

LEGISLATIVE COUNCIL**Tuesday, 6 February 2024**

The PRESIDENT (Hon. T.J. Stephens) took the chair at 14:17 and read prayers.

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

*Bills***ADVANCE CARE DIRECTIVES (REVIEW) AMENDMENT BILL***Assent*

Her Excellency the Governor assented to the bill.

PUBLIC HOLIDAYS BILL*Assent*

Her Excellency the Governor assented to the bill.

PUBLIC SECTOR (MINISTERIAL TRAVEL REPORTS) AMENDMENT BILL*Assent*

Her Excellency the Governor assented to the bill.

RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL*Assent*

Her Excellency the Governor assented to the bill.

STATUTES AMENDMENT (BUDGET MEASURES) BILL*Assent*

Her Excellency the Governor assented to the bill.

WORK HEALTH AND SAFETY (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL*Assent*

Her Excellency the Governor assented to the bill.

VETERINARY SERVICES BILL*Assent*

Her Excellency the Governor assented to the bill.

*Parliamentary Procedure***ANSWERS TABLED**

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

PAPERS

The following papers were laid on the table:

By the President—

Reports of the Auditor-General—

Report 1 of 2024: Regional Bus Services Contracts—Phase 1

Report 2 of 2024: ICT Asset Management

Parliament of South Australia Equal Opportunity Commission third progress report, Review of Harassment in South Australian Parliament Workplace, authorised to be distributed by the President on 19 December 2023 pursuant to the resolution of the Legislative Council on 30 November 2023.

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

Reports, 2022-23—

Alinytjara Wilurara Landscape Board
Capital City Committee
Compulsory Third-Party Insurance
Department of Treasury and Finance
Distribution Lessor Corporation
Essential Services Commission of South Australia
Eyre Peninsula Landscape Board
Generation Lessor Corporation
Green Adelaide Board
Hills and Fleurieu Landscape Board
Kangaroo Island Landscape Board
Lifetime Support Authority
Limestone Coast Landscape Board
Motor Accident Commission (MAC)
Murraylands and Riverland Landscape Board
Northern and Yorke Landscape Board
South Australian Arid Lands Landscape Board
South Australian Government Financing Authority
South Australian Suicide Prevention Action Plan 2023-26 and Suicide Prevention Action Plan 2022-23
South Australian Superannuation Board
State Owned Generators Leasing Co. Pty Ltd (SOGLC)
Transmission Lessor Corporation

Fees Notice under Acts—

Safe Drinking Water Act 2011

Notice under Acts—

Liquor Licensing Act 1997—Late Night Trading Code of Practice

Regulations under Acts—

Advance Care Directives Act 2013—Miscellaneous
Controlled Substances Act 1984—Poisons—Exemptions
Tobacco and E-Cigarette Products Act 1997—Smoking Bans

Determination of the Remuneration Tribunal No. 8 of 2023—Common Allowance for Members of the Parliament of South Australia

Determination of the Remuneration Tribunal No. 9 of 2023—Accommodation Reimbursement and Allowances for Country Members of Parliament

Determination of the Remuneration Tribunal No. 10 of 2023—Remuneration of Members of the Judiciary, Presidential Members of the SAET, Presidential Members of the SACAT, the State Coroner, and Commissioners of the Environment, Resources and Development Court

Determination of the Remuneration Tribunal No. 12 of 2023—Berri Country Magistrate Housing Allowances

Determination of the Remuneration Tribunal No. 13 of 2023—Accommodation and Meal Allowances—Judges, Court Officers and Statutory Officers

Determination of the Remuneration Tribunal No. 14 of 2023—Conveyance Allowances—Judges, Court Officers and Statutory Officers

Determination of the Remuneration Tribunal No. 17 of 2023—Remuneration of Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner, and Health and Community Services Complaints Commissioner

Report by the Child Development Council South Australia on South Australia's Outcomes Framework for Children and Young People

Report of the Remuneration Tribunal No. 8 of 2023—2023 Review of the Common Allowance for Members of the Parliament of South Australia

Report of the Remuneration Tribunal No. 9 of 2023—2023 Review of Accommodation Reimbursement and Allowances for Country Members of Parliament

Report of the Remuneration Tribunal No. 10 of 2023—2023 Review of Remuneration of Members of the Judiciary, Presidential Members of the SAET, Presidential Members of the SACAT, the State Coroner, and Commissioners of the Environment, Resources and Development Court

Report of the Remuneration Tribunal No. 11 of 2023—2023 Review of Salary Sacrifice Arrangements for Judges, Court Officers and Statutory Officers

Report of the Remuneration Tribunal No. 12 of 2023—2023 Review of Berri Country Magistrate Housing Allowance

Report of the Remuneration Tribunal No. 13 of 2023—2023 Review of Accommodation and Meal Allowances—Judges, Court Officers and Statutory Officers

Report of the Remuneration Tribunal No. 14 of 2023—2023 Review of Conveyance Allowances—Judges, Court Officers and Statutory Officers

Report of the Remuneration Tribunal No. 17 of 2023—2023 Review of Remuneration of Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner and Health and Community Services Complaints Commissioner

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

Professional Standards Council—Report, 2022-23

Rules of Court—

- District Court—District Court Act 1991—
 - Joint Criminal—No 3
 - Uniform Civil—No. 10
 - Uniform Special Statutory—No 2
- Environment, Resources and Development Court Act 1993—
 - Joint Criminal—No 3
- Magistrates Court Act 1991—
 - Joint Criminal—No 3
 - Uniform Civil—No. 10
 - Uniform Special Statutory—No 2
- Supreme Court Act 1935—
 - Joint Criminal—No 3
 - Uniform Civil—No. 10
 - Uniform Special Statutory—No 2
- Youth Court Act 1993—
 - Joint Criminal—No 3
 - Uniform Civil—No. 10
 - Uniform Special Statutory—No 2

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

Return to Work Corporation of South Australia—Report, 2022-23

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

Reports 2022-23—

- Adelaide Hills Wine Industry Fund
- Apiary Industry Fund

- Barossa Wine Industry Fund
- Cattle Industry Fund
- Citrus Growers Fund
- Clare Valley Wine Industry Fund
- Grain Industry Fund
- Grain Industry Research and Development Fund
- Langhorne Creek Wine Industry Fund
- McLaren Vale Wine Industry Fund
- Official Visitor Correctional Services Act 1982—Gaybrielle Cotton
- Pig Industry Fund
- Riverland Wine Industry Fund
- SA Grape Growers Industry Fund
- Sheep Industry Fund
- South Australian Local Government Grants Commission
- Regulations under Acts—
 - Aquaculture Act 2001—Miscellaneous
 - Child Safety (Prohibited Persons) Act 2016—Exemption
 - Motor Vehicles Act 1959—Road Rules
 - Passenger Transport Act 1994—Vehicle Age Limit
 - Planning, Development and Infrastructure Act 2016—General—Certificates of Occupancy—No 2
 - Road Traffic Act 1961—
 - Miscellaneous—Road Rules and Other Matters
 - Prescribed Breath Analysing Instrument
 - Road Rules—Ancillary and Miscellaneous Provisions—Road Rules
- Rules under Acts—
 - Road Traffic Act 1961—
 - Australian Road Rules—Miscellaneous
- District Council By-laws—
 - Yankalilla—
 - No 1—Permits and Penalties
 - No 2—Local Government Land
 - No 3—Roads
 - No 4—Moveable Signs
 - No 6—Foreshore

Parliamentary Committees

SELECT COMMITTEE ON HUNTING OF NATIVE BIRDS

The PRESIDENT (14:22): I lay upon the table the report of the select committee, authorised to be published and distributed by the President of the Legislative Council on 14 December 2023 pursuant to resolution of the Legislative Council on 30 November 2023, together with minutes of evidence and proceedings.

Report received and ordered to be published.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The PRESIDENT (14:22): I lay upon the table the report of the committee into the referral of the Work Health and Safety Crystalline Silica Dust Amendment Bill, authorised to be published pursuant to section 17(7)(b) of the Parliamentary Committees Act 1991.

Report received and ordered to be published.

*Ministerial Statement***O'DONOGHUE, DR LOWITJA**

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:29): I table a copy of a ministerial statement made by the Premier in another place on the topic of Dr Lowitja O'Donoghue.

O'DONOGHUE, DR LOWITJA

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:29): I seek leave to make a ministerial statement myself on the topic of Dr Lowitja O'Donoghue AC CBE DSG.

Leave granted.

The Hon. K.J. MAHER: I rise today to express the deep sadness many in the Aboriginal community and broadly across South Australia and the nation are feeling with the passing of Aboriginal leader Dr Lowitja O'Donoghue. I extend my heartfelt condolences to her family, her friends and the Aboriginal community that she relentlessly served over many decades.

I have just tabled a statement made in the other place by the Premier about Dr O'Donoghue's remarkable life, but as Minister for Aboriginal Affairs I would like to take a few moments to reflect on the extraordinary achievements that Dr O'Donoghue made for her Aboriginal and Torres Strait Islander people and communities.

Dr Lowitja O'Donoghue was a trailblazing force who has left an indelible mark on this nation's fabric that will continue to shape our future. She was a proud Yankunytjatjara person, whose life embodied resilience, fearlessness, tenacity, compassion, generosity and a tireless commitment to advancing the wellbeing and rights of Aboriginal and Torres Strait Islander people.

Born in 1932 near Indulkana (or Iwantja in the Yankunytjatjara language) on Yankunytjatjara country in what is now known as the APY Lands, Dr O'Donoghue overcame the greatest of adversities—including the forced removal as a child from her family, her country and her culture—and in her early life was placed into the hands of Christian missionaries and raised at the Colebrook Children's Home near Quorn.

Famously, the matron of the Colebrook Children's Home told her at an early age that she would not amount to anything. It is hard to believe, knowing that this young woman went on to become one of if not the most influential Aboriginal person this country has ever seen. Amongst Dr O'Donoghue's many groundbreaking achievements, she became the first training nurse at the Royal Adelaide Hospital, served as the inaugural Chairperson of the Aboriginal and Torres Strait Islander Commission, was the first Aboriginal person to address the United Nations General Assembly and played a pivotal role in the drafting of native title legislation that arose from the High Court's 1992 ruling in the landmark case of *Mabo v Queensland (No. 2)*.

A recipient of many accolades, including a NAIDOC Lifetime Achievement Award, membership of the Order of Australia, Australian of the Year 1984, Dame of the Order of St Gregory the Great, Companion of the Order of Australia, Commander of the British Empire, she was named as a national living treasure in 1998. Her legacy is reflected through institutions like the Lowitja Institute and the Lowitja O'Donoghue Foundation.

Beyond her professional accomplishments, Dr O'Donoghue's enduring impact lies not only in inspiring generations of future Aboriginal leaders but paved the way for many who followed in her footsteps. This is the purpose of the Lowitja Foundation and after extensive discussions with the family this week, and in many weeks before, they would encourage and I would encourage people who are looking at ways to honour Dr O'Donoghue's memory to consider donating to the Lowitja Foundation.

Dr O'Donoghue's family have accepted the offer of a state funeral in recognition of her significant contributions. The government intends to move a condolence motion after the funeral of Dr O'Donoghue to enable all members in both chambers who wish to provide reflections on her

astounding legacy. There is much more to say but for now it is fitting that we take a moment to reflect on the extraordinary life and legacy of a remarkable woman.

While I am on my feet, I would seek the leave of the council for the Leader of the Opposition to respond to my ministerial statement.

Leave granted.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:32): I rise on indulgence to echo the words of the Leader of the Government in this place and to acknowledge the passing of Dr Lowitja O'Donoghue AC CBE DSG and the imperative role that she played in advocating for and extending Aboriginal and Torres Strait Islander rights across Australia. On behalf of the Liberal opposition in this chamber, I would like to place on the record our deepest sympathy towards Dr O'Donoghue's family, friends and community.

I understand she passed away surrounded by her family and that she is being rightfully afforded a state funeral, a true testament to her incredible service and the absolute respect she commanded across the state. I note that the government will put forward a full condolence motion when appropriate and in line with the guidance of Dr O'Donoghue's family.

We the Liberal opposition will welcome that opportunity to make a more fulsome contribution to the life and achievements of Dr O'Donoghue, but in the meantime we call on all South Australians and indeed Australians to remember Dr O'Donoghue's legacy, not just in mourning but as a beacon of inspiration for continued advocacy for Indigenous rights and reconciliation.

Parliamentary Procedure

VISITORS

The PRESIDENT: I acknowledge the presence in the gallery of South Australia's Agent-General and former minister in this place, the Hon. David Ridgway.

Parliamentary Committees

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:45): By leave, I move:

That pursuant to section 12(3) of the Parliamentary Committees Act 1991 the Hon. R.P. Wortley be appointed to the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation in place of the Hon. R.B. Martin (resigned).

Motion carried.

Question Time

AMBULANCE RAMPING

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:46): I seek leave to make a brief explanation before asking a question of the Leader of the Government in this place about election promises.

Leave granted.

The Hon. N.J. CENTOFANTI: The January 2024 figures are the third worst month of ramping ever experienced here in South Australia. The Malinauskas Labor government has now delivered the 20 worst months of ramping in South Australia's history. Since Labor came to government less than two years ago, 78,465 hours of paramedic and patients' time has been lost to ramping. That is more than under the entire four-year term of the former Liberal government during a global pandemic.

Labor is also responsible for the worst month of ramping in the state's history, with 4,285 hours lost last November, and the second worst month of ramping occurred last March, with 3,968 hours lost. My questions to the Leader of the Government are:

1. Given we are two years into the government's term, when will his government deliver on their election commitment to fix ramping?

2. Given South Australian Labor told South Australians to 'vote like your life depends on it', will the Leader of the Government take responsibility for the recent deaths in our state as a result of ramping?

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 her question. As I have been asked about this regularly, I am happy to remind the honourable member and those opposite that the Minister for Health sits in another chamber.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: I am happy to refer the question to the minister in another place, but I will—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —maybe make a passing comment that over the last few weeks we have regularly seen members of the Liberal Party asked what their plans are for ramping and they have almost proudly admitted—

Members interjecting:

The PRESIDENT: Order! Order, the honourable Leader of the Opposition and the Hon. Mr Wortley!

The Hon. K.J. MAHER: —they don't have one. They don't have any plans at all whatsoever about ramping. It is—

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Girolamo!

Members interjecting:

The PRESIDENT: Order! The honourable Leader of the Opposition!

The Hon. R.P. Wortley: You don't have a plan.

The PRESIDENT: The Hon. Mr Wortley, I am on my feet. You know better than that.

The Hon. K.J. MAHER: It's disappointing. In years gone by, we would have never seen repeated questions asked of ministers in this chamber, if it didn't relate to them.

Members interjecting:

The PRESIDENT: Order!

The Hon. L.A. Henderson interjecting:

The PRESIDENT: Order, the Hon. Mrs Henderson!

The Hon. K.J. MAHER: In years gone by, leaders who knew what they were doing—like the Hon. David Ridgway—would ask questions of ministers in this chamber. He was very good and very pointed at asking direct questions, tricky questions of the government in this chamber.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: You could almost imagine the tactics meetings, such as the tactics are of the opposition in this place. I can just imagine the Hon. Michelle Lensink, as the only person now who has ever been a minister on the opposition benches, reminding the leader, 'Why would you

ask questions of a minister in this chamber when the portfolio responsibility lies in the other chamber?' But still they insist on doing it—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —and that is their choice.

AMBULANCE RAMPING

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:50): Supplementary: will the Leader of the Government concede that fixing ramping is now a broken promise?

Members interjecting:

The PRESIDENT: We were talking about ramping.

Members interjecting:

The PRESIDENT: Order! The honourable Leader of the Opposition, your second question.

BEE DEATHS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:50): I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development on bee deaths in the Riverland.

The Hon. H.M. Girolamo interjecting:

The PRESIDENT: Order, the Hon. Ms Girolamo!

Leave granted.

The Hon. N.J. CENTOFANTI: A number of apiarists have contacted my office because they have seen significant bee deaths that they allege occurred directly after PIRSA staff had been present, spraying Naturalure for the eradication of fruit fly in the Riverland. My question to the minister is: given that Naturalure is dangerous to bees, can the minister guarantee this chamber that all PIRSA staff and all personnel have been following protocols in regard to the administration of Naturalure around beehives and on plants in flower when bees are active?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51): I thank the honourable member for her question. My department, the Department of Primary Industries and Regions, is of course aware of a recent incident of bee deaths from alleged chemical poisoning reported to PIRSA by a Riverland beekeeper and reported through the media.

PIRSA has investigated the cause of the bee deaths, where bee samples were submitted for toxicology testing. The toxicology results detected the presence of a registered insecticide, Fipronil. No other chemicals were detected in the toxicology analysis from a wide screen of chemicals. Prior to toxicology results being received, the beekeeper and the landowner where the bees were located reported that, whilst it was unclear what had killed the bees, PIRSA had been spraying properties in the area at the time as part of the fruit fly program.

However, Fipronil is not used by PIRSA's fruit fly eradication program. Fipronil is known to be highly toxic to bees and has been detected in relation to previously reported bee poisoning incidents. The beekeeper has been advised of the toxicology results and the outcomes of the investigation.

ABC News also reported that an apiarist reported bee deaths in July 2023. I am advised that PIRSA investigated that incident, where the toxicology results showed that no agricultural chemicals were detected in samples. ABC News reported in January this year that several apiarists were concerned that PIRSA was not following instructions on applying fruit fly spray safely.

As part of its fruit fly eradication response, PIRSA uses Naturalure, a certified organic bait that is safe to use around family, pets and wildlife. Interestingly, it's the same solution that is used on organic farms. PIRSA follows all approved label directions when using Naturalure. Naturalure is

designed specifically to attract fruit flies, and it is not applied directly onto bees, hives or flowering plants where bees are foraging. As a precautionary measure, PIRSA conducts a risk assessment on properties where the agency is aware that managed beehives are present. In communication with the landowner, Naturalure may be applied appropriately in those circumstances.

PIRSA continues to work with apiarists in the Riverland to ensure hive locations are identified and effective bee management practices are in place. PIRSA staff receive training and they also operate in teams with a supervisor and a team leader, and therefore it is clear that they have a very responsible attitude to the application of Naturalure within the Riverland and anywhere else it might be required.

It's also worth mentioning that the ongoing efforts to eradicate fruit fly in the Riverland are very highly supported by those in the Riverland—by the fruit growers—and we are very pleased to continue that eradication process. We have obviously invested large amounts of money and effort into trying to eradicate fruit fly from the Riverland so that we can regain the fruit fly free status, and I will certainly expect that to continue.

BEE DEATHS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:54): Supplementary: has the minister herself met with concerned apiarists to speak to them about the processes followed by PIRSA personnel and management and, if not, why not?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:54): PIRSA is best placed to be able to identify in detail each of their processes. I know that the—I can't quite recall the title—incident controller or the incident investigator has met with concerned apiarists, has gone through the information that I have just outlined in this place, and that is the appropriate method for that to occur.

BEE DEATHS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:55): Supplementary: has the minister received requests from concerned apiarists for a meeting or discussion regarding the processes followed by PIRSA personnel and management?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:55): I would need to check my records to see if I have received such a request. What I think, though, is important to emphasise is that an independent investigation was done. So separate to the fruit fly team, an independent investigation by PIRSA was undertaken. That is appropriate. It is therefore, obviously, PIRSA who will be able to answer the detailed and specific questions that apiarists may have.

BEE DEATHS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:56): I seek leave to make a brief explanation prior to addressing a question to the Minister for Primary Industries and Regional Development on bee deaths in the Riverland.

Leave granted.

The Hon. N.J. CENTOFANTI: On 31 January, the minister received a letter from a constituent in the Riverland, who is a beekeeper, who experienced the loss of 12 hives and an estimated loss of 50 per cent of the remaining bee population just days after the owner of that property witnessed PIRSA personnel spraying less than 100 metres away from the hives.

The constituent then claims that, despite him ringing a PIRSA contact number multiple times and being told that senior management would phone him back, no-one rang him back or contacted him until he approached the department in person some six weeks later. He then provided the department with a sample of the dead bees and then claims it took the department a further six weeks after testing the bees to provide him with any test results, which, unsurprisingly, came back unable to confirm any poison. So my questions to the minister are:

1. Has the minister read the letter sent to her dated 31 January 2024?

2. Has the minister contacted the constituent, as she has been asked to do so?
3. If not, why is she ignoring industry, and will she acknowledge that this is another example of her complete disregard for the interests of our state's hardworking apiarists?
4. Will the minister commit to an independent inquiry outside of PIRSA into the number of bee deaths seen in the Riverland during the fruit fly eradication process?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:57): The Leader of the Opposition says the letter was sent on 31 January, so she obviously knew the answer to her previous question in which I said I would check my records. To my knowledge that letter has not come across my desk at this stage.

I think it is important, though, also, to note that there are many activities within the urban environment that can impact bees. It is important to note that bees can be vulnerable to different herbicides and pesticides, including common garden products, particularly if they are not used according to the label. That applies to herbicides, pesticides and common garden products. So I would certainly encourage, I guess, all of us in the community to ensure that we are using any such products appropriately, according to the manufacturer's instructions.

It is fair to say that those who have expert knowledge in terms of the matters that we are discussing are those who are best placed to be able to respond to inquiries.

BEE DEATHS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:59): Supplementary: can the minister then guarantee to this chamber that all PIRSA personnel or staff have been following protocols with regard to the administration of Naturalure and, if not, will the minister commit to an independent inquiry, outside of PIRSA, into the number of bee deaths seen in the Riverland?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:59): I have every reason to have confidence in the way that PIRSA has been utilising Naturalure. What I cannot guarantee is the way that other individuals, outside of PIRSA, may have been using other chemicals in the region.

EMERGENCY ANIMAL DISEASES

The Hon. M. EL DANNAWI (14:59): My question is to the Minister for Primary Industries and Regional Development. Will the minister update the council about the rollout of South Australia's first rapid response units to combat animal disease and protect supply chains?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:00): I thank the honourable member for her question and her interest in this area. Members might recall that in late 2022 the Malinauskas Labor government, with the support of Livestock SA and the South Australian dairy industry, announced \$6.8 million over four years to help South Australia combat the increased risk of emergency animal diseases such as foot-and-mouth disease, African swine fever and lumpy skin disease, amongst others.

In recent years, there have been notable detections of emergency animal diseases in neighbouring countries to Australia which demonstrates the heightened risk that our country faces and the need for additional investment. It was clear upon coming to office that there had been an underinvestment by the previous Marshall Liberal government into biosecurity in our state. Part of the \$6.8 million allocation includes the purchase of emergency response units, including equipment for quarantine, sampling and decontamination.

I had the opportunity last week to join Livestock SA and the Acting Chief Veterinary Officer in South Australia in announcing that the Department of Primary Industries and Regions had taken ownership of three rapid response units that will now be deployed to various locations across the state, and which can be utilised in the event of an emergency animal disease outbreak. We know that an outbreak of an emergency animal disease, such as foot-and-mouth disease, would have a significant impact on our state economy, more so in regional communities where it is estimated that job losses of over 8,000 workers in the primary production sector could be expected.

Having a large-scale outbreak of a disease such as foot-and-mouth disease in Australia could have a direct economic impact of up to \$80 billion over 10 years for the nation, and would see disruptions to our export markets, undermine domestic livelihoods and have broader economic and social impacts. In the event of an outbreak, a rapid response is absolutely critical to stop the spread and enable animal health workers to begin treatment, which is why the rapid response trailers will be based across South Australia to assist in an urgent and well-coordinated response.

The rapid response units will be based at Clare, Murray Bridge and Struan, and will be ready for immediate deployment to where they are needed. They can be used to investigate disease, protect and decontaminate staff, and are designed and equipped to support a team of up to 10 officers. It is also worth noting that they can be used as a mobile office, a forward command post or a staging area, and provide the necessary equipment to respond to other disease incidents across the state in a range of livestock species.

Of course, the rapid response units are just one component of the \$6.8 million package to protect South Australia from emergency animal diseases. Other elements of the funding include the purchasing of mobile laboratory facilities in rural areas, training in response activities, and additional veterinarians and animal health staff for risk assessment and diagnostic coordination capacity for the regional veterinary workforce.

It is also important to note that these units will be used for training, so if people in the community in our regional areas do see the units it does not mean there has been an outbreak. It does not mean that there has been outbreak; it is part of the training and preparedness. I look forward to having the opportunity to update this place soon on the continued rollout of the emergency animal disease package that both livestock producers and regional South Australian communities will continue to benefit from.

GRAPE PRICES

The Hon. F. PANGALLO (15:03): I seek leave to make a brief explanation before asking the Minister for Primary Industries and Regional Development a question about grape prices.

Leave granted.

The Hon. F. PANGALLO: Last weekend, in Loveday, I met with about 100 angry grapegrowers. They painted a very grim picture about their futures and that of the entire Riverland region. The region, and the neighbouring Riverina and Sunraysia, is on the brink of collapse due to appalling low prices offered by the big wine companies for their grapes. They are being offered about \$150 a tonne for their red grapes—prices they were getting in the 1970s—when only a few years ago they were getting between \$600 and \$700 a tonne. To meet their costs, they need at least \$300 a tonne, so the prices they are being offered are simply not sustainable. Some are facing bankruptcy.

Many growers have already decided not to harvest this year, while others will need to decide what to do with their crops in coming weeks. Many feel the wine companies have a gun to their head and are trying to extort them: 'Take it or leave it.' Accolade, one of the largest buyers, wants to rip up the existing preferred sales agreement. The state cannot afford to lose this crucial grapegrowing region, which is a major contributor to the state's \$2.5 billion annual wine production.

The Riverland is the main wine contributor, with 50 per cent of the nation's vineyard plantings and 46 per cent of the total tonnes of the national crush, and is a major contributor to the 60 per cent of the wine produced in South Australia exported to over 100 countries around the world. Today, the minister is accusing the Liberals of waging war against our farmers. It seems the Malinauskas government is deserting them through inaction and lack of interest to hear their plight. My questions to the minister are:

1. What is the government going to do to support these growers?
2. What provisions do the primary industries minister and the government have in place to ensure Accolade Wines completes its payment obligations for grapes taken in 2024 up to the time of new owners taking over and paid to the CCW Co-operative in the same payment time schedule as agreed?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:06): I thank the honourable member for his question. Certainly, the crisis that is in the Riverland in regard to the wine industry is absolutely significant. That is why as a government and as minister we have been meeting in the Riverland and elsewhere with growers, with winemakers and with industry associations frequently over the last 18 months to two years—just under two years.

A number of things have emerged from that. Clearly, there are some things that are not the role of government. Intervening to set prices is not something that governments generally do in Western democracies. The overall issue of wine oversupply, particularly red wine oversupply, internationally is significant. It is not something that individually in South Australia we can make a difference to.

What we can do, and what our government has been doing, is attempt to do our part towards one of the major contributors to the crisis that our wine grapegrowers and the wine industry more broadly are facing, which is to re-engage with China. We know that, sadly, the former federal Coalition government engaged in behaviour that certainly increased the difficulties and tensions with our major trading partner, and the impacts of that behaviour over many years have been significant.

However, both the Prime Minister and our Premier in South Australia, Peter Malinauskas, as well as our trade minister in the other place and the trade minister in the Senate, have been working very hard to re-engage with China and to repair that relationship. We are hopeful that there might be some good news forthcoming from that.

The government has been running some re-engagement strategy workshops, and as part of that strategy close to 200 businesses from the wine sector in South Australia were able to gain insights into the China market at workshops held in the Barossa, the Adelaide Hills and Coonawarra, and indeed one was held in the Riverland, which was where the protest was held. The workshops were facilitated by the Department for Trade and Investment in partnership with the South Australian Wine Industry Association and PIRSA.

It is important to note, however, that it is critical that we do continue to try to re-engage with China and hope that there will be a reopening of that market, but it won't be the panacea to all the issues within the wine industry. It has been said both by myself and also by those on the opposite side of politics that this is an issue that has been brewing for some time—sorry, no pun intended. It has been developing for some time.

Changes in tastes worldwide mean that fewer people are drinking wine and fewer people are drinking, particularly, varieties such as shiraz and cabernet sauvignon. Those things are global issues. What we have done in South Australia, in addition to what I have already mentioned, is work closely with the Riverland wine industry.

We had a round table there back in I think it was November 2022 and one of the things that emerged from that round table was that the industry really wanted a strategic approach to this. The outcome of that was the investment by the state government in the development of the Riverland Wine Industry Blueprint. One of the messages that came through very clearly was that they didn't want kneejerk reactions such as vine pools. That had been experienced in years gone past and it isn't a strategic approach. It isn't something that supports the industry in the region as a whole.

Developing the blueprint in consultation and close work with industry was to deliver the 10-year strategic plan, which I was able to be at the launch of on 21 November last year. I also was able to announce an additional \$200,000 in funding to support the implementation of the plan for the next two years and that will be used to engage a project implementation officer to work in region to assist with the delivery of those priorities. Last week, I think it was, the first implementation workshop was hosted by the Riverland wine association and the second implementation workshop will be hosted I think later this week.

We have also looked at practical on-the-ground assistance with the Ethephon rebate trial, which was a program that enabled grapegrowers to potentially save up to \$2,000 per hectare in terms of input costs. That is part of a trial that involved assessing the ability by using Ethephon to rest the vineyards but in such a way that that didn't result in a long-term resting and therefore the

inability to make decisions around replanting in the following year, but actually enabled potential replanting in the next season. That is a rebate which has been made available for up to a total of 1,000 hectares per grower.

We will continue to work with the industry to do the things that state governments do have a role in and we will continue to be open to potential solutions that others may be able to offer as we continue that engagement with industry.

GRAPE PRICES

The Hon. F. PANGALLO (15:12): Supplementary: what provisions does the minister intend to set in place, or has set in place or planned for, under the South Australian Wine Grape Industry Act 1991, under the minister's portfolio, to ensure full and timely payment of grapes is made to CCW and its growers in the event Accolade Wines reneges on payment terms and the new company refuses to assume the debt?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:12): I thank the honourable member for his supplementary question. The matter of enforcing legal contracts is something that of course will be either set out within the contract or within existing legislation.

GRAPE PRICES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:12): Supplementary: will the minister commit to supporting a mandatory code of conduct for the wine grape industry?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:13): I am not sure that arose from the original answer, but I am still happy to answer it.

The PRESIDENT: Well, minister, I will rule that it is.

The Hon. C.M. SCRIVEN: You have?

The PRESIDENT: It is a broad-ranging answer.

The Hon. C.M. SCRIVEN: In that case, it must absolutely be the case then, Mr President.

The PRESIDENT: You can answer it as you see fit.

The Hon. C.M. SCRIVEN: In any case, as I mentioned, I was happy to answer the question regardless. Certainly, a code of conduct has been a topic of discussion. Mandatory codes have a bit of a chequered history in terms of their effectiveness and it's something that would need to be considered I think at a federal level first and foremost. It is certainly something that I am happy to engage in further discussions about.

GRAPE PRICES

The Hon. R.A. SIMMS (15:13): Supplementary?

The PRESIDENT: Last supplementary question. We have had five questions so far and we are halfway through question time.

The Hon. R.A. SIMMS: Can the minister detail which mandatory codes have a chequered history?

The PRESIDENT: That wasn't arising from the original answer, but if you would like to ask that question when it's your turn, by all means

The Hon. I.K. Hunter: No, don't encourage him.

The PRESIDENT: Order!

WEATHER FORECASTING

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:14): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries and Regional Development about farmers' concerns about weather forecasting.

Leave granted.

The Hon. J.S. LEE: As reported in the *Adelaide Advertiser* on 13 January 2024, Ian Hastings, a fourth-generation Mallee farmer, highlighted the weather forecast, specifically that rainfall predictions from the Bureau of Meteorology have been wildly inaccurate, adversely affecting the productivity and profitability of farmers. In another article published in the *Adelaide Advertiser* on 11 January 2024, beef producer Tim Burvill, who operates a farm near Penola, states that farmers were turning to private forecasters. My questions to the minister are:

1. What is the minister planning to do to help SA primary producers obtain more accurate data in forecasting?

2. Will the minister consider any compensation to farmers who have to pay to engage private forecasters?

3. Has the minister made any official representation on behalf of SA farmers to her federal colleagues on the issue of inaccurate forecasts and, if so, when and what response has the minister received from the federal government?

The Hon. I.K. Hunter: Remind me: who runs the Bureau of Meteorology? Oh, Clare, is it?

The PRESIDENT: So the Hon. Mr Hunter is going to take the question?

Members interjecting:

The PRESIDENT: Order! Order, the Hon. Mr Hunter!

Members interjecting:

The PRESIDENT: Attorney-General, the Hon. Mr Hunter, order!

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:16): As has been pointed out very aptly by the Hon. Mr Hunter, the Bureau of Meteorology is under the federal jurisdiction, and I am very confident that South Australian farmers get their information from a wide range of sources.

GLADYS ELPHICK AWARDS

The Hon. R.P. WORTLEY (15:16): My question is to the Minister for Aboriginal Affairs. Will the minister inform the council about the 2023 Gladys Elphick Awards?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:16): I thank the honourable member for his question and his interest in this area. Very late last year I had the privilege to once again attend the annual Gladys Elphick Awards. I have been fortunate to attend these awards a number of times over the years. This year, however, marked a special occasion as it was the 20th year of the awarding of these prestigious awards.

For those unfamiliar with Gladys Elphick and the contribution she made to Aboriginal people in this state, plenty of information is available online and in books in the library, but it is safe to say that Gladys Elphick was a remarkable Aboriginal activist whose name resonates with many Aboriginal leaders and activists today. She accomplished a number of firsts for Aboriginal people in South Australia and was a driving influence in the advancement of her people and the fight for Aboriginal women.

Amongst her many achievements Gladys played a pivotal role in establishing the Council of Aboriginal Women in South Australia, and through her leadership she addressed specific challenges faced by Aboriginal women and their families, championing causes such as education, health care and housing. The awards are a testament to the legacy of the contributions to the state, and the awards acknowledge the achievements of Aboriginal women who work tirelessly to advance the status of Aboriginal people.

The 2023 winners truly reflected the achievements of many Aboriginal women in this state who deserve to be recognised. The Young Sister Rising Star Award was awarded to Jakirah Telfer, who has displayed fearless leadership across many aspects of her young life, including through

public speaking, written articles and as the female lead dancer for Yellaka (Old Wisdom New Ways). Over the last 12 months I have been fortunate to share the stage at many functions in various communities with Jakirah, and she certainly is someone that I think we will hear a lot more of in the future.

Danielle Smith was awarded the regional award. Danielle is a strong Aboriginal mother, sister, aunty, friend and colleague and a very active and valuable community member. She is always willing to support and promote her community culture through sporting and other areas, which she does with pride and the spirit of inclusion, and is the driving force in the Mount Gambier Aboriginal community.

The recipient of the Shirley Peisley Award was Kim Morey. Kim is a Anmatyerre and Arrernte person and was recognised for outstanding service to her community, as evidenced by over 28 years of service in housing, health and research.

The Quiet Achiever Award was awarded to Tanya Rankine, who is well known in the community for her compassion, empathy and staunch approach to truth-telling and other forms of advocacy. Tanya is highly regarded and is often sought out for her views, support and cultural knowledge, particularly in her role within the Child Diversion Program in Aboriginal Practices and Services for Youth Justice in the Department of Human Services.

Irene McKenzie was awarded the Perpetual Gladys Elphick Award, which recognises an Aboriginal woman for her lifetime dedication to improving the lives of others and her contribution to the Aboriginal community through her demonstrated leadership and community spirit. Irene is a Kuyani/Walpi person and was recognised for her contribution particularly to her Davenport community, where she has been a strong advocate for community development and wellbeing as well as social justice. Irene served continuously for 34 years as a board member of the South Australian Aboriginal Lands Trust.

I would like to acknowledge and congratulate all the Gladys Elphick Award winners and the Gladys Elphick Awards committee which, as a volunteer group, has been successfully organising and hosting these awards since its inception. I know the work this committee does is appreciated by the Aboriginal and broader community.

APY ART CENTRE COLLECTIVE

The Hon. T.A. FRANKS (15:20): I seek leave to make a brief explanation before addressing a question to the Minister for Aboriginal Affairs, representing the Minister for Arts, on the topic of the APY Art Centre Collective.

Leave granted.

The Hon. T.A. FRANKS: Members, and certainly the minister, would be well aware that *The Australian* has waged an interesting campaign against the APY Art Centre Collective—indeed, 35 days of articles last year, sometimes numbering three or so articles on each of those days.

It started with an article on 8 April. In that, assertions and allegations were made about 'white hands on black art' at the APY Art Centre Collective. I note, in that first article by Greg Bearup, hidden away in a tiny paragraph was a line that acknowledged 'Yanda studio, outside Alice Springs'. I quote: 'Yanda is owned by Chris Simon, who the APY ACC claims is part of the conspiracy', wrote the journalist who started this all.

On the weekend, the minister would be well aware that the Saturday papers exposed that the video sent to *The Australian* was paid for by Mr Simon of Yanda Art. I believe \$1,000 was given to a Warlpiri man for that video, and never acknowledged in *The Australian's* coverage and concerted attacks on the APY Art Centre Collective.

Since then, of course, over the past ten months we have seen the National Gallery of Australia undertake a review, which found no wrongdoing. We have seen a tri-government review, including the Northern Territory, the federal government and the South Australian government undertaking a review. We have now seen that review referred to ORIC. In the meantime, the APY Art Centre Collective struggles on. Despite the repeated attacks, they still have their doors open—just.

I note that the South Australian Malinauskas government withheld the \$40,000 it had promised to open a centre in Port Augusta, but that there is now a centre in Port Augusta and there is now a centre in Coober Pedy, as well as those on the APY lands and in Adelaide. There are also galleries in Sydney and Melbourne.

My questions to the minister are: what support is the Malinauskas government giving to the APY Art Centre Collective to keep their doors open, and are they concerned that, right at the start of this all, the opposition art dealer did not disclose that it was he behind the video that started this entire scandal? Was this, indeed, simply a hit on a competitor?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:24): I thank the honourable member for her question and her ongoing interest not just in this area in terms of how art supports Aboriginal communities but also for her support and interest in the Aboriginal community generally.

The portfolio responsibility for arts, as the honourable member suggested when she asked a question of me, representing the Minister for Arts in the other place, rests with the Hon. Andrea Michaels, Minister for Arts. Issues to do with the wellbeing and advancement of Aboriginal people and communities is certainly something that I take a very keen interest in as Minister for Aboriginal Affairs but also having very close ties to many people on the APY lands, both who are members and parts of the APY art collective but also other institutions, communities and art centres across the APY lands.

Many of the concerns that the honourable member has raised have been raised directly with me. There are quite a number of Pitjantjatjara and Yankunytjatjara people who have my mobile number and feel free to access that. Something I have always welcomed is direct communication. I have been, I think it was towards the end of last year, to the APY art collective's newish home down at Thebarton, and certainly I have had meetings, some of them that have been attended by the Deputy Premier and the Premier, with members of the board of the APY art collective, such as Mauna Kuluru and Nyumiti Burton and others over recent months.

Anything that has the potential to provide not just a way of sharing and preserving culture but, in the case of many of the sales of arts from the APY lands, one of the few avenues for economic development and self-empowerment is worthy of support. In relation to the allegations that have been raised, some reported in *The Australian*—and I don't have access to the report that was done by the tripartite of the SA, NT and Australian governments but I have seen what has publicly been released—I understand concerns have been raised, and some of those have been publicly agitated in the pages of *The Australian*, as the honourable member has said.

I know that both the ACCC and ORIC (Office of the Registrar of Indigenous Corporations), which is responsible under the CATSI Act for Aboriginal corporations that are registered under that legislation, are further looking into different areas of the operation, as I understand it, of the APY Art Centre Collective.

The honourable member specifically talked about the financial viability ongoing, which is something that has been raised with me on numerous occasions and I have sought further advice. I know governmental departmental officers have worked pretty closely and thoroughly with the financial officer of the APY Art Centre Collective and my advice is on current operations that viability will be maintained up until towards the middle of this year. While these investigations are ongoing, it would be preferable that the APY art collective is still able to maintain its operations, but it is certainly something I will continue to take a very keen interest in.

APY ART CENTRE COLLECTIVE

The Hon. T.A. FRANKS (15:27): Supplementary: was the role Yanda studio played in this exposed during the tri-government review?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:27): I thank the honourable member for her question. The answer to that is: I am not sure, but to the extent that that formed part of the review and it's able to be publicised I will seek a response from the minister in another place.

APY ART CENTRE COLLECTIVE

The Hon. T.A. FRANKS (15:27): Supplementary: Greg Bearup makes assertions about the findings of the tri-government review in a news article in the *Weekend Australian* in December. Was he provided with a copy of the findings of that review?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:28): I imagine he wasn't but, once again, I am happy to refer that to the minister from another place and bring back a reply.

IMMIGRATION POLICY

The Hon. J.M.A. LENSINK (15:28): I seek leave to make a brief explanation before directing a question to the Attorney-General about immigration detainees in South Australia.

Leave granted.

The Hon. J.M.A. LENSINK: On 8 November 2023, in the Australian High Court decision for *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs*, the Australian High Court ruled indefinite immigration detention to be unlawful, resulting in the release of individuals, many of whom had their visas cancelled due to character concerns and criminal offences. Last year, the Attorney told this chamber that approximately five of the released detainees are expected to come to South Australia. My questions to the minister are:

1. Can he update the chamber as to how many detainees are in South Australia?
2. Can he advise whether they are all being monitored?
3. Can he advise whether any have been arrested for crimes since their release from detention?
4. Can he advise whether the South Australian government is providing housing to any of the released detainees?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:29): I thank the honourable member for her question. I think, as I informed the chamber sometime late last year, there are joint operations between SA Police, the Australian Federal Police and the Australian Border Force to see how to best monitor released detainees after the *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs* case, as the honourable member talked about last year. In relation to the number who are currently in South Australia, I don't have those figures, but I am more than happy to take it on notice and see if I can bring back a reply for the member on those figures, and also a reply to the honourable member's question about any government housing status of any of those in South Australia.

IMMIGRATION POLICY

The Hon. J.M.A. LENSINK (15:30): Supplementary question: can the minister advise when he was last briefed on this matter?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:30): I thank the honourable member for her question. In relation to the fate of all the detainees, I suspect that early this year or late last year would have been the last full briefing, but I am happy to go and check that.

IMMIGRATION POLICY

The Hon. L.A. HENDERSON (15:30): Supplementary question: in any briefings requested, has the minister asked how many detainees would be provided to South Australia?

The PRESIDENT: The briefings are not a question that arise from the original answer.

Members interjecting:

The PRESIDENT: Order!

The Hon. L.A. HENDERSON: Has the minister asked how many detainees have been released into South Australia?

The PRESIDENT: Minister, you can answer that question.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:31): As I have said, I think it was—at a point I provided an answer; I think it was five last year.

An honourable member interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: As I have said to the honourable Deputy Leader—who does a stellar job of holding the government to account, in a comparative sense—I will bring back a reply in relation to any current briefings on that matter.

REGIONAL CONNECTIVITY

The Hon. R.B. MARTIN (15:31): My question is to the Minister for Primary Industries and Regional Development. Will the minister please update the chamber about the historic investment in regional connectivity in the Limestone Coast region, announced as part of the Australian government's Regional Connectivity Program?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:31): I am delighted to be able to answer the member's question. I was delighted by the December announcement that the Albanese Labor government would support Telstra's application for the Limestone Coast project to the Regional Connectivity Program through a \$15 million funding commitment—

Members interjecting:

The PRESIDENT: Order! I can't hear the minister.

The Hon. C.M. SCRIVEN: —combined with the \$5.5 million funding commitment already made by this government, as well as the \$1 million committed by local councils and local industry and a \$7 million investment from Telstra. The project will now install 27 new mobile base stations in the Limestone Coast region, and this will add around 2,400 square kilometres of new 4G coverage, representing a significant 44 per cent increase in the landmass covered by this mobile technology.

The new towers will increase mobile coverage, wireless broadband and data-sharing capabilities in the region. At a practical level, this will mean more efficient communication and monitoring in the forestry, dairy, agricultural, wine and wool industries, as well as providing better connectivity for tourists and improved access to remote health services.

Valuable insights on some of these benefits has been provided by the President of the SA Dairyfarmers' Association, Robert Brokenshire, a former member of this place, who explained on ABC Radio North and West after the announcement, and I quote:

We can't run our businesses today as farmers unless we have good access to mobile telephones and Wi-Fi and internet...as we get more and more high-tech databases available for machinery and cattle then you need that connectivity to be able to actually run your farm.

In this context, Mr Brokenshire offered his support for the Limestone Coast project and the benefits that will flow to his members. I quote again:

I'd have to congratulate both the State and Federal Governments as well as the other partners in getting this to happen...It's vital now, the southeast has had some terrible issues in trying to get connectivity when it comes to Wi-Fi and phone etc., this will make a huge difference.

The project will also deliver improved communications for emergency services and increase 000 connectivity for users of other non-Telstra networks in emergency situations. This project will greatly enhance the productivity and livability of the Limestone Coast region while also improving community safety.

But these projects don't just fall out of the sky, they take collaborative effort. One of the most impressive aspects of this co-investment project has been how key stakeholders came together, recognised the benefits of enhanced connectivity and committed their own funding to this project.

In addition to the funding contributions of state and federal governments and Telstra, six of the seven councils in the Limestone Coast region have also committed project funding, as have the South Australian Forest Products Association. At a total project cost of about \$28 million, I am advised by Telstra that this combination of funding represents the largest mobile co-investment project Telstra has ever put together in South Australia and one of the largest nationwide.

It was this combination of industry, state and local government funding which presented such a compelling case to the Australian government's Regional Connectivity Program. I was thrilled to celebrate this announcement in the region with parliamentary colleagues in the other place Troy Bell MP and Nick McBride MP, the members for Mount Gambier and MacKillop. Alongside local councils and local industry, their advocacy was important in building support for this project.

Telstra have advised that they expect construction of the towers to begin this year, and I very much look forward to the rollout of this project and the benefits it will bring to industry and communities.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: I do hope that those opposite will actually get behind this and celebrate it, as they should, as a wonderful, wonderful achievement and progress in an important part of our state.

PROJECT COSTS

The Hon. S.L. GAME (15:35): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries and Regional Development, representing the Minister for Infrastructure and Transport in the other place, about government cost blowouts for infrastructure and other projects in South Australia.

Leave granted.

The Hon. S.L. GAME: By 30 June 2027 our state's net debt is forecast to top \$38.2 billion, or \$20,629 for every South Australian. Interest expenses alone on that figure are forecast to be \$1.827 billion by 2026-27. Imagine the services and infrastructure—hospitals, roads, etc.—that the interest repayment figures alone could fund.

Against that backdrop it is disturbing that on a regular basis we hear, often through the media, about cost blowouts on government projects. Examples are easy to find, but the north-south corridor cost explosion is an obvious and eye-watering case—from an estimated budget of \$9.9 billion to a new figure of over \$15 billion.

Government and private enterprise projects should be delivered at the same cost wherever and whenever possible. Taxpayers deserve this and should expect it as a matter of good governance. My questions to the Minister for Primary Industries, representing the Minister for Infrastructure and Transport, are:

1. Is there any data available on the costs of government projects and comparable private enterprise projects?
2. If not, why not?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:37): I thank the honourable member for her question. I will refer it to the minister in the other place and bring back a response.

FIRST NATIONS VOICE TO PARLIAMENT

The Hon. H.M. GIROLAMO (15:37): My questions are to the Minister for Aboriginal Affairs regarding the State Voice:

1. How much has the Malinauskas government spent so far on promoting, advertising and encouraging Aboriginal people to vote or nominate to stand in the upcoming State Voice election?

2. Does the minister believe that those funds could be better utilised to invest directly in Aboriginal communities across South Australia?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:37): I thank the honourable member for her question. I don't have a breakdown, and I don't expect I will be able to get a breakdown to an exact point in time—to today—but as I have mentioned a number of times in this chamber both in responses to questions, I think, in question time but certainly in relation to the committee stage of the bill that passed early last year through parliament, the expected cost of operation of the Voice is about \$1.5 million a year. Almost half of that is on the administrative support required, and the other half is on being able to arrange meetings, sitting fees and payments for members of the Voice.

Do I think it would be better spent directly on providing services to Aboriginal people? Well, I tell you what that would do. That would be doing more of the same that we have done for decades and decades and decades under governments of both persuasions. Do I think that hearing directly from Aboriginal people, those whose lives are affected by our decisions, is a wise investment? Absolutely, I do. Absolutely, I do, and one thing that I am absolutely sure of is whatever money we spend administratively on the Voice and on having elections will be returned many times over in terms of the more effective and efficient services that governments provide to Aboriginal people and communities.

FIRST NATIONS VOICE TO PARLIAMENT

The Hon. H.M. GIROLAMO (15:39): Supplementary: could the minister please take on notice what the costs have been so far and report back to the chamber?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:39): As I have said, I am quite sure that a breakdown as to this exact point in time would be extraordinarily difficult to do.

FIRST NATIONS VOICE TO PARLIAMENT

The Hon. H.M. GIROLAMO (15:39): Supplementary: why has the minister gone quiet on promoting the State Voice via cost-free methods such as social media and media release?

The PRESIDENT: I don't understand how you can get that out of the original answer.

The Hon. H.M. Girolamo interjecting:

The PRESIDENT: Order! I didn't ask you to comment.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:39): I am not sure whether it pleases me or disappoints me that the honourable member doesn't follow anything I do on social media, because I have certainly been doing a lot of promotion of the Voice on social media, including putting up clips of questions from the Liberal Party over recent weeks about their questions in here that have disturbed many members of the Aboriginal community with what the members of the opposition have been saying.

SUGAR SHACK WETLANDS

The Hon. J.E. HANSON (15:40): My question is to the Minister for Aboriginal Affairs. Will the minister inform the council about his recent visit to the Sugar Shack Wetlands in the Riverland?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:40): I thank the honourable member for his question and his interest in regional parts of South Australia. I follow his social media quite closely and know that he is a regular visitor right across parts of South Australia, so I would know he is using free media to promote regional South Australia, which I think is very commendable.

Members interjecting:

The Hon. K.J. MAHER: That's true. Last week, I had the opportunity to visit a number of places across the Riverland and see the resilience firsthand after the devastating floods just over a year ago, and it was a great opportunity to meet with members of various Aboriginal communities to talk about particularly the upcoming Voice elections, which many people were very keen about, and about which I posted on free media, social media.

It is a remarkable natural environment in that part of South Australia and it was certainly on full display on my visit to the Sugar Shack Wetlands Complex which spans along the River Murray from near Overland Corner to near Kingston On Murray, and down to Mannum. The Sugar Shack Wetlands are owned and managed by the Mannum Aboriginal Community Association Incorporated (MACAI). The Sugar Shack Wetlands Complex has been cared for by generations of traditional owners and today their knowledge is embedded in the planning and management of the wetland, recognising the understanding of the relationship between healthy lands and waters and all living things.

Ongoing management of the wetlands is a collaborative effort between MACAI, the Murraylands and Riverland Landscape Board's wetlands team, and the Department for Environment and Water's infrastructure and operations team. I was grateful for the opportunity to meet with members of the wetlands team and to hear firsthand about the collaborative efforts to manage these wetlands, and how closely they liaise with representatives of MACAI and the local Aboriginal community.

Members of the wetlands team were eager to share—which I found very valuable—the way that they use the cultural knowledge that traditional owners bring to the table, and explained the role that Aboriginal custodians still play in the careful scheduling and management of practices such as drying cycles to mitigate the impact of human intervention in more recent years into the Riverland system by such things as pumping water in and out of temporary basins. Explained to me were the mutually beneficial relationship that has developed between the wetlands team and traditional owners with each learning much from the other, and their shared hopes for expanding the ongoing engagement with traditional owners in the area.

The co-management of the Sugar Shack Wetlands Complex demonstrates the invaluable benefit of seeking out the many decades of knowledge handed down, through sometimes up to thousands of generations of awareness of traditional owners, in the care and custody of our natural environment. I would like to thank the wetlands team, members of the Aboriginal community and MACAI, for their tireless work in maintaining this remarkable part of our state.

COST-RECOVERY REVIEW PROCESS

The Hon. C. BONAROS (15:44): My question is to the Minister for Primary Industries and Regional Development:

1. Can the minister provide an update on what is fast becoming an infamous cost-recovery review process?
2. Are we any closer to finalising the inquiry report and sharing it with industry stakeholders?
3. Is the minister still committed to doing this before making any final decisions regarding the recommendations and the report being considered by cabinet?
4. Have any of the recommendations or content of that report undergone any Treasury costings to date?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:44): I thank the honourable member for her question and also her ongoing interest in matters to do with fisheries. Just to recap, the independent cost-recovery review panel submitted its final report to PIRSA in October 2023. Obviously, I have looked at both reports and both sets of recommendations, recalling that there are two reports: one to do with the aquaculture sector and one to do with the fisheries sector. Government is considering these recommendations carefully and work is well underway in finalising a response, and I will have more to say in the near future.

COST-RECOVERY REVIEW PROCESS

The Hon. C. BONAROS (15:45): Supplementary: can I take from that response that the minister does not intend to share that report with industry stakeholders before reaching a final position?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:45): I thank the honourable member for her supplementary. I think there is perhaps a misnomer there in terms of talking about—I am not sure what the word was—final decisions or final contemplations. I continue to work with industry. They have been involved with the independent panel review. I have frequent meetings with industry associations. They are in contact with my office on a very regular basis, so to suggest that the outcome of review would be, if you like, an end of a process I think is to mischaracterise it. Certainly, there are a number of different issues that are raised, and I will continue to work with industry and discuss them both prior to the release of the government response and afterwards.

Bills

CHILD SEX OFFENDERS REGISTRATION (CHILD-RELATED WORK) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 November 2023.)

The Hon. J.M.A. LENSINK (15:46): I rise to make some remarks in relation to this piece of legislation, which the Liberal Party is supporting. The bill before us amends the Child Sex Offenders Registration Act 2006 to amend the definition of child-related work to include work in a business or undertaking that employs children where the work would involve contact with a child. Clearly, we are all supportive of ensuring that children in work environments are kept safe from any sort of things that might impact on them. I understand there is currently nothing in the legislation that prevents a registered child sex offender from taking a job working alongside, or actually managing, employees.

I would like to also say at the outset that credit for this should be given to the Hon. Connie Bonaros, who sought amendments to the Bail Act last year, from memory. The Liberal Party was not able to support them at that stage, but we did urge the government to seek to come up with some amendments that would ensure that the Hon. Ms Bonaros's amendment would cover off to close this loophole, if you like.

This change in definition has a consequential effect on the Bail Act, being that persons accused of registrable sex offences will be prohibited from working with child employees as a bail condition, unless otherwise exempted. Clause 4 amends section 66B of the act to allow the Commissioner of Police to make a declaration exempting an offender from any restriction on child-related work, which could only be granted if the relevant offences were not committed in connection with child-related work and the commissioner is satisfied that the offender does not pose a risk to the safety and wellbeing of children employed in the business.

I think that set of amendments covers off on some of the circumstances that might not be anticipated by having a piece of legislation that straight-out bans sex offenders from working directly with children. My understanding is that the Law Society supports the objectives of the bill and supports the commissioner having the discretion to make decisions on a case-by-case basis.

We have also received correspondence from Business SA and I would appreciate it if the Attorney could respond to some of the concerns they have raised either in the committee stage or in his summing-up. I am sure all honourable members have seen this letter from Business SA, which states that:

...safety of children in the workplace is paramount and supports the amendment set out in the draft Bill. Equally, we are concerned about the significant industrial implications that will flow from this change to legislation.

They state that, firstly, they want to understand:

...how a *convicted* child sex offender will be made aware of the new laws following commencement and what the timeframes would be for compliance with the new Act.

They go on to say, which I think is a separate concern:

Presumably with the child-related work specifically meaning 'working involving contact with a child', there may be instances where child sex offenders can continue to work with an employer or children so long as they have no contact with any child in the course of their work. In these circumstances, how should an employer approach the situation if a child sex offender requests a change to their work arrangements? Presumably the child sex offender will need to advise their employer of the circumstances so that appropriate decisions can be made.

With those comments, we support the passage of the bill.

The Hon. R.A. SIMMS (15:51): I rise to speak briefly on the Child Sex Offenders Registration (Child-Related Work) Amendment Bill 2023 and indicate that the Greens will also be supporting this important reform. The Greens are supportive of this initiative as it addresses the circumstances that arise when a person on the Child Sex Offenders Register is able to work alongside a young person under the age of 18 without any conditions.

I want to acknowledge the leadership of the Hon. Connie Bonaros in this regard. I know this is an issue that she has been pushing for some time. Indeed, she moved an amendment in this regard to a previous bill. The Greens were supportive of that amendment at that time and we are supportive of this legislation again today. I also acknowledge the work of my colleague the Hon. Tammy Franks, who has been a strong advocate for the welfare of young people at work.

Currently, people who are on the Child Sex Offenders Register are only prevented from working in businesses that provide services to children such as educational settings. That is a significant oversight. There is a gap in the law that allows young people to be in a situation where they may be working alongside people who are on the Child Sex Offenders Register and that poses some quite obvious risks.

The Greens believe that children and young people have a right to work in an environment that is free of abuse and, of course, this means ensuring there are appropriate protections in place. I also want to acknowledge the leadership of the SDA. The secretary, Josh Peak, has been really active in pushing for this reform. Indeed, as he has remarked:

It doesn't make sense that people who are charged or convicted with child-related offences are removed from volunteer-type settings, indeed employment, but can continue to work with children in the retail and fast-food industries.

We know that young people are over-represented in the retail and fast-food industries. They are also very vulnerable because they are often working in casualised work and they are often balancing that with school and study. It is really vitally important that they are protected and, in particular, protected from potential predators.

This bill addresses this issue by changing the definition of child-related work to include places where young people are employed. This will provide valuable protection for young people who work in our supermarkets, our coffee shops, our fast-food outlets and our retail environments. The Greens consider this to be a sensible measure and one that we are pleased to support.

The Hon. S.L. GAME (15:54): I rise briefly to support the government's Child Sex Offenders Registration (Child-Related Work) Amendment Bill, making it illegal for anyone charged or convicted of child sex offences to work alongside children. The current definition of child-related work is too limited, relating more to working in schools or foster care. One Nation supports broadening this definition to ensure places like supermarkets and fast-food outlets where children are typically employed do not employ serious child sex offenders.

Parents want to know their children are working in safe environments, where the kids can go to work in a place predators cannot access. One Nation supports the onus being on the employee to comply with the law, given the difficulties for employers to be able to identify perpetrators who, by nature, hide in the shadows. Child sex offenders who have convictions or who are on bail have given up their right to be around children. I support the bill.

The Hon. C. BONAROS (15:55): I rise to speak in support of the Child Sex Offenders Registration (Child-Related Work) Amendment Bill 2023, which, as we have heard, addresses a serious loophole in our laws aimed to prevent convicted child sex offenders and those charged with child sex offences from working alongside children. While protections are in place for children in

various settings, such as schools, sporting clubs and volunteer organisations, a notable gap exists when it comes to child workers in employment settings.

When you consider that children are safeguarded in volunteer settings, in schools, in kindergartens, in the child protection system, in the juvenile justice setting and in sports clubs and associations, as one would expect, it is surprising that it has taken so long to address this issue. We know that once the work uniform is donned child workers are no longer considered children requiring protection under our current laws. The same person who would be prevented from coaching a child at a swimming pool could put on a Maccas, Woolies or KFC uniform on the very same day and supervise that very same child that they were unable to supervise at swimming in the morning.

Many in the community are unaware of this loophole and would understandably be outraged—parents would be outraged—and I can only imagine the 'pit in the stomach' feeling and fear parents have had to endure seeing a convicted sex offender on the news, knowing that person worked alongside their child and there was nothing in the law to prevent it, let alone advise them of that.

There are currently no clear hard and fast rules for the police to notify employers when a worker has been charged with a child-related sex offence. It is my understanding, based on extended discussions I have had with the SDA, that SAPOL has been very responsive and maintained an open communication line with the SDA. That is what we have currently relied on: an ad hoc system, an informal basis, which requires cementing. Recent instances of individuals on outstanding child sex offence charges slipping through the cracks and continuing or indeed commencing work with children highlights the urgency of these amendments.

I do not need to tell anyone in this place that the SDA has been an outspoken ally in securing action from the government on this issue, having been privy to details of shocking cases of individuals slipping through the cracks. They include convicted child sex offenders managing teams at fast-food outlets and individuals on charges working alongside children in supermarkets completely under the radar.

As has been mentioned, last year I took the opportunity to raise this matter in this place via amendments to the Bail Act, following very strong representations made to me by the SDA, in particular Mr Josh Peak. This bill takes it one step further to expand the definition of child-related work in the Child Sex Offenders Registration Act to include workplaces where children are employed, ensuring convicted child sex offenders are also captured.

I am very happy with where we have landed on a workable model, which includes the power of the Commissioner of Police, via delegation to the Assistant Commissioner Crime Service, to grant individual exemptions in very special circumstances where satisfied the individual would not pose a risk to the safety of a child. It could be, for instance, where an underage child is never on site during a night-fill shift, for example.

Importantly, individuals who have been granted an exemption by a bail authority will be required to inform their employer of any child-related sex offence charges. Undoubtedly, this bill will provide safety for young workers against working with convicted paedophiles and people charged with sex offences against children, in line with community expectations. While I am very pleased with the progress, I also acknowledge that there is much more work to be done in this space, especially when it comes to working with children checks.

Given the success of the undertakings and this arrangement I have had with the Attorney-General, I have opted not to amend this bill, but I am seeking an undertaking from the Attorney today to continue to consider and address the issue of working with children checks. I have not signalled any amendments because I understand there are some technical issues that need fleshing out.

That said, the Attorney is once again very much on notice that this is a very necessary next phase of these changes, and I am hoping he will be open to telling us that he is committed to working through the challenges and identifying any of the possible ways of meeting those requirements and making it a prescribed requirement. This is a logical next step in ensuring that kids are safe from predators in the workplace.

I am sure we will have much more to hear about working with children checks during subsequent debates in this place, but we have an opportunity here to lead the nation, as we have done with this bill. I urge the Attorney to heed that advice and act on any such moves that would see us be the first to go down that path.

Of course, it would be very remiss of me not to acknowledge everybody in this chamber who has supported this bill, including the government and the Attorney-General, but I also want to make a very special acknowledgement of the SDA, in particular Mr Josh Peak, who, I think it is fair to say, has made it his personal mission to protect vulnerable workers in their workplace. That is a very commendable mission Mr Peak has taken on board.

If anyone in here has spoken to Mr Peak about this issue they will know that it is one he is extremely passionate about, and he is extremely passionate in terms of following through and ensuring that our most vulnerable group of workers—that being children—are afforded all the protections possible under our laws when it comes to donning that work uniform and turning up to a shift, wherever it may be. With those words, I again thank the Attorney and other members for supporting this bill, and of course the SDA for their ongoing advocacy on this issue. I commend the bill to the chamber.

The Hon. E.S. BOURKE (16:02): Every worker deserves to be safe at work, as we have heard a number of times in this chamber today. This is particularly so for our children going out to work in their first part-time jobs. They are amongst the most vulnerable of employees, and we must do all we can to protect them.

This bill will mean that registered and accused child sex offenders can no longer work in a workplace where they have contact with employees who are children. It is the result of a long campaign, as mentioned by previous speakers, by the SDA union, who are tireless advocates for members, many of whom are school-age kids working in fast food and retail.

I join the many who have already congratulated the SDA secretary, Josh Peak, and his team, who have worked not only with members around this chamber but also out in the community to get attention to why this change is needed. I know that Josh Peak is a father himself, and he has commented many a time that he would want only the best possible workplace for his children and that he will advocate for every other person's child as well.

As has rightfully been highlighted, and I know that Josh Peak has the utmost respect for them as well, I commend the Hon. Connie Bonaros and the Hon. Tammy Franks for the tireless efforts they have put into this space as well in protecting our children in their workplaces but also, importantly, the Attorney-General, the Hon. Kyam Maher, for working across the chamber to make sure this legislation could get into the parliament and then through it as well.

The SDA first raised this issue with the previous government, but unfortunately no action was taken. It has taken the Malinauskas Labor government to act, and this is another in a series of reforms this government has taken to protect the South Australian community, particularly the children within our community, from exposure to child sex offences.

Many young people may be engaged in part-time work while they are students. Others may be earning qualifications through work-based apprenticeships. Under our current laws, there is nothing to prevent a registered child sex offender from taking a job working alongside or even managing underage employees. Registered child sex offenders are, of course, prohibited from applying for or engaging in child-related works.

As the Hon. Connie Bonaros has said, you cannot work in a children's centre, you cannot be a foster carer, but you can work in fast food alongside young children. This is often in late night shifts and could be up to eight hours on a barbecue grill with what might seem like friendly banter, where someone is gaining the trust of a child. I have heard stories of when this relationship has overstepped the mark and an adult has offered to drive a child home in the evening. This is where that trust is broken, and we need to make sure that we can put the right laws in place to protect our children as much as we can in their workplace.

I have also seen stories where an alleged sex offender was found working with underaged staff at McDonald's where the SDA first raised the alarm. Just last year, a man was convicted of

sexual offences against his teenage co-workers at a KFC in South Australia. It is entirely reasonable that parents in South Australia should expect that their children are not facing dangers just because they go to work.

This bill takes the important step of amending the definition of child-related work in the Child Sex Offenders Registration Act 2006 so that it will include work in a business or undertaking that employs children where the work would involve contact with a child. I am really proud that we are working and taking these steps that will strengthen our laws to provide better protections for children in their workplaces.

Children are already a vulnerable cohort of workers and the state has a clear duty of care to support them to have a safe workplace so that they can just rock up to the kitchen and have banter and enjoy their workplace. We must do more to recognise and mitigate the risks that underage workers face that potentially exist for them to be exposed to if there are convicted or accused offenders working alongside them. I congratulate the Malinauskas Labor government on bringing this to the chamber and all who have been involved.

The Hon. F. PANGALLO (16:07): I rise to speak briefly in support of this legislation and I commend the work of the SDA and other members in this place for bringing it to fruition. It looks like an easy passage through this place. As it stands, this legislation is designed for the protection of young people in our workplaces. I would be interested to hear from the Attorney how it will be policed, enforced and other measures that will be taken to ensure it is quite effective.

The Hon. M. EL DANNAWI (16:07): I rise to speak on the Child Sex Offenders Registration (Child-Related Work) Amendment Bill. This is an awful subject and, tragically, it is one we have heard far too much about in the news over the summer. The abuse of children is abhorrent and morally reprehensible—that goes without saying. We have a responsibility to ensure that our legislation is capable of meaningfully addressing the seriousness of this matter.

This bill is the latest in a line of commitments that the government has delivered on to better protect victims. These commitments have included closing legal loopholes that made it easier for those in the possession of child pornography to receive a bigger sentence discount than other serious sexual offences upon entering an early guilty plea, increasing penalties for a range of child sex offenders and, critically, boosting funding for victim support services.

I was not yet a politician during that last election, but I was pleased to see the government's commitment to protecting the most vulnerable in our society through reforms that uphold the rules of law and integrity of our justice system. This latest bill creates a presumption that registered child sex offenders and those accused cannot work in businesses that employ children where their employment would involve contact with those underage employees. Accused and registered sex offenders are already prohibited from engaging in child-related work.

However, the current definition of child-related work does not extend to working with underage employees in the same workplace. The bill broadens this definition. This means that a registered sex offender cannot be placed proximate to underage employees or in a position of oversight and responsibility over them. Hopefully, this change will help to prevent incidents such as the one in August last year, when *The Advertiser* reported that an adult man was convicted of sexual offending against a teenage co-worker at a South Australian KFC franchise.

The SDA called for reform in this area, following this report and further news of an alleged child sex offender found working in authority over underage employees at McDonald's and at Coles. These are industries where working with children checks are not required. All workers have a right to a workplace free from harassment and abuse. Underage employees are already in a vulnerable position as workers. We should expect, as an absolute minimum, that those people with responsibility over them are fit for the job.

The ban on child-related work created by the bill is capable of being varied or revoked in individual cases where the decision-maker is satisfied that the person would not pose a risk to child employees in all circumstances. For accused offenders, this assessment is at the discretion of the bail authority, and for convicted registered offenders the discretion is held by the Commissioner of

Police. We must make sure that our laws can adequately address the nuances of a situation while maintaining the strength required to protect the vulnerable.

The bill also provides for transitional arrangements for those who may already be working in these environments. For registered offenders, they must, within 30 days of commencement, notify their employer and SAPOL of their intention to make a variation application. They would then be able to continue working, either until the application is determined by the commissioner or until six months after the commencement of the act.

The changes to the Bail Act only apply to persons who apply for bail after the commencement of the bill. However, a person already charged but not yet convicted of a registerable offence before the commencement of this amendment bill must still notify their employer within seven days of commencement.

This bill is a sensible change that will strengthen protection for the younger members of our society. I commend the bill.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:12): I thank all members for their contributions on this important piece of legislation. I, too, would like to place on the record my thanks to the SDA for their advocacy in this area. Secretary Josh Peak has probably already got enough love from people in this room and from the speakers, so I am not going to add much to it, but he has done very well on this. He is a very strong advocate, not just in this area but in a lot of other things. You can let him know that, the Hon. Reggie Martin.

In particular, the Hon. Connie Bonaros has been a pretty fierce advocate on this issue in particular but also on a number of other issues associated with this area. I think a number of changes we have made in this place have come about as a result of undertakings that I have given to look at or to work on areas as suggested by the Hon. Connie Bonaros. It has worked very well, and I think South Australia has been made a better place as a result of some of the reforms that have been suggested by the Hon. Connie Bonaros. I am happy to continue in that vein and, as she has asked, to give that undertaking in relation to working with children checks, which is work that I know has already started. We are happy to continue to see if there can be reforms, as the honourable member has mentioned.

I know the Hon. Michelle Lensink has raised some issues, and certainly there is correspondence from Business SA about the effect on business. I want to make sure it is clearly understood that this imposes no new obligations on businesses in the way this scheme is set up under this legislation. The obligations and the potential offences are on those child sex offenders, so the businesses have no new obligations as a result of the legislation that we are passing.

I think a couple of speakers mentioned notifications and transitional provisions. My initial advice is that it would be open, and we will work with SAPOL to write to registered child sex offenders as a possibility, and certainly it could be information that a court gives upon conviction about this as being a new obligation. So I thank honourable members for raising those important issues, and we will work with ways to make sure this law is as effective as possible, because the more those people to whom it applies know about it the safer children will be.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

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

That this bill be now read a third time.

Bill read a third time and passed.

ABORIGINAL HERITAGE (MISCELLANEOUS) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 18 May 2023.)

The Hon. J.M.A. LENSINK (16:17): I rise to place remarks on the record in relation to this legislation, which is part of the government's election commitments to increase penalties under the Aboriginal Heritage Act for offences against Aboriginal heritage items, to make reparations (compensation, etc.) and a range of important things to protect Aboriginal heritage in this state.

There are a range of penalty increases, which I will not go into in detail, but I understand that these bring these more into line with other jurisdictions. Since the promulgation of this policy, a significant court case was delivered by the Supreme Court in *Dare, Bilney and Ors v Kelaray Pty Ltd*, Premier of South Australia, so that has had an impact on the ambiguity, if you like, of the current laws in relation to acts which might have an impact on Aboriginal heritage.

The government has consulted on the draft legislation and also is attempting to address that through this particular legislation. There are quite a number of technical matters that are dealt with in this legislation, and we support the intent and the actions in the bill and look forward to the committee stage of debate.

The Hon. T.A. FRANKS (16:19): I rise today to speak on behalf of the Greens in support of this legislation, a step in the right direction and I hope the first of many changes to come for Aboriginal heritage in this state. Every time we speak in this place we are, of course, speaking on the unceded lands of the Kurna people—in this building. I want to acknowledge elders past and present and recognise all First Nations people right across our state who have fought and who continue to fight for the rights of their people to protect their culture, practise their law and fight for their voices to be heard.

We are privileged to have in this nation the oldest continuous living culture in the world. They have cared for this land, preserved the waters and ecosystems, and navigated by the stars in the sky for tens of thousands of years. Since colonisation, our First Nations people have been fighting to survive. The frontier wars saw them chained and massacred, raped and tortured, their lands stolen and their children stolen.

Today, they continue to fight governments and fossil fuel billionaires who are destroying their sacred places, meeting places for ceremony and cultural business, and ancestral songlines. Unfortunately, too much of this has already been destroyed. We have seen this at Koonalda Cave, Lake Hart West, Lake Torrens and Kimba, and now, more recently, we have developments at Nilpena Ediacara National Park and Buckland Park, aka Riverlea. The list goes on and on and time and time again we have seen the cultural heritage of traditional owners tossed aside in the name of corporate interest—or I will call it what it is: corporate greed.

These sites are important not only to traditional owners but to all of us in this country. First Nations people or not, this is our collective history, it is our culture and we should all be proud of this. We should be eager to protect Aboriginal heritage. It is unacceptable that time and time again First Nations people are being forced to give up and, in fact, made to stand by and watch as people rip the soul out of their country—our country.

Plain and simple, our laws do not do enough to provide protection, not even enough to get any kind of conviction under the very legislation that was supposed to protect Aboriginal heritage. Fines are weak and fail to act as a deterrent to damaging Aboriginal heritage. We have seen interstate that weak Aboriginal heritage laws can cause significant harm. The Greens do not want to see yet another instance of billion-dollar companies damaging sacred sites over 10,000 years old, so this bill is most welcome.

The bill promises change in three key areas. Firstly, this legislation seeks to implement significant increases to penalties for offences under the Aboriginal Heritage Act. It proposes to increase fines by as much as 25 times and also either double or quadruple maximum prison sentences. This is welcome. Under the current act, a person may face either a fine or imprisonment

for committing an offence. This bill will now propose that both fines and prison sentences could be imposed. These amendments would mean that South Australia would have some of the most significant penalties for causing harm to cultural heritage in Australia. Finally, an appropriate step in the right direction, and it is not lost on me that in this state we do actually have some of the weakest Aboriginal heritage protections in the country.

In addition to any penalties for offences under the current act, this bill proposes that a court may also order an individual or company to pay money towards the repair, restoration or reinterment of Aboriginal heritage or any other costs incurred to make good any other harm; pay an Aboriginal party a sum determined by the court for reasonable costs, or compensation for harm suffered; pay an amount estimated by the court as 'economic benefit' that was received as a result of that contravention; or take specified action to publicise the contravention and its consequences—a name and shame provision.

The bill also clarifies reporting obligations for Aboriginal cultural heritage discoveries where, if there are any discoveries of Aboriginal heritage, work must immediately be stopped and the discovery must be reported to the minister, even where the person making the discovery holds an authorisation under the act. Authorisations may be granted to classes of persons and cover all Aboriginal heritage in an area, whether known or unknown.

As explained by the Minister for Aboriginal Affairs, these amendments are in response to the decision from the 2022 South Australian Supreme Court in *Dare, Bilney and Ors v Kelaray*. In that case, Chief Justice Kourakis set aside a decision of the previous Premier, who was also the then minister for Aboriginal affairs, to grant an authorisation to Kelaray under the Aboriginal Heritage Act in connection with exploration activity at Lake Torrens, ruling the authorisation was invalid on the basis its terms were inconsistent with another Aboriginal heritage protection in the act. In making his determination, the minister had relied on Kelaray's chance find procedures, which was part of its cultural heritage management plan to protect Aboriginal sites, objects and remains.

The chance find procedures allowed interference with an object or site in accordance with the advice of expert anthropologists or Aboriginal representatives of its choice before the minister was notified. Unfortunately, this decision has since been overturned by the Court of Appeal. Time and time again, we have heard that cultural heritage laws in this country are too weak and they must be strengthened. This is our opportunity to walk the talk and finally hold a higher standard, a standard that we so desperately need in this state. We know that we must do it right and with the support of First Nations people.

Successive government legacies have taken advantage of our too-weak clause at the expense of traditional owners in this country and at the expense of First Nations cultural heritage in this country. You may ask what the solution to that is. The solution is actually quite simple: it is to adopt all three elements of the Uluru Statement from the Heart, plus stronger cultural heritage laws and other legislative changes that promote the UN Declaration on the Rights of Indigenous Peoples.

These all play a pivotal and important role in protecting our cultural heritage, and the Greens will keep fighting for all of them to be included in our legislation, one way or another. I again reiterate the Greens' support for the bill and we look forward to more changes to our Aboriginal Heritage Act, along with the informed decision-making that we will benefit from once we have a State Voice to Parliament.

The Hon. C. BONAROS (16:26): I rise to speak very briefly in support of the Aboriginal Heritage (Miscellaneous) Amendment Bill 2023. The bill, as we know, seeks to advance a Labor election commitment by increasing financial penalties for breaches of the Aboriginal Heritage Act 1988, something the Hon. Ms Tammy Franks has just spoken to at length, and also canvass the issue of how our penalties here fare compared to other jurisdictions. It has also been drafted in response to the recent Court of Appeal decision in *Kelaray Pty Ltd v Dare and Ors 2023* to clarify reporting requirements following the discovery of Aboriginal heritage.

I do not propose to go over the technical aspects of the bill again, which the Attorney has made an exemplary job of doing previously. We have been told that the bill is the subject of broad consultation and no major issues have arisen. That said, I do note the very sensible comments of

the Hon. Tammy Franks and echo many of the sentiments she has just expressed. She probably has a greater depth of knowledge in this area than most of us, so I thank her for that contribution today.

I do know that there is a commonwealth review of the Aboriginal heritage protection legislation underway, which is supposed to complement our state laws, and I think we all look forward to the recommendations for more extensive reforms as they become available, particularly given the issues that have been highlighted today in this place by the Hon. Ms Tammy Franks. With those very few words, I indicate my support for the bill.

The Hon. T.T. NGO (16:28): I am honoured to stand and speak in support of a bill that protects and updates this state's Aboriginal heritage protection legislation. As the former presiding member of the Aboriginal Lands Parliamentary Standing Committee, South Australian government regulation and policy around Aboriginal heritage protection is especially important to me personally.

We all know our Aboriginal culture dates back some 60,000 years and is the oldest living culture in the world. Aboriginal heritage such as rock art, ancient caves, burial sites, waterways and ceremonial sites hold significant value. The social, spiritual, historical, artistic and scientific importance of Aboriginal traditions are precious and essential links to Aboriginal peoples past, present and future.

This bill implements the Malinauskas government's election commitment to increase penalties under the Aboriginal Heritage Act 1988 for offences, including introducing powers for the courts to make remedial compensation and profit forfeiture orders against offenders who have breached the act's offences of damaging Aboriginal heritage.

The destruction of Indigenous heritage sites at the Juukan Gorge in Western Australia sparked outrage in Australia and around the world and instigated a review of Aboriginal cultural heritage protection throughout Australia. We know that on 24 May 2020, as part of Rio Tinto's expansion of the Western Australian Brockman 4 mine, the Juukan Gorge cave was tragically destroyed by explosives, along with another Aboriginal sacred site. This was despite the Puutu Kuntiki Kurrama people (PKKP) urgently requesting the blasting be stopped five days beforehand.

At this time in WA, the Aboriginal Heritage Act 1972 did not allow for mining consent to be renegotiated on the basis of new information. The PKKP's significant new information could not be used by the minister to save it and the blasting at Juukan Gorge went ahead legally under a section 18 exemption in the act because an authorisation had already been granted.

To help South Australia avoid such a tragedy, discoveries of Aboriginal heritage will now also include discoveries of significant new information about known heritage. Early in 2023, the Malinauskas government consulted publicly on draft legislation not just to increase the penalties in the act in line with our election commitment but also to address the uncertainties that arose from the mining company Kelaray Pty Ltd and that company's decision in connection with its exploration activity on and around Lake Torrens in SA, which connects to section 20 of the act.

Under section 20 of the act, discovery of Aboriginal sites, objects or remains must be reported 'as soon as practicable' to the minister. In this case, SA's Chief Justice Kourakis found that Kelaray's cultural heritage management plan did not comply with that requirement. The Supreme Court found that the company's cultural protection measures were not sufficient under the Aboriginal Heritage Act. This outcome resulted in making very clear requirements in the act for reporting discoveries of Aboriginal heritage, which include discoveries of new information about heritage.

In collaboration with the State Aboriginal Heritage Committee, the Labor Malinauskas government intends to develop detailed guidelines for dissemination under the act that specify the requirements for a heritage management methodology to be approvable. These guidelines will encourage the identification of Aboriginal heritage in a proponent's area of interest, so that appropriate methodologies are developed to manage them in consultation with traditional owners before they apply for an authorisation.

It is a requirement to prove that the offender intended to damage Aboriginal heritage and due to this there has not been a successful prosecution in South Australia. This bill aims to fix this shortfall by creating a separate offence where a defendant would need to prove they did not know and could not reasonably have been expected to know the site was an Aboriginal site. This lower

level offence proposes to make it easier to successfully prosecute damage to Aboriginal heritage in appropriate cases. Currently, the maximum penalty for destroying Aboriginal heritage in South Australia is \$50,000 for a body corporate and \$10,000 or six months' imprisonment for individuals.

This bill proposes that penalties for the offence, where the defendant was either reckless or intended to damage Aboriginal heritage, will increase to \$2 million for organisations and \$250,000 and/or two years' imprisonment for individuals. These increases will more effectively discourage serious breaches of Aboriginal heritage laws from being viewed as just an additional business cost. The bill will also propose that monetary penalties ordered in favour of the court be paid into the Aboriginal Heritage Fund established under section 19 of the act.

In addition to the Labor Malinauskas election commitment, this bill evolves within the context of the currently proposed national reform to Aboriginal heritage legislation that addressed the Juukan Gorge tragedy. As I have already acknowledged, this bill gave consideration to responses from the Kelaray case in South Australia, as well as recommendations from the Aboriginal Lands Parliamentary Standing Committee's heritage inquiry report presented in this chamber recently. On behalf of the government, I commend the bill to the house.

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

STATUTES AMENDMENT (IDENTITY THEFT) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 15 June 2023.)

The Hon. J.M.A. LENSINK (16:37): I rise to indicate support for this piece of legislation, which has been in and around the parliament for a few years now. The bill in an almost identical form was introduced by the former Marshall Liberal government in May 2021. It passed the Legislative Council with an amendment and was received in the House of Assembly but lapsed at the end of the session.

This bill amends the Criminal Law Consolidation Act, Criminal Procedure Act, Sentencing Act and Youth Court Act. It does that with the purpose of ensuring that laws capture modern-day methods of perpetrating identity theft crimes and to provide greater protection to victims. This bill updates current identity theft provisions in line with technology and criminal behaviour, which has changed significantly since the original laws passed in 2003; that is, the reverse onus of proof and removal of intent to commit a serious criminal offence tends to make identity theft, often done remotely with little physical evidence and harder to track than other theft, easier to prosecute.

Currently, identity theft offences require the prosecution to prove that the assumption of a false identity or the misuse of personal identification information was done with intent to commit a serious criminal offence. This requirement has meant that the threshold for prosecution has been high and has failed to capture many modern identity theft schemes. This bill removes the serious threshold, with the objective that the police will be able to target a wider spectrum of offending. The bill also creates a new offence of natural persons possessing or using another person's identification information without reasonable excuse. This is a summary offence with a maximum penalty of two years' imprisonment.

Amendments regarding the identity theft certificate will enable victims to more easily obtain verification from a court that they have been a victim of identity theft to assist them in restoring their creditworthiness. Currently, many perpetrators are never found or charged, and if the perpetrator is found or charged it can take years for prosecutions to reach a conclusion.

The current framework requires both a conviction of an identity theft offender and that the victim apply to the convicting court to obtain an identity theft certificate. As a result, many victims have been unable to obtain an identity theft certificate, which means they continue to remain in financial detriment and emotional distress. Amendments enable the Magistrates Court or Youth Court to issue a certificate of identity theft where the court is satisfied, on the balance of probabilities, that a person is the victim of identity theft and no longer requires the conviction of a perpetrator.

When the council considered this bill in 2021, the Labor opposition supported amendments aimed at removing some of the reverse onus of proof provisions. Since coming to government and receiving advice from the commissioner that the reverse onus of proof is not uncommon in legislation and is utilised in a number of offence settings, Labor has changed its position and now proposes those provisions.

An additional exemption has been added to the bill beyond what was previously included, in that it does not contain an amendment to the 2021 bill providing a definition for an online gambling product or service. It includes additional exemption categories if the personal information related to only one person and was readily publicly available.

It removes an amendment from the 2021 bill which specifies that this legislation does apply to young people under the age of 18 who misrepresent their age to access an online gambling or 18+ publication, film or computer game. Minors can be dealt with in accordance with the Young Offenders Act 1993, which allows police to deal with this type of offending by giving informal or formal cautions, requiring a family conference, and imposing other sanctions for serious offences. With those comments, I indicate support for this bill.

The Hon. S.L. GAME (16:41): This bill has the purpose of obtaining provisions in the Criminal Law Consolidation Act 1935 to make it easier to prosecute perpetrators of identity theft and increase penalties in relation to the crime. It changes the law to better support victims by making it easier to acquire verification from a court that a person has been the victim of identity theft. This will support victims who may need to restore their credit record.

Section 3 of the current bill updates definitions in the Criminal Law Consolidation Act 1935 to reflect modern terminology, particularly around debit and credit card information. Sections 4 and 5 of the current bill respectively amend sections 144B and 144C of the act. These sections of the act establish criminal offences for acts where a person has used either a false identity or misused the personal information of another person to commit a serious criminal offence. The current bill deletes 'serious' from these sections, meaning that these offences will be in relation to any criminal offence, not just serious ones. The current bill also increases the maximum penalties for both offences from three years to five years' imprisonment.

Section 144D of the act establishes an offence for producing or possessing prohibited material with the intent to use that material to commit a criminal offence. Section 6 of the current bill increases the maximum penalty again from three years to five years' imprisonment for this offence. This section of the current bill also establishes a new section 144DA of the act. This new section prescribes a new offence of possessing another person's personal identification information without reasonable excuse. A person charged with this offence would bear the onus of proving that they had a reasonable excuse for possessing the material. There are a number of exemptions to this set out in the current bill. These exemptions include:

- (a) that the possession forms part of the person's ordinary course of lawful occupation;
- (b) that the defendant and the victim are close relatives;
- (c) that the defendant is either the victim's guardian or administrator or that they hold a power of attorney for the victim; and
- (d) that the personal identification information related to only one person and the information was readily publicly available.

Section 8 of the current bill inserts a new provision into the Criminal Procedure Act 1921 and this provision grants the Magistrates Court the authority, on application by a person, to issue a certificate if the court is satisfied on the balance of probabilities that the person is a victim of identity theft. The detail included on the certificate is at the discretion of the court but will include the details of how the victim's personal identification information was used to commit an offence, regardless of whether any person has been charged with or found guilty of a related offence.

This bill is a timely and practical modernisation of the criminal law as it relates to identity theft. It will give SAPOL the tools they need to effectively investigate and prosecute these offences and I am pleased to support the bill.

The Hon. R.A. SIMMS (16:44): I rise to speak on the Statutes Amendment (Identity Theft) Bill and indicate that the Greens will also be supporting the bill, but we will be moving an amendment. This bill previously passed this place back in 2021, but lapsed in the other place when parliament was prorogued for the 2022 state election. At that time, the Greens supported the passage of the bill with two amendments that were moved by then Leader of the Opposition the Hon. Kyam Maher. At that time, we were supportive of the broad intentions of the bill and recognised that it deals with the increasingly complex issues of identity theft.

Since the bill was first introduced, we have seen hacking increase across Australia and there have been a number of high-profile cases, such as the 2022 Optus data breach, which affected over nine million people nationwide. In December 2021, a data breach of the identity information of 80,000 public sector workers in South Australia was leaked in a major cyber attack. We know that identity theft is a serious issue that can ruin lives and for that reason we are, again, supportive of this legislative reform.

When this matter was introduced into the previous parliament, we agreed with the then Leader of the Opposition in this place about the potential implications that flowed from the inclusion of people under the age of 18. At that time, the Greens joined with the opposition in voicing our concerns that that bill had the potential to criminalise young people. I do want to recognise that the Labor government have remove that part of the bill and we certainly welcome that.

We are concerned, however, that clause 7 of the bill remains. In highlighting my concerns, I want to read from the now Attorney-General's (at that time Leader of the Opposition in this place) second reading speech because he quite clearly articulated some of the concerns with that clause. During the debate, back in 2021, the then Leader of the Opposition moved an amendment to the clause that would have changed the onus of proof. In his second reading speech he stated, and I quote:

I note that the reverse onus of proof does not apply, according to this bill, in situations where the defendant is in the ordinary course of a lawful occupation or activity, or the defendant has personal information generally of people or a class of people.

It...does not apply if the defendant and the victim are close relatives, which is limited to spouse or domestic partner, grandparent, grandchild, parent, child or sibling. It is a total defence to the new offence if all of the personal identification information is public information. Public information is defined in the bill as the person's name, address or other contact details, date or place of birth, marital status and relatives.

What this could potentially mean is that if a person has a list of names and contact details for some people but somehow a piece of personal identification information outside of that 'public' definition—for example, according to the bill, I think a signature could fall into that category—they would then have to prove that they have a reasonable excuse for having that information. [That] is, we think, possibly a very weak [explanation] and one that seems to have been added—it is unclear, but I am sure the government, in their second reading summing up, will provide some clarity [around this]...

This is what the Hon. Kyam Maher said. He continues:

In terms of creating an offence for the possession of personal identification information, we are having trouble locating other Australian jurisdictions, or indeed any other similar jurisdiction from another country, that [has] a similar offence that does not also have a requirement of the intent or equivalent to commit an offence.

I shared the concerns of the Hon. Kyam Maher at that time and, indeed, the then Attorney-General, Vickie Chapman, did argue quite strongly for the Greens to oppose those Labor amendments but we did not, we voted with the Labor opposition to support those amendments. It is disappointing that now that the Labor Party are in government they have chosen to turn away from what was quite a sensible approach, in our view. It is for that reason the Greens have taken up the Labor amendments and I have advanced them under my name.

In 2021, the Greens supported that amendment to change the onus of proof to ensure the prosecution is responsible for proving that the defendant had possession of the relevant material without reasonable excuse. It is a fundamental principle of our legal system that it is on the prosecution to prove the case against a defendant. This is a very important legal principle and one that is being undermined by this bill.

The SA Bar Association and the Law Society have stated their concerns about the onus of proof being reversed in this way. I will quote from the Bar Association's letter to the Attorney-General, where they state:

[The South Australian Bar Association] expresses its concern that the reverse onus aspect of the proposed offence will have unintended consequences.

Part 5A of the Criminal Law Consolidation Act of 1935 already contains offences where a person has possession of personal identification information for a criminal purpose. Whilst it is understandable that Parliament wishes to make it easier to prosecute identity theft and thus remove the requirement to establish 'a criminal purpose' the onus should, with respect, be on prosecution authorities to establish an absence of reasonable excuse.

Of course the Greens agree with that. When previously debating this bill, I was persuaded by the passionate advocacy of the Hon. Kyam Maher in relation to that matter, and our position has not changed despite the about-face of the Attorney-General on this matter.

As we have said, we are supportive of this reform in that it does protect people's data, but in doing so we should not trash a centuries-old legal tradition. It is for that reason that the Greens will be moving the Labor amendment, circa 2021, in our name.

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

At 16:52 the council adjourned until Wednesday 7 February 2024 at 14:15.

*Answers to Questions***CORONER'S OFFICE**

316 The Hon. S.L. GAME (18 October 2023). In reply to Hon S.L. Game MLC (18 October 2023): Can the Minister for Health and Wellbeing advise:

1. Has an adverse event reporting system been implemented in hospitals and medical centres for use by staff as recommended in paragraph 27.10 on pages 198-199 in the 2019 Coroners Findings report 'Inquest into the Deaths of MCRAE Christopher, PINXTEREN Johanna, HIGHAM Bronte, BAIRNSFATHER Carol' which resulted from the inquest into these chemotherapy under-dosing deaths?

2. If the recommended adverse event reporting system has not been implemented, is there a plan to implement a system to replace the Safety Learning System, deemed by the Deputy State Coroner to be not fit for purpose?

3. If the Safety Learning System is not to be replaced, is there any intention to devise and implement a separate adverse event reporting system supplementary to the Safety Learning System that would satisfy the Deputy State Coroner's recommendation?

4. If a plan to implement an adverse event system exists, when will it be implemented?

5. If the recommended adverse event system, or similar, is already in place, where can we find comprehensive details, such as its inception date, scope, and current users?

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

SA Health commissioned a comprehensive independent review of the Safety Learning System in response to recommendation 2 in the 2019 Coroners Findings report 'Inquest into the Deaths of MCRAE Christopher, PINXTEREN Johanna, HIGHAM Bronte, BAIRNSFATHER Carol'.

In January 2020 Associate Professor Peter Hibbert, University of South Australia was commissioned to lead an independent review of SA Health's Safety Learning System.

This independent review, which was publicly released on 23 October 2020 by the Marshall Liberal government, found that the Safety Learning System and its constituent modules are sufficiently flexible to deliver the changes sought by the Deputy State Coroner.

SA Health accepted the recommendations made by the independent review team which related to the Safety Learning System governance, technical and cultural improvements to align with the intent of the Deputy Coroner's recommendation.

SOUTH AUSTRALIA POLICE

319 The Hon. T.A. FRANKS (1 November 2023). Can the Minister for Police, Emergency Services and Correctional Services advise:

1. Regarding the kinetic impact projectiles that are used by SAPOL officers:

(a) the make and model of any rubber bullets (also known as baton rounds or 'flash ball' rounds) used by police;

(b) the make and model of any plastic-metal composite bullets (also known as plastic or rubber bullets) used by police;

(c) the make and model of any scattershot (also known as multi-projectile rounds or rubber pellet rounds) used by police;

(d) the make and model of any attenuated energy projectile (also known as AEP) used by police;

(e) the make and model of any flexible baton rounds (also known as bean bag rounds) used by police;

(f) the make and model of any sponge rounds (also known as foam-tipped plastic bullets or sponge grenades) used by police;

(g) the make and model of any pellet rounds (also known as birdshot or buckshot) used by police;

(h) the make and model of any pepper-spray projectiles (also known as pepper balls or FN 303) used by police;

(i) the make and model of all kinetic impact weapons launchers (launchers capable of firing kinetic impact projectiles) used by police.

2. Regarding the chemical irritants that are used by SAPOL officers:

(a) the manufacturer and the formulation, size, concentration and delivery mechanism for all lachrymatory agents that can be used by police;

(b) the manufacturer and the formulation, size, concentration and delivery mechanism for all capsaicin agents that can be used by police;

(c) the manufacturer and the formulation, size, concentration and delivery mechanism for any malodorant chemicals that can be used by police;

(d) the manufacturer and the formulation, size, concentration and delivery mechanism for any other chemical irritants that can be used by police;

(e) The make and model of all chemical irritant delivery mechanisms

3. What is the make and model of the disorientation devices that are in use by SAPOL.

4. What is the quantity, make, model, brand and manufacturer of any acoustic weapons that can be used as a crowd control weapon by SAPOL.

5. What is the quantity, make, model, and manufacturer of the blunt force weapons in use by SAPOL.

6. Regarding the electronic control devices used by SAPOL including:

(a) the make and model of any hand held electronic control devices (also known as prods, stun guns or shock shields or by the brand name TASER when used in 'stun' mode) that are pressed against an individual to take effect that can be used by police;

(b) the make and model of any hand held electronic control devices that can be fired and can shock an individual from a distance (also known by the brand name TASER) that are used by police;

(c) the make and model of any electronic control devices that can be part of body-worn devices (for example stun belts or stun cuffs) that are used by police;

7. Regarding the restraints in use by SAPOL, including:

(a) the quantity, make, model, and manufacturer of all handcuffs (made from any material) that are in use by police;

(b) the quantity, make, model, and manufacturer of all leg cuffs that are used by police;

(c) the quantity, make, model, and manufacturer of all belly chains (also known as restraint belts) used by police;

(d) the quantity, make, model, and manufacturer of all combination cuffs (cuffs that restrain both hands and legs) that are used by police;

(e) the quantity, make, model, and manufacturer of any thumb cuffs that are used by police;

(f) the quantity, make, model, and manufacturer of any restraint chairs with metallic restraints that are used by police;

(g) the quantity, make, model, and manufacturer of any bar fetters (a rigid bar connecting two lockable rings or cuffs), rigid combination cuffs (hand and leg restraints linked together by a rigid metal bar) or gang chains (multiple cuffs attached to a single chain restraining several people together) that are used by police;

(h) the quantity, make, model, and manufacturer of any fixed restraints (single or double lockable cuffs attached to a metal chain designed to be bolted or fixed to another object) in use by police;

8. Regarding the use of unmanned aerial vehicles:

(a) the make and model of any unmanned aerial vehicles that can be used (or modified) to fire or disperse chemical irritants;

(b) the make and model of any unmanned aerial vehicles that can be used (or modified) to fire, disperse, spread or distribute any other crowd control weapons.

9. What is the quantity, make, model, and manufacturer of any millimetre wave weapons that can be used for crowd control by SAPOL?

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

It is imperative to preserve the confidentiality of South Australia Police's operational and tactical policing methodology and capacity, in ensuring the continued protection and safety of not only SAPOL personnel but equally the South Australian community.

As such, SAPOL advises that the disclosure of the information sought is not in the public interest.

OFFICE FOR WOMEN

320 The Hon. S.L. GAME (16 November 2023). Can the Minister advise:

1. Referring to the Auditor-General's Report 8—Annual Report for the year ended 30 June 2023, P.264 Budget Line: Highlights of the financial report—controlled items/Expenses/Employee benefits expenses: How much of the \$302 million spent on employee benefits expenses related to the function of the Office for Women?

2. P.264 Budget Line: Highlights of the financial report—controlled items/Expenses/Supplies and services: How much of the \$86 million spent on supplies and services related to the function of the Office for Women?

3. P.268 Budget Line: Highlights of the financial report—administered items/Expenses/Grants and subsidies: How much of the \$243 million spent on grants and subsidies related to the function of the Office for Women and what specifically were these grants and subsidies?

4. P.264 Budget Line: Highlights of the financial report—controlled items/Expenses/Employee benefits expenses: How much of the \$302 million spent on employee benefits expenses related to the function of the Women's Information Service?

5. P.264 Budget Line: Highlights of the financial report—controlled items / Expenses/Supplies and services: How much of the \$86 million spent on supplies and services related to the function of the Women's Information Service?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Women and the Prevention of Domestic and Family Violence has advised:

Question 1 and 4:

Of the \$302 million reported for controlled employee benefits expenses, \$2.41 million related to the functions of the Office for Women. Of the \$2.41 million, \$0.53 million related to the function of the Women's Information Service.

Question 2 and 5:

Of the \$86 million reported for controlled supplies and services, \$0.89 million related to the Office for Women. Of the \$0.89 million, \$0.02 million related to the function of the Women's Information Service.

Question 3:

There were no administered grants and subsidies for the Office for Women.

MENTAL HEALTH

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

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

This external report, commissioned by the Office of the Chief Psychiatrist under the former government, analyses the level of shortfall and future investment required in non-government sector psychosocial services in SA, at both federal and state government levels. The report is publicly available on the Chief Psychiatrist's website.

The report was commissioned following real cuts to funding that occurred to NGO psychosocial services under the former Marshall Liberal government.

Between 2018-19 and 2020-21, the funding for NGO commissioned mental health services by the SA government was cut by 19.2 per cent.

The percentage of that cut would be even larger if accounting for inflation.

In contrast, the Malinauskas Labor government has increased funding for NGO commissioned mental health services by 11.8 per cent in just its first year.

PSYCHOSOCIAL SUPPORT

In reply to **the Hon. S.L. GAME** (17 May 2023).

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

Between 2018-19 and 2020-21, the funding for NGO commissioned mental health services under the former Liberal Government was cut by 19.2 per cent. The percentage of that cut would be even larger if accounting for inflation.

In contrast, the Malinauskas Labor government has increased funding for NGO commissioned mental health services by 11.8 per cent in just its first year.

Eligible South Australians with a primary psychosocial disability arising from a significant and permanent mental illness are able to access supports through the National Disability Insurance Scheme (NDIS). The Department for Health and Wellbeing (DHW) funded Housing and Accommodation Support Partnership (HASP) program provides

integrated housing and support to people living with mental illness and psychosocial disability in SA. With the implementation of the NDIS, South Australians with a psychosocial disability, including those in the HASP program, may be eligible for the NDIS and have an NDIS funded plan which allows them to purchase supports to improve their daily living skills, health and wellbeing as well as maintaining their tenancies, relationships and employment similar to DHW funded psychosocial supports.

Our government has also established Regency Green, a service for people with psychosocial conditions who would otherwise be in hospital.

WESTERN SUBURBS MAJOR PROJECTS

In reply to **the Hon. F. PANGALLO** (26 September 2023).

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

The West End Brewery site will be developed into a world-class, mixed-use precinct, targeting industry-leading levels of affordability, livability and sustainability.

Renewal SA will act as master developer of the 8.4-hectare community and partner with the private sector to deliver the site, including master planning, design, civil works, development, building and construction activities whilst ensuring best-for-state community outcomes.

Detailed master planning of the site, including community and stakeholder consultation, will commence in 2024. As part of the master planning process, a detailed traffic analysis will be prepared, and will include consideration of intersections and entry locations into the project.

Further and ongoing discussions with the relevant local councils and the Department for Infrastructure and Transport will also be undertaken to ensure a co-ordinated approach.

Civil works for the West End Brewery site are anticipated to commence in 2025, with first residents expected to move in by 2027.

COVID-19 MANDATORY VACCINATIONS

In reply to **the Hon. S.L. GAME** (26 September 2023).

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

1. The SA Health Addressing Vaccine Preventable Disease: Occupational Assessment, Screening and Vaccination Policy, (Vaccine Policy), mandates COVID-19 vaccination for Category A and Category B SA Health employees.

The decision of *Teague & Ors v Department for Health and Wellbeing* [2023] SAET 80, decided by President Justice Dolphin of the South Australian Employment Tribunal on 11 September 2023, determined that the policy was lawful and valid, and that the mandate requiring mandatory vaccination was a lawful and reasonable direction. Following the implementation of the policy in November 2022, employees were issued with a letter directing the employee to comply with the policy and were advised that failure to comply with a lawful and reasonable direction may lead to disciplinary action.

Employees who remained noncompliant with the policy were subject to a disciplinary process and were afforded procedural fairness. Termination was not immediate.

2. As at 5 October 2023, 184 SA Health employees have been terminated for failure to comply with a lawful and reasonable direction, which required compliance with the policy and mandate.

3. Following broad consultation and extensive feedback from SA Health workers, unions and businesses, SA Health introduced an updated workplace vaccine policy for its own workforce, which applies to all SA Health services.

The Addressing Vaccine Preventable Disease: Occupational Assessment, Screening and Vaccination Policy provides clarity on vaccine requirements for SA Health staff. It classifies employees according to their risk factors and direct contact with patients.

SA Health continues to monitor and review the latest research and evidence to ensure its policies align with the Work Health and Safety Act and the Australian Commission on Safety and Quality in Health Care's National Safety and Quality Health Service Standards.

MENTAL HEALTH SERVICES

In reply to **the Hon. S.L. GAME** (28 September 2023).

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

The government released the report as soon as practical after its completion and following usual departmental and cabinet processes.

The report was commissioned following real cuts to funding that occurred to NGO psychosocial services under the former Marshall Liberal government.

Between 2018-19 and 2020-21, the funding for NGO commissioned mental health services by the SA government was cut by 19.2 per cent. The percentage of that cut would be even larger if accounting for inflation.

In contrast, the Malinauskas Labor government has increased funding for NGO commissioned mental health services by 11.8 per cent in just its first year.

The Unmet Needs report recommends that additional investment should only be progressed in the context of a shared framework between state and commonwealth governments. The commonwealth government has now commenced a national analysis of unmet need for psychosocial support, which when complete will help inform future planning and resourcing discussions across all jurisdictions.

MOUNT GAMBIER MENTAL HEALTH SERVICES

In reply to **the Hon. S.L. GAME** (17 October 2023).

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

Mental Health Services within the Limestone Coast Local Health Network (LCLHN) provides a tertiary mental health service, including assessment and intervention for adults and young people aged 16 years and over, presenting with a complex and enduring mental health diagnosis.

The Child and Adolescent Mental Health Service (CAMHS) is a free community-based tertiary mental health service provided through the Women's and Children's Health Network across South Australia, and provides care to those with severe and/or complex mental health needs. Referrals are triaged by the centralised referral process CAMHS Connect and are responded to within a timely manner. CAMHS does not currently have a wait list and has not had a wait list in the last 12 months.

There are also commonwealth funded services in the region, including Headspace, that may provide early intervention services.

LCLHN can confirm there are zero wait times for both distance consultation therapy support and local care coordination with specialist support for care coordination for young people with complex and enduring mental health diagnoses.

LCLHN is unable to comment on wait times for other service providers which may require further investigation from Commonwealth funded services like Headspace and the mental health practitioners in the Department for Education for early intervention.

REGIONAL RADIATION TREATMENT SERVICES

In reply to **the Hon. J.M.A. LENSINK** (17 October 2023).

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

Following the appointment of an inclusive evaluation panel and an extensive Request for Quotation process, the Limestone Coast Local Health Network (LCLHN) formalised the appointment of a suitably qualified and independent consultant to progress the feasibility study into radiation therapy services in the Limestone Coast.

PATIENT ASSISTED TRANSPORT SCHEME

In reply to **the Hon. S.L. GAME** (1 November 2023).

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

The Patient Assistance Transport Scheme is constantly reviewing eligibility criteria and provides recommendations to improve the scheme in line with community needs and the intended purpose of the scheme. In 2023 there have been three significant improvements to the scheme. Increasing the travel subsidy to 32 cents per kilometre, introducing a ferry subsidy for all Kangaroo Island residents and a subsidy for patients travelling for prosthetics and orthotics have all been implemented.

In addition to these recent improvements, the PATS Aboriginal Engagement Strategy was introduced to ensure the scheme is more accessible, flexible, easier to understand and provides support for Aboriginal patients travelling for medical treatment.

Feedback from clients and consultation with relevant stakeholders are also taken into consideration when creating or modifying criteria to ensure ongoing support of regional treatment and treatment options. This is essential

in providing support that meets the needs of patients who have no option but to travel over 100 kilometres for specialised treatment.

TRAINING CENTRE VISITOR

In reply to **the Hon. J.M.A. LENSINK** (2 November 2023).

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

The figures referred to in the member's question are not reflected in the Training Centre Visitor's (TCV) 2022-23 Annual Report.

According to the figures in the TCV's Annual Report, there was a 12.1 per cent increase in the proportion of dual involved young people admitted to Kurlana Tapa who identify as Aboriginal when comparing data from an 11-month period in a calendar year (2021) with the 2022-23 financial year.

DHS data shows, of the dual involved young people admitted to Kurlana Tapa in 2021-22, 48.2 per cent identified as Aboriginal. Of the dual involved young people admitted to Kurlana Tapa in 2022-23, 52.9 per cent identified as Aboriginal.

This represents a 4.7 per cent increase when comparing 2021-22 and 2022-23.

VIRTUAL FENCING INVESTIGATION

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (2 November 2023).

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

The Animal Welfare Task Group (AWTG) has reconvened the virtual fencing sub-working group in October 2023. The literature review has also been finalised and AWTG has agreed to the release of the literature review in due course.

I understand the trial at Wintinna Station was not part of the main virtual fencing trial and was funded as a demonstration through the Drought Resilience Research and Adoption Program (SA Drought Hub) which is established through the national Future Drought Fund. Results will be made public. The AWTG may choose to include this as part of their review.

DISTRICT COURT

In reply to **the Hon. L.A. HENDERSON** (14 November 2023).

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

In the 2022-2023 financial year, the District Court reported 36 per cent of criminal lodgements pending completion that are greater than 12 months old and 11 per cent of criminal lodgements pending completion that are greater than 24 months old. This information is contained within the data tables accompanying the Courts Administration Authority 2022-2023 Annual Report.

WHITFORD, MR G.

In reply to **the Hon. F. PANGALLO** (14 November 2023).

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

The Coroner has received a report from SAPOL in relation to their investigation of this matter. SAPOL has been asked to address some additional matters as a result of concerns raised by Mr Whitford's family, after which point the Coroner will determine whether to hold an inquest.

AMBULANCE RAMPING

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (14 November 2023).

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

Our government inherited a health system that has been under significant pressure, driven by a lack of investment in beds, staff and services under the former Liberal government.

Reducing ramping remains our number one priority and we are delivering a generational investment to rebuild the health system and reverse the years of neglect under the previous government.

We know the cause of ramping is bed block and hospital overcrowding. This is why we have committed to open more than 550 additional beds, recruit more doctors and nurses and ambos and build and upgrade key infrastructure across the state to provide the capacity our healthcare system needs.

There is no immediate fix to ramping and investments will take time to deliver, but we are working now to meet this challenge head on. We are opening over 150 more beds in 2024, increasing initiatives like the Virtual Care Service to reduce bed block and improve patient flow, and we are working directly with our doctors and nurses to develop clinically led solutions to tackle the ramping crisis.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. L.A. HENDERSON** (14 November 2023).

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

Based on available data, the current average age of Victims of Crime (VOC) debts managed by the Fines Enforcement and Recovery Unit (FERU) is 15.6 years. Due to the nature of offences and their resulting consequences (for example, incarceration), the age of the debt and likelihood of recovery can be prolonged. Average annual VOC recoveries collected from offenders since the FERU was established have increased.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. L.A. HENDERSON** (14 November 2023).

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

With regard to current outstanding compensation claims, in approximately 89 per cent of claims the offender is known, with approximately 11 per cent unknown.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. L.A. HENDERSON** (14 November 2023).

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

31 ex gratia payments under the Victims of Crime Act 2001 were finalised and paid in the period 1 July 2022 to 30 June 2023. The total value of these payments was \$1,520,009.77.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. L.A. HENDERSON** (14 November 2023).

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

During 2022-23, the Crown Solicitor's Office understands there were 35 requests to approve an ex gratia payment in principle. Of those in principle requests, 10 were successful, with further information now to be provided in relation to the quantum sought.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. L.A. HENDERSON** (14 November 2023).

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

All 31 ex gratia payments finalised and paid during 2022-23 concerned matters in which allegations of sexual offending were made, with some also including allegations of physical violence.

Charges were laid in 25 of the 31 matters. Charges were not laid in two cases due to the alleged offender being unknown.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. L.A. HENDERSON** (14 November 2023).

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

As discussed during the hearing, the \$44.7 million variance is mainly due to a timing issue with payment of the 2022-23 state base funding being made in 2021-22 rather than 2022-23. This variance accounts for \$47.6 million and enabled the commission to maximise investment returns.

The remaining variance is due to additional commonwealth funding provided in 2022-23 (\$2.4 million) and state funding provided in 2022-23 (\$0.5 million).

PORT LINCOLN RSL

In reply to **the Hon. S.L. GAME** (14 November 2023).

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

1. The Garden of Remembrance Cemetery is owned by the Port Lincoln RSL. The recent article published by InDaily incorrectly stated that federal funding was cut from the Port Lincoln RSL. The funds referred to in the article were a one-off grant of \$100,000 across four financial years, provided by the state government. Accordingly, the state government has not approached Hon. Matt Keogh MP, commonwealth Minister for Veterans' Affairs about the matter.

The Port Lincoln RSL did not have its funding cut, the grant concluded on 30 June 2023. The conditions of the grant agreement were negotiated between Veterans SA and the previous committee of the Port Lincoln RSL.

2. The state government will financially assist the Port Lincoln RSL to ensure the local RSL branch and its volunteers can continue maintaining the site.

The Garden of Remembrance, at Port Lincoln, is the final resting place of more than 550 veterans and their spouses.

A \$75,000 grant over three years will be allocated to help the Port Lincoln RSL maintain the cemetery grounds to a high standard that appropriately honours and commemorates the sacrifices made by Australian war veterans. The grant will be administered by Veterans SA.

The new funding will go towards maintenance and upkeep of the historic site and replacement of an automatic watering system to ease volunteer workload.

I have spoken with Port Lincoln RSL sub-branch president, Gary Clough, and will visit him at the Port Lincoln RSL Garden of Remembrance in the new year to see firsthand the good work being done by the volunteers.

LGBTIQA+ COMMUNITY

In reply to **the Hon. R.A. SIMMS** (14 November 2023).

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

The Equality Project, a national LGBTIQA+ organisation, is currently conducting interviews with LGBTIQA+ South Australians with a goal of understanding people's experiences, connections to community, and identifying possible changes to better support LGBTIQA+ people. This project, which is funded by the Fay Fuller Foundation, has a particular focus on engaging with LGBTIQA+ people in regional South Australia.

The LGBTIQA+ Minister's Advisory Council recently had an update on the findings from the peer-to-peer interviews conducted to date as part of this initiative, including the unique needs emerging from LGBTIQA+ people living in regional and rural South Australia.

The findings of this project will be used to inform a potential roadshow like the ones that have occurred in Victoria and future actions the government can take to better support LGBTIQA+ people in regional South Australia.

FARMER WELLBEING

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (15 November 2023).

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

Yes. \$200,000 in funding was provided in September 2023 to the University of South Australia as part of the \$21 million Drought Support Program.

REGIONAL DEVELOPMENT

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (15 November 2023).

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

As a result of the Australian government's decision, the Department for Trade and Investment is currently in discussions to secure an investment in plant protein in South Australia.

All funding decisions are subject to the outcomes of these discussions but will be focused on South Australia's economic growth.

ROAD FUNDING

In reply to **the Hon. F. PANGALLO** (15 November 2023).

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

On 16 November 2023, the Australian government released its response to the Independent Strategic Review of the Infrastructure Investment Program.

As a result of the review, the Australian government withdrew its funding for five projects:

- Hahndorf Township Improvements and Access Upgrade.
- Truro Bypass.
- Main South Road Productivity Package.
- Old Belair / James Road Upgrade, Mitcham.
- Onkaparinga Valley Road – Tiers Road – Nairne Road intersection Upgrade.

However, the Australian government also announced its commitment to fund an additional \$2.7 billion toward the north-south corridor, River Torrens to Darlington project, bringing its full contribution to \$7.7 billion and the total committed funding by both Australian and South Australian governments to \$15.4 billion.

Specifically, to road maintenance an annual allocation is provided by the Australian government to states and territories for the maintenance of roads that form part of the National Land Transport Network. This funding will continue under the proposed changes, with the current formula used to allocate funding across Australia under review.

SOCIAL HOUSING

In reply to **the Hon. R.A. SIMMS** (15 November 2023).

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

A media release in late 2023 announced the NSW government would be bringing a maintenance call centre back into public management, replacing the current model of maintenance contractors staffing their own individual call centres. The same announcement confirmed NSW will continue to use external tradespeople to undertake works and pricing for works will use a schedule of rates (SoR).

This will result in a similar model to South Australia that operates a single maintenance call centre to triage, scope and issue work orders while the external contractors undertake works in accordance with a SoR.

With regard building, the South Australian Housing Trust has commissioned tens of thousands of new homes since the first was put out for tender in mid-1937. This work has involved public funds supporting local business and tradespeople to build the homes. In turn, this plays a vital role in the state's economy through local employment, training of apprentices, and the use of local materials where possible.

The government has committed to grow public housing and the SA Housing Authority capital program from June 2022 to June 2026 includes more than 1,000 new homes to replace ageing stock and increase supply. This work is in addition to stopping the planned sale of 580 public housing properties.

The government will continue to consider the best ways to deliver on our commitment to boost social and affordable housing but the establishment of public owned builder is not planned at this time.

HOMELESSNESS

In reply to **the Hon. R.A. SIMMS** (16 November 2023).

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

1. Under the Planning, Development and Infrastructure Act 2016 (the Act), a person may require development approval for residing in a caravan where the caravan is permanently fixed to land (as it is considered building work under the act) or where doing so results in a change in the use of the land.

Local councils are responsible for determining whether there has been a change in use of land. This may occur when the land on which the caravan is located was not previously used for residential purposes or where the caravan is rented or leased for a commercial purpose. It must be noted that under the act, the parking of a caravan on land used for residential purposes by a person who is an occupant of a dwelling situated on that land is not considered a change in use of land.

Development approval may be required in certain circumstances identified to ensure the appropriate health and safety requirements of the building rules are satisfied and the proposed building is suitable in the context in which it is proposed.

Further, land used to provide short-term accommodation in caravans, recreational vehicles, cabins, tents, and other similar demountable forms of shelter in a managed setting is defined as being a 'caravan and tourist park' under the act. The use of land as a caravan and tourist park, irrespective of scale, also requires development approval.

Given the important reasons for which development approval is required, amendments to remove the need to obtain it for fixed caravans or smaller scale caravans and tourist parks is not considered a viable option to resolve the current housing accessibility and affordability issues within the state.

Without development approval needing to be obtained, there would be no mechanism to ensure that the caravans are safe, habitable, and appropriately connected to necessary services (such as water and wastewater) and infrastructure to provide a suitable level of accommodation for the long term.

2. The Malinauskas Labor government has progressed a number of initiatives in the short-term to assist with getting people into housing. Those initiatives include:

- As part of a \$200 million investment, the SA Housing Authority is building 437 new homes (across metropolitan Adelaide and regional South Australia) through the Public Housing Improvement Program. This is in addition to new builds being delivered following a commitment in the state government's A Better Housing Future plan, which is available online at <https://www.housing.sa.gov.au/documents/our-housing-future/A-Better-Housing-Future.pdf>.
- The State Planning Commission is also working closely with the SA Housing Authority to expedite planning approvals for housing where possible.
- Amended the Planning, Development and Infrastructure (General) Regulations 2017 (the PDI regulations) to expand the fast-tracked approval process for temporary accommodation for regional workers involved in the provision of essential infrastructure.
- Further amended the PDI regulations to provide an accepted development pathway (meaning planning consent is not required) for dwellings in growth areas (being master planned neighbourhood and master planned township zones).
- Requested the State Planning Commission amend the Planning and Design Code to streamline approval pathways for ancillary accommodation and to provide for new build to rent opportunities.
- Requested the State Planning Commission amend an existing practice direction to prevent conditions on future development approvals for ancillary accommodation that limit or restrict its use, including by preventing it from being leased or rented.
- Amended the regulations so it is no longer an offence for failure to comply with existing conditions on development approvals for ancillary accommodation that limit or restrict its use, including by preventing it from being leased or rented.

AVIAN INFLUENZA

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (16 November 2023).

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

I am advised the changing risk of highly pathogenic avian influenza (HPAI) to Australia is a high priority of Australian, state and territory governments. The Department of Primary Industries and Regions (PIRSA) has been actively involved in the National Avian Influenza Wild Bird Surveillance Program since 2006. This field surveillance program targets sites across Australia known to be congregation points for both local wild water birds and migratory birds and where these birds may be in close proximity to poultry and humans.

The Bolivar wastewater lagoons are considered a key site for surveillance in South Australia as they provide a reliable water source and refuge for wild birds. Large numbers of wild birds congregate there during the summer where there is mixing of local waterfowl and migratory bird species. In addition, this location is near to many commercial poultry enterprises in the Adelaide Plains.

Fresh wild bird faeces are sampled from the site on a quarterly basis and are tested for avian influenza viruses. Samples are also collected from wild waterfowl from the Coorong region annually.

Results are collated and reported internally and are also shared and discussed within the National Avian Influenza Wild Bird Steering Group, comprising members of Australian, state and territory and government jurisdictions and Wildlife Health Australia. Surveillance data from this program provides valuable information on the epidemiology and risks of avian influenza viruses to the Australian poultry industry.

In addition, significant wild bird mortalities in South Australia that are reported to PIRSA or the Department for Environment and Water (DEW) are investigated, and where possible samples are collected and tested for avian influenza. Collaboration and HPAI awareness with DEW is maintained directly on a case by case basis as well as through a national wildlife health working group. To date in 2023, nine wild bird significant disease investigations have been reported and submitted for testing for avian influenza, with negative results obtained in all cases.

FRUIT FLY

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (16 November 2023).

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

1. Since 6 November, 40 million pupae have been reared out weekly, resulting in 34 million SIT flies released each week.
2. 40 million pupae are produced weekly.
3. SIT flies are released weekly in target areas for six weeks.
4. SIT works best in areas with low fly density. As a result of analysis of detection data, independent technical experts recommended releasing SIT flies in an east to west direction across the Riverland.

CHILD PROTECTION

In reply to **the Hon. S.L. GAME** (16 November 2023).

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

1. Should I reintroduce my bill and will the government now support it, and if not, why not?

The Child and Young Person's Visitor plays an important oversight and advocacy role for children and young people in residential care.

Following the completion of a trial visitor program in September 2019, the previous government did not commit any funding to the role of Child and Young Person's Visitor. Our government has funded the visitor role with \$1.87 million over four years.

2. How is the department responding and what specifically is the range of proactive measures aiming to prevent self-harm and drug use affecting children and young people in care?

Children and young people living in care have often experienced trauma, disrupted relationships and role modelling of maladaptive behaviours, which can significantly affect their emotional and psychological wellbeing. These experiences can lead to particular risky behaviours.

Children and young people in care require nurturing and supportive environments, in order to begin healing.

The Department for Child Protection's trauma informed practice approach and sanctuary model support the understanding and application of a trauma lens to all aspects of professional and organisational practice. Safety of all children and young people is the paramount consideration for the department. The department has a number of supports, therapeutic programs and tools to support the needs of children and young people in care.

The Department for Child Protection works collaboratively and in partnership with stakeholders including Child Adolescent Mental Health Services, Headspace, Youth Mental Health Services, Urgent Mental Health Care Centre and DASSA, helping to ensure that any child or young person in care can access appropriate and timely support as needed.

DOMESTIC, FAMILY AND SEXUAL VIOLENCE

In reply to **the Hon. T.A. FRANKS** (28 November 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Women and the Prevention of Domestic and Family Violence has advised:

The government listened carefully to calls for a royal commission. The Premier and I held a round table, attended by ministers, senior public servants, and South Australia Police, along with representatives of the domestic and family violence sectors and advocates.

Following careful consideration, the South Australian government has committed to establishing a royal commission into domestic, family and sexual violence to drive effective and lasting change.

TAXI INDUSTRY

In reply to **the Hon. F. PANGALLO** (28 November 2023).

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

As part of its election commitments, the state government committed to a review of the Passenger Transport Act 1997 (the Act). The review commenced on 1 July 2022, with initial public and industry consultation undertaken during the third quarter of 2022.

Feedback from the consultation, including around current requirements for licence holders and proposals for a buyback are being considered in finalising the review's recommendations.

The outcomes of the review will be publicly released once the review is finalised.

In the interim, the state government has taken the following actions to help get more taxis back on the road:

- Rebates of the compulsory third-party premiums and lifetime support scheme levies paid in the financial years 2021-2022 and 2022-2023.
- Increasing maximum taxi fares.
- Reintroduction of government-funded managed taxi ranks at priority locations.
- Appointment of new compliance officers to support enforcement of the act requirements on all industry segments.
- Enabling metropolitan taxi operators to apply to defer taxi replacements due to current supply chain issues with obtaining new vehicles.

VETERANS MINISTERIAL COUNCIL

In reply to **the Hon. S.L. GAME** (28 November 2023).

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

1. Due to ill health, I was unable to attend the Veterans' Ministerial Council (VMC) meeting held in Perth on 6 October 2023, hosted by the Australian government Minister for Veterans' Affairs, the Hon. Matt Keogh MP.

Senior officers from Veterans SA and my office attended the meeting. The Senior Advisor, Veteran Services from the Department for Correctional Services, Mr Chris Tilley, delivered a virtual presentation to the VMC regarding improving support for veterans in South Australia's corrective services system.

Careful consideration was given to sending another minister or member of parliament to the VMC. It was decided that due to the short notice involved from the time of my return from major heart surgery and subsequent health setback in September 2023, and the emphasis on South Australian initiatives on the meeting agenda that our state's commitment to the veteran community was self-evident, without ministerial representation.'

2. Due to ill health, I was unable to attend the Veterans' Ministerial Council (VMC) meeting held in Perth on 6 October 2023, hosted by the Australian government Minister for Veterans' Affairs, the Hon. Matt Keogh MP. Senior officers from Veterans SA and my office attended the meeting.

Matters discussed at the meeting included:

- Harmonisation of veteran recognition and concessions
- Veteran mental health support
- Veterans hubs
- An address from the Rt Hon. Johnny Mercer MP, United Kingdom Minister of State on matters of importance to UK veterans and their families, and shared insights into the UK veteran landscape
- Research and data collection
- Veteran homelessness and incarceration
- Update on the Royal Commission into Defence and Veteran Suicide

The Senior Advisor Veteran Services from the South Australian Department for Correctional Services, Chris Tilley, delivered a virtual presentation to the VMC regarding improving support for veterans in South Australia's corrective services system.

The VMC also considered the merits of including a 'Defence and/or Veteran Family' identifier on school enrolment forms to help identify the children of current and former Australian Defence Force personnel.

The Joint Communique—Veterans' Ministerial Council issued following the meeting recognises that South Australia is leading this important initiative for veterans and their families.

This initiative will commence in South Australia next year thanks to our colleague, the Minister for Education, Training and Skills, the Hon Blair Boyer MP. Ministers noted the potential benefits of this initiative, intended to improve the school-based supports for children from veteran families. Ministers agreed to explore this in their relevant jurisdictions.

While naturally, I would have preferred to be present at the VMC meeting, my health at the time did not allow me to attend in person or commit to a three-hour zoom meeting.

I have an excellent relationship with Minister Keogh, who conveyed my disappointment that I was unable to attend the VMC to those present.

ALLIED HEALTH PROFESSIONALS IN SCHOOLS

In reply to **the Hon. J.M.A. LENSINK** (28 November 2023).

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

I am advised that principals determine if external therapy services can be provided on site during school hours using a decision-making process outlined under the 'Non-education service providers in preschools, schools and educational programs procedure'. The approach of this procedure has not changed since introduced in 2016 and was followed while Hon. John Gardner MP was the Minister for Education.

The 'Non-education service providers in preschools, schools and educational programs procedure' provides principals guidance regarding the provision of external therapy services during school hours using a decision-making process.

Where possible, schools seek to allow services on site, but there are factors, such as an inability to provide 'line of sight' supervision, that can limit the ability to allow allied health professionals on site. Ensuring student safety at all times is paramount to decision making.

There is no system blanket ban on external allied health professionals entering schools and no plans to introduce one. It is disappointing that the member would seek to scaremonger about something that is not being considered.

WOMEN'S AND CHILDREN'S HOSPITAL

In reply to **the Hon. F. PANGALLO** (29 November 2023).

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

1. Dr Gavin Wheaton has resigned from his position of Executive Director, Medical Services, Workforce, Education and Partnerships at the Women's and Children's Health Network. Dr Wheaton continues to maintain his role as consultant cardiologist.

The reference to Dr Wheaton as the Executive Director, Medical Services, Workforce, Education and Partnerships has recently been updated on the Women's and Children's Health Network website.

2. Dr Wheaton resigned of his own volition for personal reasons.

BATS

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (29 November 2023).

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

Managing wildlife has always been an ongoing discussion with growers, and government support is provided where needed. Growers have often implemented systems such as gas guns to ward off unwanted animals on their properties. Another useful tool has been utilising netting, which has greater benefits outside of animal control.

The \$14.6 million Horticulture Netting Infrastructure Grants scheme, funded by the federal government in 2020 and coordinated by the state government, initially focused on primary producers from the Riverland and Adelaide Hills/Greater Adelaide regions who had been impacted by repeated severe hail events between 2016-2019.

More growers across South Australia will now be able to apply for grants of up to \$300,000 to help purchase netting to protect their produce. The program has been extended to all regions of South Australia, subsidising up to 50 per cent for new or replacement protective netting.

\$10.317 million has been committed with \$4.283 million remaining in the funds. Applications remain open until 20 May 2024, or when all funds are allocated.

I am also advised:

The management of wildlife and the National Parks and Wildlife Act 1972 is administered by the Department for Environment and Water (DEW).

DEW hold regular meetings between all relevant grey-headed flying fox stakeholders including PIRSA, SA Health, and SA Power as an opportunity to discuss any specific issues such as weather impacts, animal welfare and public health.

FRESH PRODUCE MARKETS

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (29 November 2023).

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

The South Australian Produce Market (SAPM) Board members have raised concerns through the media regarding the actions being taken by Brisbane Market Limited (BML) in their role as a majority shareholder of the Perth Wholesale Markets (PWM).

Earlier in 2023, BML executed a proportional takeover of PWM and currently maintains a controlling interest at 49 per cent for the next five years. There are concerns among some industry members that any additional changes to ownership could impact national competition and result in higher costs to growers and consumers.

This remains to be a commercial matter that does not directly impact our South Australian Produce Market at this time. I will continue to consult with the SAPM Board on any of their concerns.

Any anti-competition concerns can also be raised to the Australian Competition and Consumer Commission (ACCC) by industry if required.

CHILDREN AND YOUNG PEOPLE (SAFETY) ACT REVIEW

In reply to **the Hon. T.A. FRANKS** (29 November 2023).

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

Consultation for the review of the Children and Young People (Safety) Act 2017 generated considerable feedback that the state government reflected in the review report and which has since been the subject of further discussion.

The state government is committed to making changes to the child protection and family support system that help improve the lives of children and young people and their families. This includes making improvements to policy, practice and legislation. Ensuring this work is undertaken in a coordinated and collaborative manner is critical.

The direction of legislative reform takes account of matters raised in the review report; further updates will be provided.

PUBLIC SCHOOL SECURITY

In reply to **the Hon. S.L. GAME** (30 November 2023).

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

Security guards are strategically deployed in our schools based on need. This can include violence arising from student and parental behaviours or threats of violence. However, it can also include presence at events (such as school formals) or during building works (to prevent unauthorised access and vandalism).

During its term, the Malinauskas Labor government has increased funding to support student safety. This includes more funding for behaviour support coaches in student support services, rolling out positive behaviour for learning and direct funding to schools for restorative practices training.

The rollout of the mobile phone policy in schools during 2023, which became compulsory from term 3 2023 is also central to the government's strong commitment to reduce violence in schools and improve education outcomes.

There has been a 29 per cent decrease in onsite violent incidents involving kicking and punching between secondary school students in terms 3 and 4 2023 compared to a similar period in 2022. It is still early days but the positive progress is pleasing to see.

The department's latest data also shows a 7 percentage point improvement in students indicating they have never been bullied compared with 2020. This is a positive early sign that the initiatives being implemented by the Malinauskas Labor government are making a difference.

Policies and initiatives implemented by the department are based on international research and the legislative and social context of South Australian schools.

CROSS BORDER COMMISSIONER

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (30 November 2023).

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

I have met with the Cross Border Commissioner eight times over the last 12 months since her appointment. These meetings were held on:

- 27 April 2023—In person—Mount Gambier

- 23 May 2023—Teams
- 19 June 2023—Teams
- 14 July 2023—Teams
- 20 July 2023—In person – Mount Gambier
- (No meetings held during August as commissioner was on annual leave).
- 15 September 2023—Teams
- No meeting in October due to country cabinet
- 17 November 2023—In person—Mount Gambier 20 December 2023 –Teams

ANIMAL RITUAL SLAUGHTER

In reply to **the Hon. T.A. FRANKS** (30 November 2023).

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

The Animal Welfare Act 1985 falls under the portfolio of Minister Close. Various codes of practice are regulated under the Animal Welfare Regulations 2012 including the Model Code of Practice for the Welfare of Animals—Livestock at Slaughtering Establishments, which has a provision for non-stunning slaughter.

Establishments must also be accredited under the Primary Produce (Food Safety Schemes) Act 2004, complying with the National Standard AS 4696:2023 The Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption. Establishments are audited biannually by biosecurity food standards officers.

ANIMAL RITUAL SLAUGHTER

In reply to **the Hon. T.A. FRANKS** (30 November 2023).

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

I can confirm the investigation is ongoing with a review of the footage supplied having been completed. The complaint identifies concerns at multiple sites over extended time periods. Given the legal sensitivities that exist with an active investigation, I am unable to provide any further comment at this time.

ANIMAL WELFARE

In reply to **the Hon. B.R. HOOD** (30 November 2023).

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

The South Australian government has made a number of key commitments for animal welfare reforms, including to amend the Animal Welfare Act 1985 (the Act) to ensure it reflects the community's expectations to protect animals.

The concept of animal sentience is already implied in the current Act. Public consultation on the draft bill will commence in 2024 and more clearly defining animal sentience is one of the reform areas being explored.

The act review does not propose to exceed current protections afforded by other jurisdictions, rather to bring South Australia in line with them. Primary producers and the seafood industry are being consulted during the review process and the Department for Environment and Water is considering how interstate mechanisms could be applied within South Australia's legislation to ensure industries are not unduly impacted by the proposed amendments.