 1,287 enrolled SDA dwellings. There are also 621 South Australian NDIS participants seeking an SDA dwelling. The committee heard there may be many more South Australians who do not even know that the NDIA has a program to test for supported accommodation. We know this continues to be the case, particularly for people with a psychosocial disability.

The notion that an SDA market would be created out of demand from participants with SDA funding has not materialised—there is no market, certainly not in regional and remote South Australia. Housing for people who have a disability that requires very high support levels demands urgent attention from the state government. The committee would like to see and has recommended the government of South Australia continue to develop and implement a plan to address the shortage of long-term disability housing supply in South Australia.

The committee has further recommended that the government of South Australia work with the Australian government for the NDIA to develop a comprehensive market and workforce strategy, with short and long-term measures specific to our South Australian context. The committee heard numerous stories from participants and advocates that the NDIS has the ability to significantly benefit the lives of South Australians living with disability, who have complex support needs, including having a positive impact on their wellbeing.

The NDIS has empowered people with a disability to make choices over how and where they live, and this is enshrined in the NDIS Act and has been brought into practice through the SDA and SIL funding streams. But, at the same time, whilst recognising the massive positive impact in the lives of many people with disability, as I said earlier, there have been system failures that have caused detrimental outcomes for some participants and they have fallen through the cracks and there is nothing in the system that works to pick them up.

Accordingly, the impacts on wellbeing for these participants who experience living in inappropriate accommodation include a deterioration in their mental health; an increase in behaviours of concern, mostly around violence to themselves, to workers and other people with disability they might be living with; an impoverished quality of life; and an unreasonable burden of care on family carers, who then face burnout and have nowhere else to go because their funding package has been reduced because the family is caring for that person.

The committee heard that it is vital that participants have access to an NDIA advice and support service, and the availability of service providers outside regular business hours. When a person with a disability, a severe disability with complex needs, has an episode, a psychosocial episode, an episode of violence or violence is perpetuated against them, it does not necessarily happen in office hours. There is need for a response mechanism to be available at all times.

The committee understands that the evidence shows that one of the things that can improve the application and planning processes and serve to benefit participants is personal advocacy. For some participants, being able to have a one-on-one interaction with the person who is making decisions about their life and their funding can have a very positive impact on their sense of wellbeing. To that end, the committee has made a recommendation that the government of South Australia work with the Australian government to reinstate in-person meetings where the NDIA is to make any decision regarding any new or existing NDIS participants' home and living situation changes; there must be a person-to-person interaction—not over the phone, but directly.

Further, the committee also recommended the state government invest in an independent, individual, systemic and representative advocacy service in order to support people living with disability to achieve appropriate accommodation outcomes. Based on the evidence we heard, the report has shown that many changes to the NDIS in the last two years, including the introduction of the SDA, must be led by the Australian government working with states and territories implementing it, and the needs of different states and territories have to be taken into account in doing so.

There are still many issues that need immediate and longer term action. As I mentioned before, there have been about 20 inquiries into different aspects of the NDIS in what is a relatively new system of provision of services. For those South Australians who do not meet NDIS criteria for the SDA, there must be a viable accommodation option so that they are not forced to sacrifice their quality of life. For the South Australians who have fought to be funded for the SDA, there must be options for their accommodation that they themselves have a say on and a choice over, and a say on and a choice over who provides the daily support services they require in that accommodation.

To conclude, and in terms of the recommendation that we note this report today, I want to reiterate that we have made 53 recommendations to the state government through the Minister for Human Services that, if adopted and acted on, can provide relief to our state's disability populations, who have the greatest unmet housing need. They will provide opportunities for the commonwealth and the state to collaborate in achieving better outcomes—outcomes that are real and viable, that must move past what some would say is the outdated, institutional group home model of a bygone era. These were, of course, new models that were introduced in the last two decades, but their usefulness has been outlived.

The new models need to be co-designed with the participants. They have to be innovative. They do not need to be cookie-cutter, because we heard from Mr Hunter, I think it was, who took us into his home and showed us the modifications he had made, as a qualified engineer, to his home so that he could utilise it. He told us that those modifications would not be acceptable to the NDIS because they did not meet their standards.

The recommendations we have made in this report request the federal and state governments to work together to transition the NDIS, in terms of housing, from the most expensive part of their funding system for a very, very small cohort of people to one where we can actually put a little bit more investment into accommodation with the point that we may well be able to see a massive reduction in expenditure in other areas of the NDIS. I commend the report to the chamber.

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

Motions

BUILDING INDUSTRY

The Hon. R.A. SIMMS (16:36): I move:

That this council—

1. Notes that since January 2023, at least four major South Australian construction companies have gone into liquidation, resulting in:

- (a) over 125 job losses;
 - (b) over 250 new residential buildings left incomplete; and
 - (c) over \$50 million in unpaid debts.
2. Acknowledges that South Australia is experiencing a housing crisis, and it is the responsibility of the government to stabilise the building industry and to improve the supply of affordable and public housing stock.
3. Calls on the Malinauskas government to investigate the establishment of a publicly owned builder to:
 - (a) undertake construction of new public and affordable homes;
 - (b) provide maintenance to existing public and social housing; and
 - (c) intervene to complete houses that are partially constructed where building companies have collapsed.

This motion notes that since January 2023 at least four major South Australian construction companies have gone into liquidation in our state. That has resulted in 125 job losses, over 250 new residential buildings being left incomplete, and over \$50 million in unpaid debts.

The motion acknowledges that South Australia is experiencing a housing crisis and that it is the responsibility of the government to stabilise the building industry and improve the supply of affordable and public housing stock. It calls on the Malinauskas government to investigate the establishment of a publicly owned builder to undertake construction of new public and affordable homes, to provide maintenance to existing public and social housing, and to intervene to complete houses that are partially constructed when a building company has collapsed.

The signs of this housing crisis are plain for all of us to see. We have people sleeping on our streets, we have people sleeping in tents, people couch surfing. There are 15,000 people on the public housing waitlist in our state, and across South Australia many individuals are grappling with skyrocketing rents, unattainable home prices, and the constant fear of eviction—and this problem is only going to get worse with our construction industry being plunged into crisis. According to reports in *The Australian* there have been over 60 building company insolvencies in South Australia in the last financial year alone—over 60. We have seen more than four major construction companies collapse in the last three months alone.

Let's look at some of those examples. In July 2023, we saw Felmeri Homes leave more than 100 customers in the lurch when it collapsed after amassing over \$30 million in unpaid debts. At least 20 of those homes were left unfinished; those are South Australians left high and dry waiting for their homes to be completed. In August this year, we saw 7 Star Construction also collapse, leaving 27 homes unfinished, and Quattro Homes collapsed this month, with over 200 homes left unfinished and the loss of 25 jobs. Just last week, we saw 100 staff lose their jobs at the Wake Concepts business after they also went into liquidation.

The link between the housing and construction crises and the need for a public builder is clear. By investing in public sustainable housing projects tailored to the needs of our state, a public builder could directly address the shortage of affordable housing. It is the responsibility of government to step in when market failure occurs, and that is what we need to see here in South Australia. At its peak, the South Australian Housing Trust was building almost half of all residential dwellings in South Australia. It is time for the South Australian government to once again play a much more active role.

A public builder would stabilise SA's building industry and provide well-paid jobs and the opportunity to strengthen building standards. More public and affordable homes would mean fewer people being pushed into homelessness and fewer people needing to compete in the private rental market, also making renting more affordable.

As well as constructing new public and affordable homes, a public builder could step in and complete houses that are partially constructed in instances where a builder has gone bust. In those circumstances the state could acquire equity in that individual's home, and it could be paid back over time. There are examples of that in other jurisdictions around the world.

Currently, the housing system relies on contracts with private developers to address the housing demand, including some affordable and social housing within private projects. A publicly owned builder could intervene when companies such as Felmeri or Qattro collapse. By completing the construction of half-finished homes, the government could be then repaid over time.

In the United Kingdom, a program such as this was funded back in 2009. It was known as the Kickstart Homes program. The government then allocated £1 billion to kickstart housing projects that had been stalled during the recession—that was the GFC. The goal was to ensure that jobs were not lost, while unfinished homes could be completed. Developers were given five years to pay back loans, and they were used to complete construction. The program in the UK ensured that a total of 22,050 homes were completed over two rounds between 2009 and 2010.

There are other examples around the world of publicly owned construction companies. Germany has two publicly owned building companies, and Turkey is the same. In South Australia, Renewal SA is the state government's property development agency, but they do not actually do the building work themselves. They rely on private industry agreements to carry out their developments. Again, there is a risk involving these private partners if one of them falls into financial difficulty.

There are examples of that happening. For instance, back in October 2022, Oneconstruct, I understand, went into liquidation while working on a number of homes for the SA Housing Authority, along with school upgrades. Having a public builder would mitigate the risk of private agreements not being fulfilled.

There are other benefits to a public builder as well, such as ensuring construction jobs are considered public sector jobs, with the protections and conditions that come along with that. Of course, let's not forget that there is a backlog of more than \$300 million in terms of maintenance works that need to be completed on our public homes. A public builder could step in and ensure that those things are done as a matter of priority. Such a builder would also have significant purchasing power that would be able to reduce costs for building new properties.

This motion calls on the government to investigate this idea from the Greens. I must say the government has a responsibility to step in and help those South Australians who have been left high and dry as a result of this construction crisis. It is not enough to simply say, as the government has said so far, 'Oh well, people need to read the fine print.' It is not enough to simply say, 'Oh well, it's a market matter, and the customer needs to read the fine print.' That is not acceptable. The government needs to show some leadership here.

Let's consider where we are. We have at least four major South Australian construction companies that have gone into liquidation over the last six months. We have hundreds of South Australians who have lost their jobs. We have more than 250 new residential buildings that are incomplete—South Australians left high and dry—and we have unpaid debts of more than \$50 million. If this is not an example of market failure, I do not know what is. The Malinauskas government needs to show some leadership here and investigate this idea from the Greens.

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

Bills

PUBLIC ASSEMBLIES (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

The Hon. R.A. SIMMS (16:44): Obtained leave and introduced a bill for an act to amend the Public Assemblies Act 1972. Read a first time.

Motions

FIRST NATIONS VOICE TO PARLIAMENT

The Hon. S.L. GAME (16:45): I move:

That this council—

1. Acknowledges that the South Australian First Nations Voice was not democratically agreed to by the people of South Australia;

2. Recognises that the federal Aboriginal and Torres Strait Islander Voice referendum campaign has caused deep division and uncertainty in the community.

As the federal government continues to trip and stumble its way to the October 14 Aboriginal and Torres Strait Islander Voice referendum, many South Australians are only just realising that we already have a Voice in South Australia: a Voice that South Australians did not get the chance to vote on and a Voice that is more about the legacy of politicians than it is about achieving real solutions to long-term problems.

These problems are exacerbated by the grinding bureaucracy that lacks the competency to deliver the very programs it rolls out. So what does the Malinauskas government do to remedy its own bureaucratic failings? It creates another enormous arm of government, so heavy it will lift up no-one; that is, of course, unless you are employed by the government to help run it at the taxpayers' expense.

Our state-based Voice, passed in March this year, lacked any genuine consultation with the South Australian people. It is little wonder the government did not bother to explain the bureaucratic elements of the Voice: over 100 members and, due to the potentially ever-expanding nature of the committees, potentially many more in the future.

The emotional manipulation and play on compassion have been deliberate and disingenuous from the start. It has been appalling at every level the attempt to guilt, shame and indoctrinate Australians. This has come from federal and state government, councils, schools, corporations and activist groups, but what makes it worse is that this added layer of bureaucracy of unprecedented size and cost will not assist those it claims to represent.

There are no tangible solutions here. It is more of the same, but just further out of control. It is time to abolish all race-based laws and policies, assisting all those equally based on need, not the colour of your skin. Many of the people pushing for a Voice are the same people who are part of the existing network of Indigenous groups. They are employed in government departments and agencies. They have been involved in establishing funding agreements like Closing the Gap—the very same people who have failed to close the gap.

We have a Prime Minister who is so distracted by his failed attempts to properly articulate why we apparently need a Voice, he has lost focus on what really matters. People are doing it tough in a climate of spiralling costs of living and high interest rates. Ordinary Australians are struggling to make ends meet, Australians who need a government directing its efforts to lowering inflation and looking after our most vulnerable.

Should the Prime Minister be sent a clear message on October 14 to get on with the job of running the nation instead of inventing new ways to drop taxpayer dollars into a bottomless pit of division and failure, I call on the Malinauskas government to follow suit and listen to the people it represents.

If the referendum fails, as it appears it is going to, I will call on the Malinauskas Labor government to listen to the Australian people and repeal the First Nations Voice Act 2023. In the unfortunate event that the referendum is successful, I will also call on the Malinauskas government to repeal the First Nations Voice Act 2023 to avoid the ridiculous situation of having a state-based Voice on top of a federally based Voice.

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

FIRE DANGER SEASON

The Hon. T.A. FRANKS (16:50): I move:

That this council—

1. Acknowledges that the Bureau of Meteorology has formally declared an El Niño weather event and that risk of a significant fire danger season is higher following an El Niño year;
2. Notes that some South Australian CFS stations are currently ill-equipped to ensure volunteers' safety and dignity; and

3. Calls on the Malinauskas government to urgently audit current CFS facilities and fund any identified need.

The motion I move today notes that this council acknowledges that the BOM has formally declared an El Niño weather event and that the risk of a significant fire danger season is now higher, following this. It notes that some South Australian CFS stations are currently ill-equipped to ensure volunteers' safety and dignity and calls on the Malinauskas government to urgently audit current CFS facilities and fund any identified need.

This month, September 2023, the Australian Bureau of Meteorology formally declared that the world's most consequential climate driver, the El Niño weather pattern, is active over the Pacific for first time in eight years. The effects of El Niño reach across the world, resulting in extreme rainfall and floods in the southern US and Central America, failed monsoons on the Indian subcontinent, and in Australia an increased risk of drought and heatwaves. This is an urgent reminder that we must drive down greenhouse gas emissions and increase our resilience and preparedness for catastrophic bushfires and other climate disasters.

A study earlier this year, led by CSIRO scientists, found that global heating from greenhouse gas emissions has likely been making El Niños and La Niñas more frequent and severe since the 1960s. As El Niño exacerbates dry and hot conditions across the country, the likelihood of drought and bushfires increases even further. Indeed, the BOM's announcement came as parts of New South Wales were put on alert for catastrophic fire danger—in September—with strong winds combining with unusually hot temperatures in the south-eastern parts of that state. It is little wonder, then, that Greg Mullins, the founder of Emergency Leaders for Climate Action, has warned us that:

The El Niño event is like adding fuel to the fire—literally. With the warmer and drier conditions it brings, it's likely we're looking at an extended and potentially volatile fire season.

With fires already raging across our continent this spring, it is hard not to recall the horrific 2019-20 bushfires that came so soon after the extreme floods. In recent weeks, fires in the Northern Territory have blazed through 1.3 million hectares of the Barkly Region. Dozens of fires across Queensland and New South Wales have seen at least 21 schools on the south coast of New South Wales forced to close.

But our lessons as a community are still yet to be truly learnt. This is climate damage. It is a climate crisis caused by burning coal and gas, and communities are paying the price. Of course, our communities are resilient and we support each other in times of crisis, but the government also needs to do the same for those who battle the climate crisis on the frontlines. There are many in our community who do what is needed when we are facing catastrophes, but today I want to single out the CFS volunteer firefighters who will be there when we need them. Right now, the Malinauskas government needs to step up for them.

In South Australia, the CFS and its volunteers are on the frontlines in protecting lives, properties and our natural environment against bushfire. In 2020-21, CFS volunteers delivered an extraordinary 1.3 million hours of emergency response time to ensure that South Australians are supported by a professional emergency service.

Right across our state, we rely on the incredible generosity of these hardworking CFS volunteers, yet the CFS itself has been continually underfunded and undersupported by successive governments for far too many years. Back in 2008—15 years ago—an independent building replacement review was commissioned by SAFECOM and conducted by GHD consultants. That review indicated that the funding for CFS building and maintenance programs fell well below the appropriate level to sustain the current program.

Back in 2008, 15 years ago, that report found that there were some 310 buildings that should be replaced over the next 10 years. Last year, the Country Fire Service Volunteers Association, in consultation with its many thousands of members, developed the document 'Building on Strong Foundations—2022 and beyond', which revealed that although there was \$7 million spent between 2018 and 2021 for station maintenance and upgrades, and I quote from that report:

...the level of funding has not been sufficient to meet ongoing needs, with priority given to the removal of asbestos, rectifying electrical issues, installing toilet facilities. This has also identified a need for ongoing, realistic, and consistent funding as stations age and needs community change.

The CFS Volunteers Association has recommended that the state government allocate a further funding amount of \$10 million over four years for the ongoing maintenance and upkeep of CFS stations right across our state. I guess \$10 million could sound like a lot of money to some, but in comparison to the protection of people, of property, of our state, of our environment, it is literally a drop in the bucket.

So, as I have said in this place before, it is deeply concerning to hear the consistent lack of funding facilities and infrastructure over so many years has left our CFS stations and our volunteers with possible workplace safety hazards and lacking in even the most basic facilities like taps and toilets and a place for volunteers to change with privacy and the dignity they deserve.

For almost a decade, we have had a stated commitment to gender diversity across our emergency and firefighting services. Women, of course, have long been at the frontline of firefighting in our nation—for at least three decades—but there is still a long way to go to at least reach gender parity, with representation currently believed to sit at about only a third, at best, in many services.

Some barriers to gender equality in our emergency services are cultural and chronic and ongoing and systemic work is being done to challenge that, what is in many ways, sexism. The 2016 Statement on Workforce Diversity by the National Council for Fire and Emergency Services is spearheading that important equity work. However, our underfunded and outdated CFS stations are in themselves another significant barrier to attraction, to recruitment and to retention of an inclusive and diverse firefighting service.

This is a problem the government could solve almost overnight. As I have stated in this place before, consider this: the siren calls you, it is the middle of the night. You rush to service, but you are wearing your pyjamas. You likely have no underwear under your pyjamas. Due to the lack of appropriate changing facilities, you are required to change into your turnout gear in full view of others in your brigade.

This is uncomfortable or embarrassing at least, and a deal-breaker to serving our community at worst. It does not take a social science degree to observe that this entirely unnecessary barrier is stopping women, in particular, from getting involved or staying involved with the CFS at a time when recruitment and retention of volunteers is more important than ever. After the incident, it can be even worse, as you need to remove your now contaminated turnout gear for your own personal health and safety.

I will acknowledge that is not the case in every station across our state. I have noted already some online feedback to the welcomed 2022 upgrades to the CFS station in Yahl, Mount Gambier, which revealed with great excitement that volunteers now had 'access to a tap and a toilet'. In 2022, they finally had access to a tap and a toilet. Picture, if you will, the need to use the bathroom—a basic human need—and the expectation that one will be able to take a slash behind the shed rather than avail themselves of a bathroom, which is currently the case in far too many CFS stations. That opportunity is simply not there and not everyone is going to find it appropriate that they do not have access to a toilet and a tap.

We are not talking about a gold standard here; we are just talking about a tap, a toilet, no asbestos and no mould and any other workplace hazards that you would expect from the absolute basics for those CFS volunteers who are generously donating their time and their energy to ensure that we as South Australians have a world-class fire and rescue service right across our state.

In the past year alone, South Australia has faced destructive storms, widespread flooding and catastrophic bushfires. There are one-in-100-year weather events but they are of course happening far more frequently than that as the climate odds are against us, and we have loaded that dice. As the climate crisis continues to fuel these disasters, South Australia must ensure that we do have the emergency response capability to respond to this new reality, but right now that does not mean that they are happening every 100 years—indeed, far from it—and so business as usual is no longer an option.

CFS volunteers risk their lives to protect our community and they deserve the unconditional support of this state government, and to be provided with equipment and stations of the highest possible standard, otherwise we will continue to see the loss of CFS volunteers. The money that

these volunteers save our state—they argue, and quite rightly so—by ensuring the protection of people, property and our environment cannot be underestimated, should certainly not be taken for granted, and it easily tops multiples of the \$10 million that is being requested.

The least our state can do is ensure that we are treating them with dignity and respect, putting their long-term health and safety to the fore while they keep us safe. Ensuring their dignity before and after and while they volunteer to be on those dangerous firegrounds is the least we can do. As we approach an extended period of hot, dry and dangerous fire conditions, the state government must urgently ensure an audit of all CFS facilities right across our state and then provide whatever funds and support are necessary to ensure that our CFS volunteers are supported, our CFS is prepared and thriving, not just surviving this cruel summer ahead.

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

Parliamentary Committees

**ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: DISPOSAL OF PFAS
CONTAMINATED WASTE IN SOUTH AUSTRALIA**

The Hon. E.S. BOURKE (17:02): I move:

That the first report of the committee, entitled Briefing Report on the Disposal of Per- and Polyfluoroalkyl Substances (PFAS) Contaminated Waste in South Australia, be noted.

In May 2021, the Environment, Resources and Development Committee of the Fifty-Fourth Parliament established an inquiry into the disposal of PFAS-contaminated waste in South Australia. The acronym PFAS refers to a group of over 4,000 synthetic chemicals that have been used since the 1950s. PFAS have been used in a wide range of applications, from non-stick cookware to cosmetics to stain protection in carpets to firefighting foam.

They are often called 'forever chemicals' as they will not break down. They are also highly mobile and capable of travelling vast distances in soil or water. Because of their widespread use and mobility, PFAS contamination is extensive. However, areas like defence bases or airports, where firefighting drills were carried out using foams containing PFAS, tend to be the most contaminated. It is said that PFAS are present in the bodies of most humans and animals but research into the effects on health has proven inconclusive, with research ongoing.

Since the early 2000s, Australian governments have employed the precautionary principle in managing existing PFAS contamination, working to reduce or completely prevent environmental and human PFAS exposure wherever possible. South Australia was the first state to implement an outright ban of the use in firefighting foam and foam products in 2018.

There is considerable public concern about PFAS and where it is disposed. This was evident in 2020, when landfill operators Southern Waste ResourceCo lodged an application with the EPA to begin accepting PFAS waste at their landfill on Tatchilla Road. I commend the member for Mawson, Leon Bignell, for raising the concerns of the McLaren Vale community regarding this application.

The landfill site sits only a short distance from the vineyards and wineries that characterise this unique part of South Australia. Members of the local community and the City of Onkaparinga opposed the application based on an unacceptable level of risk. They petitioned the state government and the EPA to refuse the application. After an assessment process in 2021, the EPA ruled in the petitioners' favour that the McLaren Vale landfill would not be permitted to accept PFAS-contaminated waste.

However, at this stage there was still nowhere in South Australia to dispose of PFAS safely, with most of it either having to be stored temporarily or transported to disposal sites interstate. This was the case when an interim report was tabled by the committee on 4 February 2022, prior to the formation of the current parliament. During this time the EPA was working towards a solution, drafting new siting guidelines for the disposal of PFAS waste in South Australian landfills. Rather than continue the inquiry, the committee chose to be briefed by the EPA.

On 29 May 2023, the Environment, Resources and Development Committee of the Fifty-Fifth Parliament received a presentation from the EPA providing an update on the management of PFAS in South Australia. Staff from the EPA talked the committee through the new guidelines that serve

as a primary control to minimise environmental and health risks from hazard waste disposal and to determine a site suitable for permanent waste disposal, both while the facility is in operation and after it has closed.

The guidelines contained colour-coded maps that can quickly demonstrate the suitability by providing a visual reference for potential applicants looking to license potential PFAS disposal sites. These maps illustrate the flood risk; the risk to people and the environment; and to protected areas such as national parks and wildlife areas, water protection areas, character preservation areas, heritage sites, food production areas, prescribed wells areas and Indigenous lands.

The new EPA site guidelines render ineligible landfill sites such as McLaren Vale from accepting PFAS waste. Together with the site suitability guidelines, the EPA have also been working on guidelines for industry and the community on the re-use of waste soils containing very low or trivial levels of PFAS. Both sets of guidelines have been through an exhaustive consultation process, and the final versions are expected to be released in the coming months for further public consultation before being finalised.

The committee also heard about the licence changes at the Cleanaway Inkerman landfill site, allowing it now to accept PFAS waste. This means that PFAS waste can now be disposed of safely in South Australia and would no longer need to be transported interstate for disposal. The Inkerman site is situated between Port Wakefield and Dublin, around 85 kilometres north of Adelaide, and the landfill has been in operation for over a decade.

The EPA staff walked the committee through the licence change process for Inkerman, a process that took several years and required groundwater testing, 12 months of groundwater monitoring, and formal assessment of potential risks to human health and the environment, including three potential failure scenarios and an extensive community engagement process. Inkerman's location is consistent with the new guidelines and provides an ample buffer between the disposal site and the neighbouring properties and wetlands.

The report also addressed topics that the previous Environment, Resources and Development Committee recommended be followed up by the new committee, these being:

- perceived and actual public health risks of PFAS—a limited understanding of these risks remains, but research into health effects is ongoing;
- storage and transportation of PFAS-contaminated waste—current and future practices; and
- economic issues in segregating PFAS on construction and commercial waste sites.

The committee also heard about the potential for breaking down PFAS to render them benign in local, cost-efficient and environmentally sensitive ways. I understand that research has been undertaken into this through both the University of South Australia and the University of Western Australia.

I would like to thank the Presiding Member of the committee, the member for Badcoe, Jayne Stinson, as well as other members, particularly the members from this chamber—the Hon. Tammy Franks and the Hon. Michelle Lensink. I also thank the committee secretary, Mr Patrick Dupont, and the research officer, Dr Amy Mead, for their tireless work. I commend the report to the chamber.

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

Motions

YOUNG OFFENDERS ACT REGULATIONS

The Hon. R.A. SIMMS (17:10): I move:

That the general regulations under the Young Offenders Act 1993, made on 3 August 2023 and laid on the table of this council on 29 August 2023, be disallowed.

Members in this place know that the Greens hold grave concerns about the welfare of young people in our criminal justice system. In South Australia, young people from the age of 10 can be remanded

in or sentenced to youth detention. A 2021 study from the Australian Institute of Health and Welfare revealed that South Australia detains children at a higher rate than the national average.

Exposure to the criminal justice system can cause cognitive harm to young people and can affect their wellbeing into their adult life. We need to ensure that we protect children from this harm by ensuring that they are kept out of the criminal justice system. The regulations that were gazetted on 3 August this year have raised concerns among organisations that advocate for young people.

Regulation 9 provides that children as young as 10 years of age who are in lawful custody and were taken into custody further than 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'. This means that in cities such as Gawler, Mount Gambier, Whyalla, Murray Bridge, Victor Harbor, Port Lincoln, Port Pirie and Port Augusta, children as young as 10 are being detained in adult facilities—children as young as 10. They do not belong in prison. They belong in school.

In a 2022 report, the Commissioner for Children and Young People noted that children were arrested or detained in SA Police cells or watch-houses at least 2,030 times in 2020 to 2021. Of those admissions, 43.8 per cent were Aboriginal or Torres Strait Islander young people. In some regional and remote locations almost all children arrested and detained were Aboriginal or Torres Strait Islander. So this is a policy that has a disproportionate impact on Aboriginal and Torres Strait Islander people.

The Greens believe that no child should be detained in a youth justice centre, a police prison, a police station, a watch-house or a lock-up. Jailing children sets them on a pathway that results in continuous contact with the criminal justice system. The United Nations Convention on the Rights of the Child sets out binding principles for sentencing juvenile offenders. Article 37 states:

No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.

Given the terrible damage that detention does to the wellbeing of children, we must ensure that provisions such as these are subject to maximum scrutiny.

On 21 June, the ABC reported that child detainees were suffering in isolation in Kurlana Tapa Youth Justice Centre. The article states that children spent 21 consecutive hours locked in cells on 31 May and on 1 June this year. Training Centre Visitor Shona Reid was quoted in the article, saying:

To be in this tiny little room having nothing but a foam mattress, a shower and a toilet, metal bathroom and a screen that has a couple of channels to watch on TV for 21 hours is something that's really difficult for anybody, let alone kids and young people...to comprehend.

Ms Reid cited staff shortages at the youth detention centre as being one of the issues that is resulting in poor outcomes for children detainees as there are currently 20 vacant staff positions at that centre. How is it acceptable to allow children as young as 10 to be locked up in these facilities?

We need to do better; we are failing our state's most vulnerable young people. We need to be looking at alternatives and considering how we can divert children from the criminal justice system. I welcome the Malinauskas government's indication that it is doing that. I note the reply the minister gave to my question today in this place, where he indicated the government is looking at diversion programs. We welcome that, but they should not be continuing on with these regulations that continue a practice that the Greens regard as immoral.

Instead of introducing regulations that maintain the status quo and continue the jailing of children, we should be implementing these new models and programs that will keep them out of this system. The expiry of the previous regulations have presented an opportunity for the Malinauskas government to improve the conditions for young people who are entering the criminal justice system. Instead, the regulations that were laid on the table in this place have retained the existing provisions and will keep children locked up.

The Greens are moving to disallow these regulations to put the government on notice that this is not good enough. They need to start implementing alternatives to locking up kids. If this place decides that these regulations are to be disallowed, the government will need to go back to the drawing board and try again. That is what we are asking the government to do: create a system that

supports getting kids out of the legal justice system instead of perpetuating a cruel system that locks up young people and sets them on a path to crime.

I will be bringing this matter to a vote in coming months so that we can test the position of the parties in this place. It is a moral test, and I really hope that this parliament rises to the occasion and rejects this immoral approach to youth justice.

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

ENERGY PRICES

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

That this council—

1. Acknowledges that the rise in energy prices has caused hardships for South Australians and increased the cost of living;
2. Recognises that the Malinauskas Labor government has invested excessively in renewable energy; and
3. Acknowledges that the Malinauskas Labor government continues to mismanage its energy policy.

South Australians pay more for electricity than any other state or territory in the country. It is the reason we have the weakest economy in Australia, and the government has gone heavily into debt in the recent state budget. Soaring electricity prices in this state are causing hardship and driving up cost of living.

Let me reiterate in this chamber what I said last year. I made it clear that renewables are not the answer—they are inconsistent, expensive, harmful to the environment and wildlife, and inefficient. In June 2023 South Australians paid 35¢ per kilowatt hour for electricity, compared to 22¢ per kilowatt hour in Victoria, 25¢ per kilowatt hour in Queensland, 26¢ per kilowatt hour in Tasmania, 28¢ per kilowatt hour in New South Wales and 30¢ per kilowatt hour in Western Australia. Every other state has lower priced electricity than South Australia. This means that South Australia has a higher cost to do business. Why would you manufacture anything in South Australia when you can make it for less in another state?

Electricity represents 40 per cent of the cost of making steel and aluminium. The average price of electricity in China is less than half the price in South Australia. What makes the government think it can keep the Whyalla steel mill competitive, with electricity prices more than double our competitors'?

Instead of understanding why electricity costs are so high in South Australia, the government has decided to provide some South Australian households with rebates over the next two years at a cost of \$254 million. How long can the weakest economy in Australia subsidise the electricity bills of some households?

This is but a mere bandaid to the larger problem here: renewables are not working the way they have been sold to us. They are not fit for purpose, as they cannot guarantee base load power. It is time Labor admitted that its policy of overinvesting in wind and solar-based electricity, without alternatives such as nuclear power, is a failure. Why are we not having a sensible debate on alternatives like nuclear, an alternative that can achieve a consistent 90 per cent maximum output compared to solar, wind and hydro that operate at 25, 35 and 40 per cent respectively? This is not enough to sustain Adelaide, let alone South Australia.

The Labor government is refusing to look at the facts about the real cost of electricity production in this state. First, there is a mismatch between the peak solar and wind electricity production and peak electricity demand, which requires a reliable backup system. Secondly, when there is no wind or solar electricity in South Australia the gas turbines are turned on; in winter, gas is used every night and commonly throughout the day. Thirdly, green renewables have a high-cost, short-operation life for equipment, meaning that every 20 years or so we will need to reconstruct new solar panels and replace wind turbines. This is not sustainable.

The Labor government knows all this, and plans to replace expensive natural gas with another called hydrogen: they want to replace natural gas with green hydrogen, which is made from

water. The hydrogen is created by using excessive wind and solar electricity to split water into hydrogen and oxygen. The budget sets aside \$593 million, plus millions more for the Office of Hydrogen Power SA, to build this plant and implement the Hydrogen Jobs Plan. What could possibly go wrong?

There is no excess wind or solar electricity in winter to provide the electricity necessary to allow the hydrogen strategy to work. We know that because the Australian Energy Market Operator publishes fuel used by each state 24 hours a day. The intermittency of weather-dependent generation of electricity makes a cost comparison between different generational technologies difficult; however, once the cost of balancing supply and demand are considered, wind electricity is 47 times more expensive than nuclear electricity, and solar electricity delivered through the electricity grid is 14 times more expensive.

South Australia has the weakest economy in the country, and Labor's commitment to change the climate by decarbonising the electricity system, the transport system and primary industries is not working. Green renewables are not environmentally friendly. They are not a cheap alternative. They are inefficient, and have contributed to inconsistent power supply and rising energy costs over the last several years.

I am not the only one deeply worried that Labor will ruin every sector of the economy with its energy policy. In the meantime, people are afraid to turn on the heating in the middle of winter or the cooling in the middle of summer, and one in 10 cannot pay their electricity bill—and that number will increase, because electricity costs are expected to rise a further 29 per cent over the next 12 months.

If this government does not take this energy debate seriously, and consider alternatives like nuclear, South Australians will suffer. If the state government can support nuclear-powered submarines, then why not debate these alternatives and shelve its failed energy policy? South Australians need immediate relief from cost-of-living pressures that are being further fuelled by soaring energy prices.

The Hon. R.A. SIMMS (17:23): I rise to speak against this motion on behalf of the Greens. In so doing I want to debunk some of the, quite frankly, ridiculous claims that have been made by the One Nation political party in relation to energy policy over the years. Taking advice on energy policy from One Nation is like getting empathy lessons from Scott Morrison. They have no idea.

Let's actually listen to what they have had to say, let's take a look at some of the things that the One Nation Party has had to say on energy policy. I read through some news reports with great interest heading into this debate; I thought, 'What has the One Nation Party had to say?' Some of the things they have come up with are really worth putting on the *Hansard*, because I think they should inform consideration of this motion.

Let's look first at Senator Malcolm Roberts. In his first speech to parliament, Mr Roberts made some claims about climate change. He said 'there is no data proving human use of hydro-carbon fuels affects climate'. Well, we know that is false. He also went on to say:

[the] 1930s and 40s were warmer than the current decades...The original records are...first of all, that the data has been corrupted...

'By whom?' he was asked. 'By NASA,' he replied. NASA, of course, have corrupted the data. Of course; why did we not think of that? He says these models are 'hopelessly wrong'.

What did NASA I have to say about that? Well, a senior NASA official took the extraordinary step of personally rejecting the claims of One Nation where he claimed the agency had falsified data to exaggerate warming in the Arctic. Gavin Schmidt, Director of NASA's Goddard Institute for Space Studies, said Senator Roberts was mistaken in his assertion that the US agency had removed Arctic data to mask warming in the 1940s. A news report quoted him:

'You...hold a number of misconceptions which I am happy to clarify at this time,' Dr Schmidt told Senator Roberts in letters and emails obtained by Fairfax Media. 'The claim that [NASA] has "removed the 1940s warmth" in the Arctic is not correct.'

Dr Schmidt refers to data available on their website. Interesting. These are the people we are meant to take lessons on energy policy from. Senator Roberts went on to refer to climate change as being 'a conspiracy of the United Nations.' Wow.

He made some other really unusual claims here too. This is really worth noting. He wrote a letter to the then Australian Prime Minister, Julia Gillard, in relation to the carbon tax. This is a good one, and I think it's worth putting on the public record. The letter he sent in 2011 was addressed to—and I quote from his letter—'The Woman, Julia-Eileen:Gillard' and contained a 28-point affidavit that sought to establish Mr Roberts' exemption from the need to follow the rules of the Australian government. He referred to himself as 'Malcolm-leuan: Roberts., the living soul' and identified himself as the 'beneficiary, administrator' for a corporate entity called Malcolm leuan Roberts. He went on to say:

...Malcolm-leuan: Roberts., the living soul has not...been presented with any...facts or evidence that I, Malcolm-leuan: Roberts., the living soul am not a beneficiary of the public trust, or evidence that the Australian Government is not a trustee in the public trust and believe that none exist.

This is interesting stuff.

It is worth clarifying for the One Nation party that Elvis has actually left the building, COVID was not a made-up conspiracy, climate change does exist and the world is not flat. There are a range of other strange and nutty views the One Nation party has, and I will not bother to put all of them on the public record. We know they peddle lies and misinformation not only in relation to energy policy but in relation to vulnerable people, queer people, people of colour and a range of other groups. That is the One Nation party's MO in our parliament.

On this particular issue, I think it is worth noting that the One Nation party really have picked the wrong target here. They say that the Malinauskas Labor government continues to mismanage energy policy and imply that renewable energy is the cause of high energy prices. That is not true, and the evidence paints a very different story.

If you want to know why energy prices have gone up in this state, take a look at this side of the chamber. They have gone up because the Liberals privatised and sold off ETSA back in the 1990s. That is what has driven up energy prices. Why is not the Hon. Ms Game going after her mates in the Liberal Party for the position they have taken on privatisation and the terrible effect that that has had on energy prices in our state?

That is the cause of the problem we find ourselves in. That is the problem we face in our state but, for reasons unbeknownst to me, One Nation is running a protection racket for the Liberal Party on that issue. They are not to be believed on energy policy. They peddle lies and misinformation and this motion should be dismissed.

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

Bills

SUMMARY OFFENCES (PROSTITUTION LAW REFORM) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 August 2023.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:30): When I introduced this bill into this chamber I sought to conclude my remarks because I wanted to share with the chamber personal stories of women who have been in prostitution recently and from family members who have been tragically affected by this industry.

I want to start with M, and I use the acronym M because this survivor has asked to remain anonymous. Many of these women face post-traumatic stress disorder because of their experiences and it is critical that they are treated with care, compassion and respect in this debate. This is M's story:

I worked privately [as] a prostitute from 2016 to late 2017 and even during that short period of time, I experienced many situations that resulted in psychological damage.

I come from a dysfunctional background. My father left when I was three years old, and my mother was controlling and emotionally unavailable. I was always the black sheep of the family. I was also severely bullied as a child, and had trouble making friends at school.

When I was 18 I entered into an abusive relationship. When I got out of that, I kept meeting other men, hoping they would give me the love I've been craving all my life, but instead they would use me for sex and leave. I've never had a healthy relationship.

When I was in my mid 20s, I started using ice and my addiction quickly got out of control. My journey with prostitution starts, when one time I decided to get a larger amount and spent all of the money I had on a deal just to find out it was pretty much salt. I was devastated, and the only option I saw was to sell my body and make up for the lost cash. I reached out to an acquaintance who worked as a prostitute and asked her if she could get me a couple of jobs. She agreed. Then she said I could be making between 2000-4000 a week doing this job. Before I knew, I was all in.

Especially during the first couple of months, I experienced what I call a honeymoon period, where I could have all the money I wanted and I thought men could no longer hurt me. I thought I was in control. Then the trouble started. I had been robbed of my bank card, my drugs and the money I had earned. I had received continuous death threats because I wouldn't let him take off the condom. I had to have sex with ugly old men, the oldest being probably in his 80s. I could say all I wanted, that I enjoyed doing it, but then I had to deal with those stinky old men, often abusive and demanding.

I didn't see it at that time but [I] was slowly wasting away.

In the meantime, I got kicked out of my house for drug related issues, and rented out a hotel room for \$1000 a week, now [I] had to be available nearly 24/7 to support both my addiction and to pay for the hotel room. I sometimes had thought of leaving but couldn't see any alternative option. Instead, I convinced myself that I generally enjoyed 'working'. I'd sarcastically say, that 'I do this, because I wasn't born to make cappuccinos'. If people said 'you're not going to do this for the rest of your life, are you?' I thought, why not?

Though there had become a point when I knew I had to stop, I couldn't lie neither to myself or others, anymore. I was a walking zombie, and the only people I had contact with, were other girls and drug dealers. I had an agreement with the Serviced Apartments that I would stay there till the end of November in exchange for a reduced rate. In the couple of weeks prior to my departure I had tried to find alternate accommodation but to no avail.

The day I left, I became homeless, and coming down off ice. While I still had the energy, I spent the day going back and forth from Housing SA and an organisation called Streets to Home (which no longer exists), unfortunately neither could help me and eventually I ended up at the sobering up unit for a night. I spent the following at the RAH hospital, detoxing from drugs and suffering from intense kidney pain before being discharged to Hutt Street Centre.

I had applied for Catherine House but at that time I was unable to get a room, so I spent the next couple of months in Motel rooms funded by Housing SA and a granny flat sourced from Gumtree, where the owner tried to take advantage of me. In late February 2018 I finally was able to get into supported accommodation. Unfortunately, that is not a place for women coming from backgrounds like mine and who generally want to get their life's back on track.

The other occupants were often affected by their domestic violence relationships, secretly abusing prescription and recreational drugs, and in constant conflict with one another. Unfortunately the staff turned a blind eye to that. In addition, I received only about four counselling sessions during my three months stay, and no other supports. In May 2018 I was able to get into a program (Towards Independence) dedicated to helping recovering drug addicts with complex background, where I finally started receiving real help, bi-weekly counselling sessions and 24h hours emergency support. So all up, it had been seven months before I received the help I needed. Unfortunately Towards Independence no longer exists.

Therefore, I would strongly recommend and advocate The Coming Project, a dedicated program for women escaping sex industry.

Today, nearly six years later I'm still healing. When I first left the lifestyle of sex work and drug abuse, I was severely traumatised. I had received the diagnosis of PTSD, severe anxiety and major depression. I was under constant care of mental health professionals, and especially for the first two years, I feared everyone. I couldn't deal with crowds and catching public transport. I had trouble being one-on-one with men, including male medical practitioners. If I saw someone in the street, who reminded me of my average client (a middle aged, middle class man) I would get triggered. I genuinely thought that everyone was against me.

Up until early 2022 I couldn't even think of getting a job, I was that anxious. When I did decide to start looking for employment, it took me further six months to find work, as I had a large gap in my resume. Today, I work part-time and I still have my off-days, however I have a supportive boss.

To summarise, I believe that regardless of what the women in the sex industry say, how much they enjoy it and how empowered it makes them feel—it is denial and self preservation. It can be also a coping strategy. No one enters this industry simply by choice. There are always underlying issues. The fellow sex workers I had met, all came from dysfunctional backgrounds, whether it be childhood trauma, domestic violence, homelessness or lack of financial

security. They did not see any other option. Some, like me wanted to take revenge on their ex boyfriends. Others did this to keep their pantry full while caring for their underage children. And once you're on that path, it is very hard to quit. When I look back, I admire my own strength to leave. Even though my head I was convinced that that was what I wanted, deep in my heart I was longing for something more.

Rachel Moran, an Irishwoman who spent 11 years working in the sex industry—on the streets, in the brothels and as an escort, writes in her book titled '*Paid For*':

I absolutely stand by that.

Thank you for taking the time to read my personal testimony, and I trust that it will help you to get more insight into the truth behind the sex industry.

That concludes M's testimony. I also want to share some excerpts from Ella Zorra, who wrote this in 2017:

My parents had cast me out at eighteen. Despite repeated, genuine efforts to patch up our already [troubled and terrible] relationship, [my mother] refused to talk to me.

It was the lack of options and choice, the inability to see a way out, an escape pushed me into survival mode. I was running from destitution and to this day remain terrified of homelessness.

Prostitution stripped me of my sexuality, and ripped out my ability to truly desire someone.

I am numb and my insides feel dead. All the times I could have died, all the men who could have crushed me, all the drunken idiots I let drive me. The dark alleyways I've stumbled down, the doors I've walked through, not knowing what was waiting for me, the condoms I haven't used, the things I have shared with people I didn't know.

I use people because people have used me. I fear that all of my relationships and friendships are subconsciously powered by what I learnt while escorting—that people exist to be used and nothing more.

Finally, I want to share the story of Louisa and her daughter Emily, who turned to prostitution at the age of 18 to fuel an ongoing addiction with drugs and whose body was found dumped on a street in Kilburn at the age of 21. Emily kept a diary, and in it she speaks of her despair and about Charlie, her pimp. The diary does contain some colourful language, which I have substituted for the sake of the chamber. She says:

I hated what I had to do to get heroin, I hated looking and feeling like [crap] when I didn't have it and I hated being a slave to it. The whole show that went with being a junkie, going to Charlie's every morning, hanging out, finding the money, being looked down upon by everyone. No one respects you when your like that. I hated hurting the people I loved and not being trusted by anyone. Not giving a [care] apart from using.

Take the pain away, switch me off and let me sleep—make me turn back time and say no, make me turn back time to do things different. Let so many people down, let myself down. Lost my best friend to drugs, lost my dignity, my self-respect, the people I cared for, I [screwed] people over, I stole, I sold myself and I sold my soul.

Finally, a poem she wrote:

So you lost again
Time after time,
You take the blame,
You hide your shame
Try as you may
The past does dismay
Stupid girl don't you see
A Junkie you'll always be
Let those down who love you
Burn your ashes to the ground
You love them too
But your mind is not sound
The words that you say
Make no sense
Take your drugs

You look so tense
I'm addicted to you
You are my source of life
You make me do what I do
Get that knife
I love you, I'm sorry
Its imperative for me
I fill your heart with worry,

Because of her addiction, Emily did not have a choice and she desperately needed help.

Two weeks ago, the members of the European Parliament confirmed their abolitionist position and delivered a powerful message as they voted in favour of the initiative report on the regulation of prostitution in the EU; its cross-border implications and impact on gender equality and women's rights drafted by a Social Democratic Party member of the European Parliament, Maria Noichl.

After months of mobilisation and the first positive vote in the Committee on Women's Rights and Gender Equality on 27 June 2023, a majority of members of the European Parliament confirmed the abolitionist stance of the European Parliament, following the steps of France, Sweden and Ireland. With this vote, they made it clear that prostitution is a form of violence and that implementing support and exit programs for survivors is the best way to tackle it.

The reform that I propose with this bill is not new. It is being adopted in many countries around the world as it is seen to reduce demand and, most importantly, supports women wanting to exit the industry. This is about women's equality and recognising that the sex industry for the vast majority of women is not a choice. I commend the bill to the chamber.

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

Motions

R U OK? DAY

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

That this council—

1. Acknowledges that 14 September 2023 is R U OK? Day;
2. Recognises the important work and advocacy R U OK? Day does in the mental health space;
3. Encourages people to ask others R U OK?, supporting mental health and awareness in our community; and
4. Notes the contribution R U OK? Day has made to the attitude and discussion to mental health since its inaugural event in 2009.

(Continued from 13 September 2023.)

The Hon. J.S. LEE (Deputy Leader of the Opposition) (17:44): I rise to thank the Hon. Laura Henderson for moving the motion to acknowledge R U OK? Day and I would like to express my support for this important motion. Living in an increasingly challenging world, when things do not always go the way we want them to, people around us may be dealing with sadness and the grief of losing a loved one, marriage breakdown, health issues, cost-of-living pressures, mortgage stress or the anxiety of juggling a work-life balance and meeting family and community expectations can become overwhelming. Sometimes we just need someone to reach out to us asking that simple question: are you OK?

R U OK? encourages people to meaningfully connect and have conversations that can help others through difficult times in their lives. Sometimes, when someone is going through a difficult time, conversations may include discussions about mental health and suicide. Since the

establishment of its inaugural event in 2009, R U OK? has become a public health promotion charity that has extensively contributed to mental health advocacy.

As the shadow minister for multicultural South Australia, I know full well about the sensitive issues for multicultural communities when it comes to mental health. Often, there are many layers of challenges for members from our culturally and linguistically diverse communities to express themselves openly due to social norms, a sensitive nature or stigma attached to their cultural backgrounds. They are often too shy, too embarrassed, too scared, too isolated or even too proud to let their family and friends know that they are not okay.

The feelings of isolation, loneliness and fear that they do not fit in with others in the community make them depressed, uneasy, overwhelmed or feel that life is out of control. They may be suffering from depression or starting to have suicidal thoughts that cause ill mental health. New migrants who have limited English-speaking abilities and refugees and asylum seekers who have post-traumatic experience often have greater social and cultural barriers and do not know where to get help when they first arrive in Australia. This problem is further exacerbated due to the stigma and lack of awareness about mental health issues and resources that are available to help them tackle challenging situations and complex feelings.

I want to acknowledge the great work by the R U OK? organisation in providing translated resources to support the most vulnerable members of our multicultural communities. I recall that I personally wrote to the CEO of R U OK?, Katherine Newton, during the dark period of the COVID-19 pandemic to ask for help. I came to the realisation that our multicultural communities were facing increasing stress and pressures as many were worrying about COVID infections and potential job losses. Businesses were suffering under COVID restrictions and international students were worrying about their studies, parents and families in their home countries.

I am incredibly grateful that R U OK? responded to my call to increase the number of languages in their resources. When the crisis in Afghanistan was unfolding, I wrote to R U OK? and advocated strongly to have their resources translated into the most widely spoken languages in Afghanistan, which are namely Dari, Farsi and Pashto. When the war in Ukraine broke out, I again wrote to Katherine, R U OK? CEO, to advocate for their resources to be translated into Ukrainian languages.

I am extremely pleased to now see that R U OK? posters and social media tiles are available in all those languages I mentioned, as well as Hindi, Italian, Chinese, Punjabi, Persian and Spanish, while their website has also been fully translated into simplified Chinese, Vietnamese, Greek, Korean and Arabic.

Additionally, resources are also available in four central Australian Aboriginal languages. Together, these resources provide information to some of our most vulnerable and neglected communities and break down the barriers in these communities surrounding mental health issues and suicide prevention.

I want to sincerely thank the R U OK? board, CEO, researchers, staff, ambassadors and volunteers who work tirelessly to ensure that their campaigns and resources are made available for all community members during their time of need. We are grateful that R U OK? has succeeded as a public health promotion charity that motivates us all to start life-changing conversations and to create a more connected world. Let us all do our part to reach out to those who may just need a friend or a complete stranger to care enough about their welfare and wellbeing to ask: R U OK?

I want to thank the Hon. Laura Henderson again for moving this motion. With those remarks, I support this motion wholeheartedly.

The Hon. S.L. GAME (17:50): I rise very briefly to support the motion put forward by the honourable member and also the sentiment from the Hon. Jing Lee. I only wanted to add, briefly, that it is important that we look out for those around us year-round: family, friends and those in our society.

Life can be difficult and unpredictable, and even when we do ask for help it can be difficult to get the services that we need. But with the support and inclusion from those around us, we can get through difficult times.

The Hon. T.T. NGO (17:51): I rise to speak on behalf of the government in support of this motion. We cannot underestimate the importance and significance of the R U OK? mental health initiative. The value of promoting conversations and checking in on the wellbeing of others is a way of opening doors of encouragement for people to seek help when needed.

For individuals impacted by mental health, this important step can be an overwhelming one. However, as we know, it is an essential step and often the only way a person can, with the right support, start living their best life. R U OK? is now an Australian mental health promotion charity that grew from the R U OK? Day promotion launched in 2009. The initiative is helping individuals, families and communities to recognise the early warning signs of suicide-related distress in ourselves and in others.

Its fundamental purpose is to help people to feel safe enough to say how they are feeling and empower people to ask for help, or offer it to others. Importantly, R U OK? promotes the reduction of stigma, the importance of human connection and early intervention and, importantly, a community spirit as we are reminded that we are not alone in our struggles. R U OK? encourages us to learn more about mental health and the importance of looking after ourselves and others. The improvement of an individual's mental wellbeing will ease the fear and stigma associated with talking about suicide-related distress and support.

In 2021, South Australia became the first state in Australia to pass a Suicide Prevention Act. This act aims to reduce the incidence of suicide in South Australia and promotes a whole of government and whole of community approach to suicide prevention. Under the act, the government established the Suicide Prevention Council, tasked with the responsibility of developing and maintaining a suicide prevention plan. The South Australian Suicide Prevention Plan 2023-2026 was launched on 12 July 2023.

We can all help in recognising the importance of action in our efforts to help prevent suicide. The South Australian government encourages all South Australians to learn how to recognise the signs of distress and make a habit of asking one another: R U OK?

The success of R U OK? in changing attitudes and encouraging discussions is supported through studies conducted for R U OK? It is pleasing to note that comparisons of studies in 2014 and 2019 found that the awareness of the campaign and the participation rates increased from 66 per cent and 19 per cent to 78 per cent and 32 per cent respectively. In addition, the study found that Australians exposed to the R U OK? Day campaign were up to six times more likely to talk to someone who they thought might be experiencing personal difficulties than people who had not been exposed to the campaign.

R U OK? is a powerful reminder to South Australians about our collective responsibility to look out for one another's mental wellbeing, and this initiative is a simple and effective tool for doing so. On behalf of the government of South Australia, through the Malinauskas government, I thank the Hon. Laura Henderson for bringing this motion to the house.

The Hon. L.A. HENDERSON (17:56): I would like to thank honourable members for their contributions, but I would like to particularly thank the Hon. Ben Hood, the Hon. Jing Lee, the Hon. Sarah Game and the Hon. Tung Ngo for their contributions and support of this very important day.

Asking R U OK? is a simple question to ask but it prompts a very meaningful conversation that needs to be had around people's mental health. R U OK? is a question that should not just be asked on R U OK? Day but all year round. I thank members for their support of this motion and for the opportunity to continue to raise awareness around mental health and to change the stigma around mental health. Reach out to your friends, reach out to your loved ones, reach out to your colleagues and ask R U OK? With that, I commend the motion.

Motion carried.

VIETNAM WAR ANNIVERSARY

The Hon. T.T. NGO (17:57): I move:

That this council—

1. Notes that 2023 marks the 50th anniversary of the proclamation to end Australia's involvement in the Vietnam War;
2. Recognises the service and the tremendous sacrifices made by South Australian veterans of the Vietnam War and their families;
3. Acknowledges the statements of the Prime Minister recognising and apologising for the prolonged suffering of many Vietnam War veterans;
4. Acknowledges the contributions made to Australian society by the Vietnamese veterans and their families, who fought alongside Australians during the Vietnam War and have since made Australia home; and
5. Expresses its genuine regret to veterans of the Vietnam War who had experiences upon returning to Australia that compounded and exacerbated the trauma they suffered in the conflict.

This year marks the 50th anniversary of the proclamation to end Australia's involvement in the Vietnam War. It was a complex conflict, and it was and still is the subject of much debate that I have no intention of revisiting today. I prefer to focus on one of the war's most enduring legacies of damage, which is the human cost of the conflict, not just in lives lost but in lives that were changed forever.

In the decade between 1962 and 1972, Australia committed nearly 60,000 ground, naval and air personnel to Vietnam. After conscription was introduced by the Menzies government in 1964, it was no longer necessarily a choice for the individual to make. The first Australian conscript to be killed in action was a 21-year-old South Australian, the only child of his parents, who died after only 10 days of service. More than 200 of Australia's 523 casualties in Vietnam were conscripted men.

But there are so many ways beyond directly causing their death that the war in Vietnam took away the lives of its veterans. When I meet a veteran of the Vietnam War, I always say thank you. I am not only thanking them for their service, I am thanking them for their sacrifice, because for so many veterans the experience destroyed their mental health and stole their futures. It would have been bad enough for Vietnam veterans simply to have returned home to Australia with the physical and psychological injuries they suffered in combat, but on top of that they returned home to a community that was not ready or willing to recognise their suffering.

Australia's participation in the war in Vietnam was highly controversial. Public opinion grew increasingly opposed as the conflict went on. Veterans returned home, many of whom were experiencing post-traumatic stress disorder, and for others mental health issues were often blamed for their participation. Many Vietnam veterans were even scorned by veterans of other wars, who did not regard Vietnam as a real war. But Vietnam veterans were not only rejected by the community; shamefully many returned soldiers were turned away by organisations whose very purpose was to support and assist veterans of war.

I cannot imagine how hurtful it would have been for veterans struggling with mental health issues and struggling to readjust to life after the war to be rejected by the very organisations they thought they could turn to for help. That injustice is extraordinary. Last month the RSL of New South Wales issued an apology to Vietnam War veterans who received adverse treatment or were turned away by the RSL when they returned from service. It should not be lost on anyone that RSL New South Wales President Ray James, the person who formally delivered this apology, is a Vietnam veteran himself. Rejection by organisations like the RSL and hostility from the community compounded the suffering of veterans, who had already been through tremendous hardship. Far too many veterans were left to struggle upon their return home and we can see clear evidence of this fact.

We know that Vietnam veterans have been significantly over-represented in our homeless population. We know that many Vietnam veterans have died by suicide. A 2014 study estimated that Vietnam veterans in Australia have been nearly 14 times more likely than the general population to attempt suicide. The way Vietnam veterans were treated upon returning home undoubtedly contributed to both these facts. I feel a great sense of regret for that shameful truth, for the role our society and our community played in making life after the war even harder for so many veterans. On Vietnam Veterans' Day in 2023 Prime Minister Anthony Albanese apologised to Vietnam veterans. I welcome this apology and I echo the Prime Minister's sentiment when he said:

...we have matured enough as a nation to embrace the truth that we can disagree with a war without that diminishing the respect we feel for every man and woman who puts on our uniform and serves in our name.

Debate adjourned on motion of Hon. D.G.E. Hood.

Parliamentary Committees

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: REPORT 2022-23

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

That the 2022-23 annual report of the committee be noted.

(Continued from 28 June 2023.)

The Hon. T.A. FRANKS (18:06): I rise today to speak to the Aboriginal Lands Parliamentary Standing Committee annual report for the year 2022-23. I reiterate what I have previously said in this place: I am excited to see this committee wound up and to be given the benefit of this parliament having a State First Nations Voice to Parliament so that the interests of First Nations people in our state are better represented. However, I would like to take this time to reflect on the work of this committee and its achievements over a number of years.

Mr President, you would be well aware that you have been a longstanding member and, indeed, Presiding Member of this committee. Other members in this place are the current Presiding Member, the Hon. Tung Ngo, and also over time the Hon. Mrs Henderson; the Hon. Russell Wortley; the Hon. Ian Hunter, I believe; the Hon. Kyam Maher, both in his role as a member of this place and also as minister; and myself over some 13 years since I first came into this place.

Certainly for myself, the stolen generations reparation compensation scheme would not have come to fruition without the work of the Aboriginal Lands Parliamentary Standing Committee. It would not have been implemented had that committee not taken on what was then my private member's bill, moved back in 2010 and referred to the committee by the Hon. Stephen Wade, which saw a two-year inquiry into the stolen generations in our state and an exploration of compensation options.

That led, of course, to the Liberal opposition actually coming up with their own private member's bill—moved by you, I believe, Mr President—moved by the Hon. Terry Stephens, which then eventually led to the Labor government finally taking up, creating and delivering a stolen generations reparation or compensation scheme—real outcomes for those who had been impacted by the horrors, the errors, of the stolen generations.

I thank all those members of the community, particularly the Aboriginal community, who over many years have contributed their time and effort to informing the Aboriginal Lands Parliamentary Standing Committee of various issues through the years.

I note that the committee changed in its composition. It was established originally as a standing committee that had the minister, then Minister Terry Roberts at its inception, possibly even before the days when the Hon. Kyam Maher went on to work for him. At its inception, it was designed to be a cross-party collaborative committee to assist the minister to undertake his or her role in a way that was truly bipartisan, tripartisan, cross-party, to take politics out of these really, really difficult issues.

I think the committee did, by and large, work that way, but it certainly saw a time when having the minister on the committee—which was something unusual about the Aboriginal Lands Parliamentary Standing Committee—had had its day and was no longer serving the purpose it was intended for. It went on to unceremoniously dump the minister from the committee and create a structure where a presiding member was drawn from the Legislative Council.

It has always been a standing committee of the Legislative Council, probably by virtue of that historical fact but also as a reflection of the Legislative Council being truly diverse in its composition and the government never having held the numbers in this chamber. There were roles for the opposition and crossbenches enshrined in the act prior to our repeal of it in recent months.

One issue I want to particularly note and reflect on, and on which I believe the committee worked long and hard, is that of on-country dialysis, in particular the work of Purple House and its on-community work. Again, through that good cross party work—hard work, conversations,

education, persistence and continuing to push; I see the honourable President having empathy with my words there—we finally saw breakthroughs in delivery of on-community dialysis on APY lands, and, I am pleased to say, in Coober Pedy and Yalata in coming months.

The work of Purple House and the former Nurse of the Year who leads Purple House, Sarah Brown, is extraordinary work, difficult work, in challenging locations and in a challenging situation. I was proud that the committee was able to work with Purple House to cut through the bureaucracy and persist, persevere, and get that done.

We were extraordinarily privileged to have excellent secretarial and research support over the years. Again, it was a different committee in that the secretary was also the researcher; many committees have both a secretary and a researcher, but for this committee the role was seen as having a very specialised scope of practice. Over the years we were blessed to have some extraordinary individuals in that role, and I would like to pay tribute to a few of them.

Most recently, we had Mrs Lisa Baxter, who has been very professional and provided us with her particular legal expertise as we undertook the governance and most recently the heritage inquiry. Prior to that, I believe members would be very familiar with Shona Reid, who is now the guardian in this state but who was previously an executive secretary for this committee. Before my days—but perhaps you might remember, Mr President; certainly I know there is a story about ice creams being bought on a hot day—we had Jonathan Nicholls who, of course, went on to work for a project called the *Paper Tracker*, which long held governments accountable for the promises they made, particularly to Anangu people.

Most recently, this committee has reported on our Aboriginal heritage laws, again with an extensive inquiry over several years and two parliaments. In South Australia we really do have much work to do in this area, and I have to say it is pretty outrageous that the best native title agreement-making process we currently have in this state is under part 9B of the Mining Act, which offers better protections for native title groups and traditional owners than other legislation. We have a long way to go, and I hope we will be walking that path.

That legislation and this state still does not take its obligations to protect heritage, both tangible and intangible, seriously, with even with government departments, in recent weeks, making decisions that I believe show our protections are not what they should be. Other examples, like Torrens, Kimba and Nilpena Ediacara National Park are all examples of sites where we have not listened to First Nations people in the way that we should. The bureaucracies have not, the governments have not and the needs of corporations or even our own government and departments have outweighed the significance of traditional sacred sites and storylines.

Members might be aware that, since 2008, there has been review after review into the Aboriginal Heritage Act. Indeed, when I first came in here in 2010 I remember the review of the Aboriginal Heritage Act, which was underway at the time and had been stalled. In particular, there have been amendments from 2016, which removed the ability for Aboriginal people to require the minister to delegate their powers, and that was inconsistent with the Racial Discrimination Act 1975 and the Native Title Act 1993, and worsened the level of protection and preservation of Aboriginal heritage which, of course, is the basis for having an Aboriginal Heritage Act.

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 have been able to agree on at some point in the near future, particularly if we do have the strength and the wisdom of an Aboriginal Voice to Parliament to remind us not only of their voices but also to educate. Certainly, the status where we have almost eliminated guidelines for mining companies and which Aboriginal people they need to consult, leaving unclear time lines and legal uncertainty in the process of this act does need to be addressed.

Our laws do not give traditional owners the right to appeal a ministerial authorisation and 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, and now even more recently the Hamersley Ranges, highlights the danger of a legislative framework that has no appeal rights.

One of the joys of the travel and the committee's work, Mr President, I think you will agree, was seeing the art centres and the wonderful work, particularly women led, but certainly not only women, and particularly on APY lands. I do note that I had the pleasure of attending an exhibition last week at the APY Art Centre Collective Adelaide gallery, just outside the city on George Street at Thebarton. There, I heard the stories in terms of the paintings of Lisa Khan. I was touched by her stories of country, of noodling for opals as a child in Coober Pedy and how her connection to country withstands the distance because she is now based in Adelaide. Her ability here to interact and to continue and practise her art with her mother will continue those storylines.

Lisa moved to Adelaide when she was young because her parents wanted her to have a better education. It is a very common story for many in remote communities, but she let us know in her artist talk that every time she returns home she feels the embrace of her connection the second her feet touch the ground. Lisa and her family are not alone. Many First Nations people do leave remote communities for better opportunities in education and employment, but often out of necessity for health care.

I have been privileged to work with Country Needs People, a not-for-profit group that is working on a campaign calling for state and federal governments to double the number of Indigenous rangers to help harness traditional knowledge, connection to country and access to modern scientific conservation methods to create a win-win for the environment and the wellbeing of communities' First Nations people. Opportunities like this will not only boost local economies, but they are vital in helping preserve and celebrate Indigenous culture, language and links with country.

There is still much work to be done regarding empowering First Nations people in our state. We know that the life expectancy for First Nations people in remote and very remote regions is 14 years lower than those of non-Indigenous backgrounds. We know that First Nations Australians are significantly over-represented in our criminal justice system, where First Nations young people aged 10 to 17 are four to six times as likely as non-Indigenous young people to be approached by police. These, of course, are not just statistics—every single number is a human being with hopes and dreams who demands better from us.

We have an obligation to every person in this state to do our very best in providing them with the best outcomes, and I believe we will get those outcomes by listening. First Nations people have been traumatised by generational actions and policies of subsequent governments and peoples in denying them their rights and traditions to live peacefully according to their spiritual, cultural and sovereign legal rights under these laws.

I want to reflect and note that this is the final report of this committee—not the one the Liberals spoke to a couple of weeks ago; that was actually about the review of the Aboriginal Heritage Act—and that this is a committee that under the Liberals' proposed First Nations Voice to Parliament was scheduled to be a conduit to that Voice.

The idea originally, when the then Premier came and spoke to me about it, was that he had not had time and the Liberal opposition, due to COVID in particular but certainly with Commissioner Thomas, had not had time to roll out the necessary consultations to set up the First Nations Voice before the previous election, so as a halfway house the Liberal proposal was to set up a First Nations Voice and for that Voice to work with the Aboriginal Lands Parliamentary Standing Committee.

This is a committee of non-Aboriginal people, by a large, not of Aboriginal people, but it was never intended to be a long-term solution, and it was never intended by the then Liberal government to be an ongoing situation. It was always intended as something that was a stopgap measure because they had not had enough time, under COVID and the restrictions that COVID had placed on the ability to consult, to properly set up a First Nations Voice to Parliament.

I find it extraordinary that then Liberal members on the Aboriginal Lands Parliamentary Standing Committee in the past year refused to have a briefing when I moved to have a briefing from the current First Nations Voice commissioner. They did not want to hear from him, did not want to be informed about the consultations and then, by the time they were ready to discuss the Malinauskas government-led Voice to Parliament, it was too late because the bill had already been introduced into parliament.

At that point, according to the standing orders and the advice from the Clerk, we were then unable to have the First Nations Voice commissioner come in and talk to us and tell us about the legislation, because we had not wanted to hear from them when they were actually having their conversations.

I find it extraordinary to be standing here also with a committee that under a previous Liberal Presiding Member forgot to lodge several reports over several years. So I will not be lectured to by the Liberal opposition about how important this committee is when they have not got up to speak to this report. They did not read the previous report, going by all reflections of their speeches, and not a single one of them has put themselves down to speak to this today.

With that, I look forward to the First Nations Voice to Parliament. I do hope all members of parliament will actually listen to it. I do hope that they will reflect and recognise that a parliament committee of non-Aboriginal people is not a First Nations Voice to Parliament. A First Nations voice to a committee is not something that actually passes the pub test when you try to tell people out in the public, 'You can go talk to a committee' as opposed to 'You can go talk to the whole parliament and indeed have access to cabinet and have access to chief executive officers of the particular departments you're most interested in, whether that is Human Services or Health or, of course, Aboriginal Affairs—but it may be the arts and the arts centres.'

So I find it a little rich to have had the conga line of Liberal opposition members in the last sitting week all get up and speak to what was an inquiry into the Aboriginal Heritage Act by this committee, totally missing the point of what that review covered, and then, here today I am the only one other than the Chair, the Hon. Tung Ngo, who has got up and spoken to this report of this committee that apparently the Liberal opposition would like to keep, even though when they were in government they were the ones who actually came up with the idea of winding it up under the leadership of Steven Marshall, the member for Dunstan and then Premier.

I did enjoy my time on the committee at times. There is a story about ice creams that I will save for another day. There are many stories from this committee that I think over many years saw Aboriginal affairs lifted and us work together, and I hope that that is the spirit in which we will welcome the new elected First Nations Voice to Parliament when they go through their processes in the future. With those words, I commend the report.

Motion carried.

Motions

MUNICIPAL COUNCIL OF ROXBY DOWNS BY-LAWS

Orders of the Day, Private Business, No. 109: Hon. I. Pnevmatikos to move:

That by-law No. 3 of the Municipal Council of Roxby Downs concerning cats, made under the Local Government Act 1999 and the Dog and Cat Management Act 1995 on 25 May 2022 and laid on the table of this council on 5 July 2022, be disallowed.

The Hon. I. PNEVMATIKOS (18:27): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

YOUNG, MR G.T.

Adjourned debate on motion of Hon. I. Pnevmatikos:

That this council expresses its sincere regret at the death of the unionist George Thomas Young and notes his impact on the lives of working South Australians through the union movement.

(Continued from 19 October 2022.)

The Hon. I. PNEVMATIKOS (18:28): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

NATIONAL VOLUNTEER WEEK

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

That this council—

1. Recognises National Volunteer Week from 16 May 2022 to 22 May 2022;
2. Notes the theme for 2022 is 'Better Together';
3. Celebrates the essential work of volunteers, from education and care to emergency services and disaster recovery; and
4. Thanks the nearly one million volunteers across South Australia who give their time, skills and commitment for no reward but to make a better community.

(Continued from 19 May 2022.)

The Hon. T.T. NGO (18:28): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

At 18:29 the council adjourned until Thursday 28 September 2023 at 11:00.