

## LEGISLATIVE COUNCIL

### Wednesday, 21 February 2024

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

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

#### *Parliamentary Committees*

### LEGISLATIVE REVIEW COMMITTEE

**The Hon. R.B. MARTIN (14:17):** I lay upon the table the 38<sup>th</sup> report of the committee.  
Report received.

#### *Parliamentary Procedure*

### PAPERS

The following papers were laid on the table:

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

Palliative Care Spending in South Australia—Report, 2022-23  
State of the Environment 2023

#### *Ministerial Statement*

### PROTON THERAPY IN SOUTH AUSTRALIA

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:18):** I table a copy of a ministerial statement relating to proton therapy in South Australia made earlier today in another place by my colleague the Treasurer.

#### *Parliamentary Procedure*

### MEMBERS' BEHAVIOUR

**The PRESIDENT (14:19):** Some members may recall that in June 2020 I made a statement in the council concerning the behaviour of members in this chamber. In that statement I quoted one of my predecessors, the Hon. Anne Levy AO, who in 1988 shared her concerns about the standard of behaviour of members at that time. Those observations remain relevant today.

While robust debate has long been a feature of Westminster parliaments, such debate must be undertaken with adherence to the standing orders and appropriate language, behaviour and decorum conducive to proper consideration of parliamentary business.

Yesterday in the chamber we witnessed a heated debate that stretched those thresholds. Members of this chamber have often been exemplary in displaying respectful behaviour during sometimes difficult debates. I feel it often sets us apart. I would remind members of the need to adhere to the rules of debate, to address their remarks through the Chair and maintain the standards of behaviour befitting this council.

#### *Question Time*

### SHEEP AND GOAT ELECTRONIC IDENTIFICATION

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:20):** I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development on the topic of eID infrastructure rebates.

Leave granted.

**The Hon. N.J. CENTOFANTI:** According to the PIRSA website, saleyard size categories are classified by annual throughput of sheep and farm goats when it comes to eligibility for infrastructure rebates. Because of the differences in footrot management policy between states and the intensive surveillance by PIRSA inspectors for footrot in South Australia compared to Victoria, the South-East saleyards have seen a significant drop in annual throughput over the last two years. For example, in the 2018-19 financial year there were 121,596 head through the Mount Gambier saleyards, whereas the 2022-23 financial year saw only 67,815 head through those same saleyards.

My question to the minister is: given the direct impact government policy is having on the annual throughput in the South-East, will these saleyards continue to be disadvantaged by now being downgraded when it comes to saleyard size categories for the eligible equipment and/or infrastructure for sheep and goat eID, or will the minister consider averaging the throughput for each saleyard over the last five years to achieve an average to determine the saleyard size category?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:22):** I thank the honourable member for her question. I think there are a couple of points to be made first of all. In terms of footrot in the Limestone Coast, the so-called intensive surveillance referred to is not accurate in terms of the current approach in the Limestone Coast.

Following approaches from a number of stakeholders within the South-East last year, a trial was established which means that there is not active surveillance for footrot per se by PIRSA. However, that does not mean that where footrot is evident and has an animal welfare impact of significance there is no longer a requirement to take action. There is. That is part of the requirements of PIRSA.

What is happening concurrently with this is a review of footrot approaches across the state. That is an independent review that is taking place. The investigations or surveillance is part of a program that is through Livestock SA through the Sheep Industry Fund. So it's an arrangement or—I am not sure of the formalities but a memorandum of understanding or a contractual arrangement between Livestock SA and PIRSA to ensure that the program that was developed is the program that is adhered to.

Because of the feedback and concerns that were raised with me last year we have been able to, if you like, have a variance to that to enable this short trial to occur, and that is still the case at the moment. The review is not yet complete. I understand the reviewer has already had detailed conversations with stakeholders in the Limestone Coast and Kangaroo Island, and when I was last briefed, which was probably about two weeks ago, was either just in the process or about to commence consultation with other parts of the state, because clearly footrot management affects all areas. I am advised that due to wet weather obviously the incidence of footrot increases, and I believe there has been an increase in recent weeks.

In terms of the query about the rollout of eID and how it would apply to saleyards if, indeed, they have been affected in the last couple of years, certainly that is something that can be raised through the eID implementation committee. The saleyards at Mount Gambier and Naracoorte, if I recall correctly, are both represented on that committee. If there are concerns that the size of saleyards might be impacted if it is just taken on the most recent year, I am sure that can be raised and considered whether an alternative approach is needed.

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

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:25):** Supplementary: will the minister consider taking the average of the throughput for each of those South-East saleyards over the last five years to receive an average rather than taking the previous 12 months as a single figure?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:25):** I did just answer that, however, and I said that is certainly something that can be considered by the committee.

**FOOTROT**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:26):** I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development on the topic of footrot in the South-East sheep saleyards.

Leave granted.

**The Hon. N.J. CENTOFANTI:** According to an official notice by PIRSA regarding the South-East sheep saleyards, in order to address the reduction in the number of sheep consignments through Naracoorte and Mount Gambier saleyards for the 2023-24 selling season it was proposed, and I quote from the government's own official notice:

...weekly markets at these saleyards become sales for terminal stock and that this reduced risk would, in turn, reduce the requirement for intensive surveillance by PIRSA inspectors whilst a more broader external review into the Footrot program was carried out.

On the Livestock SA website it states that:

A final report from the broader external review into the Footrot program is expected to be provided to the State Government and Livestock SA in early 2024.

Since the change in policy, the Mount Gambier saleyards have seen more throughput of sheep in the last six months, up until 30 January, than they did for the entire 2022-23 financial year. My questions to the minister are:

1. Given the obvious improvements in throughput in the saleyards in Mount Gambier and Naracoorte over the last six months, and the reduced risk of footrot spread with terminal stock, are these saleyards still under that same agreement and, if not, why not?

2. Given the minister has not yet received the final report of the external review into the footrot program, is the government still on track to have any proposed new statewide footrot management programs emerging from that report's finding to be in place by 1 July 2024?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:28):** I thank the honourable member for her question. In answer to her first question, yes, that agreement is still in place. Final consultation on the proposed changes to surveillance occurred back in late July last year, and the changes were implemented from 15 August 2023.

The Livestock SA board at that time provided their support for the interim changes to be trialled at the South-East saleyards while the full review of the program was undertaken. In regard to that review, Livestock SA was provided with \$30,000 funding from PIRSA to co-contribute to the review, that was industry funded and led, of the SA footrot program.

As I think I mentioned in answer to the previous question, and frankly was alluded to in this question by the honourable member, the review outcomes will be considered by industry and PIRSA in early 2024 and will guide industry funding of the SA footrot program and what it might look like for the 2024-25 financial year.

I do reiterate again that this program is undertaken by PIRSA under the agreement and therefore within the framework determined by Livestock SA, and obviously it needs to meet any legislative requirements. That is an agreement that, if it needs to be varied, needs to be varied with the endorsement of Livestock SA. That work is continuing, and I look forward to the outcomes of the review.

**FOOTROT**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:30):** Supplementary: given that the minister told us in this place that that agreement is still in place, why then are PIRSA inspectors turning up to South-East saleyards with footrot-testing equipment, and why are constituents in the South-East telling me that the surveillance by PIRSA and its inspectors has once again increased?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:30):** I thank the honourable member for her supplementary question. PIRSA staff attend saleyards as required for a range of regulatory activities, including traceability—those are the NLIS requirements.

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

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** That includes detection of lousy sheep and also animal welfare. PIRSA staff also undertake important congregation surveillance at saleyards for emergency animal diseases, such as foot-and-mouth disease. These activities, in terms of that surveillance, will continue at the weekly South-East sales, and any footrot that is suspected by PIRSA due to observing, for example, limping sheep—that is an animal welfare issue—and which is reported to PIRSA, will need to be investigated.

My advice is that that is entirely consistent; in fact, that is the arrangement that was agreed on back in July and August last year. Where there is an animal welfare issue that is picked up in the course of surveillance for other diseases or for other regulatory activities, it must be investigated. However, PIRSA is not going to saleyards with the express purpose of looking for footrot in the South-East saleyards.

#### FOOTROT

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31):** Supplementary: then why are constituents in the South-East telling me that PIRSA inspectors are going to saleyards with footrot testing equipment and have increased their footrot surveillance program in recent times?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:32):** I think that is kind of the same question that I just answered.

**The Hon. N.J. Centofanti:** Well, you didn't answer it.

**The Hon. C.M. SCRIVEN:** I certainly did answer it but, again, I guess the honourable member wasn't listening very carefully. Perhaps I will repeat it for her benefit. PIRSA staff attend saleyards for a range of regulatory activities, including traceability requirements, the detection of lousy sheep and the detection of animal welfare problems.

PIRSA also undertake important congregation surveillance of saleyards for emergency animal diseases, such as foot-and-mouth disease. These activities continue at the weekly South-East sales, and any footrot suspected by PIRSA inspectors due to observing, for example, limping sheep, or which is reported to PIRSA inspectors, will be investigated. I would have thought it was fairly clear that if something is to be investigated then the testing kits are required to be held by those people investigating.

#### CROSS BORDER COMMISSIONER

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33):** My questions are to the Minister for Primary Industries and Regional Development on the topic of the Cross Border Commissioner. Can the minister describe the nature of her working relationship with the former Cross Border Commissioner? What was the nature of the discussions that the minister had with the Cross Border Commissioner concerning her resignation? Did the Cross Border Commissioner's resignation have anything to do with any difficulties she may have encountered in her working relationship with the department, government officials, the minister or her staff?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:33):** I would have thought the working relationship was obvious. The Cross Border Commissioner had a direct reporting relationship to me as the minister. If the honourable member had looked at the act that established the Cross Border Commissioner, and then which acts are under which minister, that would have been fairly self-evident. However, we know that those opposite don't like doing homework; they just like to come into this place and ask questions that they could find out for themselves.

In terms of the relationship, it was a very regular relationship. We met, I think, on average once a month, or thereabouts, except, for example, when the Cross Border Commissioner was on leave. Many of those were face to face and a number of them were via Teams.

In terms of the reasons for the commissioner moving on to a different role, I did emphasise the last time a question along these lines was asked that it is entirely inappropriate for someone who is not in a political role, in this case the Cross Border Commissioner, to have her personal reasons for going into a different role examined in this place. She is not a political appointee. She was appointed through a merit-based, open recruitment process.

As I said last time I was asked a question along these lines, the reasons that people leave a job are many and varied. People leave jobs for all sorts of reasons, and I think I said that it might be for family reasons, it might be to pursue a particular love for a particular industry, it might be because of changes in relationships, it might be because of health issues or it might be because of remuneration. There are a hundred and one reasons that people change jobs. For those opposite to raise that sort of thing in this chamber—

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

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —is entirely inappropriate and those opposite should really—

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

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —be looking at themselves and whether this is the appropriate way to be treating someone who has been in a role, done a number of foundational and important strategic documents while in that role—

**The Hon. N.J. Centofanti:** Why isn't she still there, Clare?

**The Hon. C.M. SCRIVEN:** The reasons that people leave a role are many and varied and they are personal decisions that should not be subject to this kind of political pointscore by those opposite.

#### **CROSS BORDER COMMISSIONER**

**The Hon. T.A. FRANKS (14:36):** Supplementary: what issues were identified by the Cross Border Commissioner that the minister is now taking up?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:36):** I thank the honourable member for her question. There are a number of issues that were identified by the Cross Border Commissioner. We have indeed talked about some of them just today. Footrot was one of the issues that was raised by the commissioner early in her term.

A number of other issues that are experienced by people living in cross-border communities that are difficult to navigate, which is one of the reasons why we have this important role, include, for example, transfer of acceptance of qualifications or registration or licensing in a number of different industries and difficulties in accessing particular educational opportunities because you might live just over the border but the closest educational opportunity or training opportunity is on the other side of the border. A number of issues in terms of workforce development, biosecurity planning, fire management, health care, public transport and various other aspects have all been identified by the Cross Border Commissioner.

In terms of individual cases, it is probably not appropriate to be going through these here, but I am pleased to say that, while the recruitment process is undertaken, there are still opportunities for people to contact the Office of the Cross Border Commissioner and those are then being managed or referred as appropriate.

### PRIMARY INDUSTRIES SCORECARD

**The Hon. M. EL DANNAWI (14:38):** My question is to the Minister for Primary Industries and Regional Development. Would the minister update the council about the results of the 2022-23 Primary Industries Scorecard?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38):** I thank the honourable member for her question. I would hope that members in this place would agree that our regions are enormous contributors to the state's economy and the latest Primary Industries Scorecard has further underlined this fact. The 2022-23 scorecard includes primary industry sectors such as field crops, livestock, horticulture, wine, seafood, dairy, forestry, wool, hides and skins, seeds and animal feed.

I am delighted to share with this place that South Australia's food, wine and agribusinesses have generated a record-breaking \$18.5 billion in revenue in 2022-23. This includes South Australia's total value of direct international merchandise exports, net interstate trade and change in stocks increasing by 15 per cent from \$12 billion in 2021-22 to \$13.9 billion this past year.

The results of the scorecard show total employment in the primary industries sector is estimated to be 78,000, which is a 10 per cent increase on the previous year, and the contribution to gross state product from the primary industries sector in 2022-23 increased by an impressive 7 per cent.

The field crops sector, which includes wheat, barley, hay, canola, seeds and pulses, recorded particularly strong results, which saw revenue increase by 39 per cent up to \$7.76 billion. Production was 74 per cent above the five-year average for the state and beat the previous crop production record of 11.1 million tonnes back in 2016-17.

Breaking down those results further, the production value increase was largely driven by the increase in the value of wheat, up 58 per cent, and barley, up 41 per cent. The top three importers of South Australian wheat in 2022-23 were Indonesia, to the value of \$606 million; China, \$290 million; and Yemen, \$224 million. The biggest importers of South Australian barley were Saudi Arabia at \$257 million, Qatar at \$102 million and Vietnam at \$93 million.

In addition to field crops, I am pleased to advise there were many other sectors that also recorded strong growth once again. The dairy industry recorded a 34 per cent increase in farmgate milk prices along with increased production and a rise in cheese exports. The seafood sector had a 5 per cent increase in value to \$508 million, driven largely by price increases for southern rock lobster and southern bluefin tuna. Wool recorded an 8 per cent increase to achieve \$549 million in revenue due to increases in export quantities and prices, and forestry enjoyed a 5 per cent increase, primarily attributed to the rise in the sale of wood products.

Improved farming practices have resulted in new and emerging sectors, products and markets, including plant-based protein, the establishment of a new industry in seaweed and the development of low and no-alcohol products. Another interesting fact that this year's scorecard showed is that, for the first time, Indonesia has surpassed China as the state's biggest export market for agriculture and food exports. We have also seen large increases in agricultural exports to India, up 182 per cent, and Thailand, up 131 per cent. The increase in agricultural export markets has resulted in more jobs in regional South Australia as well as in the metropolitan area.

The state government will continue to put in a lot of hard work to rebuild our relationship with China, something that was severely damaged under the previous federal Coalition governments. We hope that as our relationship with China continues to improve, we will see larger gains in the wine and seafood markets in particular and deliver stronger export gains going forward into the future. I look forward to continuing to be able to update this place on the further growth of the agricultural sector in South Australia as our regions continue to go from strength to strength.

### PRIMARY INDUSTRIES SCORECARD

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:42):** Supplementary: given farmers and producers in the livestock, horticultural and viticultural sectors are reporting double-digit declines in revenue and that government policies are impacting on their ability to do business, what

policy measures is the minister going to take to ensure that the livestock industry and the horticultural and viticultural industries do not continue to decline in revenue over the next 12 months?

**The PRESIDENT:** Before you answer that supplementary, when asking a supplementary question, there is no preamble: you just ask the question. Next time, rephrase it to be a question only.

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

**The PRESIDENT:** Attorney, you are not helping.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43):** I think I have spoken on numerous occasions in this place before about the importance of traceability to our livestock industry. I am glad to see that things like sheep prices have started to improve in recent weeks, and that is incredibly important. As we know, without appropriate and robust traceability programs in place, the risks of the industries being destroyed by emergency animal diseases are severe.

However, I have spoken about this on many occasions. Similarly with the viticulture industry, I have spoken about a number of programs and initiatives that the government is doing, including particularly working very hard to re-establish the relationship with China, as I briefly alluded to. We know that this was a relationship that was absolutely trashed by the Coalition federal government, and we know that it is incredibly important to re-establish that trade relationship if that is possible.

I was pleased to see that the Premier and the Prime Minister, of course, visited China late last year. Some of that has already resulted in some very positive outcomes, given that some of the tariffs have been lifted on a number of important commodities.

#### AUSTRALIA DAY

**The Hon. S.L. GAME (14:44):** I seek leave to make a brief explanation before directing a question to the Attorney-General regarding Australia Day.

Leave granted.

**The Hon. S.L. GAME:** According to polling by the Institute of Public Affairs examining public attitudes to our national day, less than one in five Australians want to change the date of Australia Day, while nine in 10 say they feel proud to be Australian. Interestingly, while most agree Australia Day should remain on 26 January, Australians 18 to 24 are less supportive. According to the IPA, this is a result of relentless indoctrination of the education system.

We have seen Woolworths cancel the sale of Australia Day merchandise and at least 81 local councils across the country cancel citizen ceremonies on Australia Day. Who exactly are they representing? The answer must be themselves, because most Australians don't agree with Woolworths' decision nor do they agree with woke councils moralising from their ivory towers. My questions to the Attorney-General are:

1. Does he support our national day of celebration as most of the community he represents does?
2. Does he feel that Australians should be proud of our diverse and collective culture?
3. Does he support fostering and encouraging pride in being Australian in Australia in our young people through the education system?

**The PRESIDENT:** Attorney, just before you answer, the Hon. Ms Game, there was a fair bit of opinion in your question. That's out of order.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:46):** I thank the honourable member for her question. Certainly, I think one of the great strengths of this relatively young nation is our diversity and our embracing our multicultural communities. The fact that we are a nation made up of so many communities I think makes us stronger. I think one of the things that we are becoming increasingly proud of as a make-up of Australians is the fact that we have a link to the oldest living culture this planet has ever seen: Aboriginal and Torres Strait Islander Australians.

In relation to the date that we celebrate Australia Day, I note that I think since 1994 there has been a national agreement on the date and which day we celebrate the public holiday. I think it's a reasonable national conversation to have and I support us having that national conversation. As we find strength in our diversity of cultures in Australia, so, too, do we find strength in the diversity of opinions. I think we are mature enough to have that national conversation about how we celebrate our identity in a mature way.

In relation to the views or opinions of the Institute of Public Affairs, that's not something I have ever commented upon or anything I propose to comment upon.

#### **CROSS BORDER COMMISSIONER**

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:47):** My question is directed to the Minister for Primary Industries and Regional Development regarding the Cross Border Commissioner. Given we no longer have a Cross Border Commissioner, can the minister inform the house who is managing and responding to inquiries to the Cross Border Commissioner office?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:47):** I thank the honourable member for her question. We have put in place some arrangements while the recruitment process is underway in terms of getting a replacement to fill the role of Cross Border Commissioner. There is still an administrative position in the office and they are also receiving support through the PIRSA office.

#### **CROSS BORDER COMMISSIONER**

**The Hon. B.R. HOOD (14:48):** Supplementary question: can the minister confirm that the executive assistant for the Cross Border Commissioner is currently employed and located at Sturt Street in Mount Gambier?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:48):** I can certainly confirm that as of, I think, last week that was the case, so unless something has changed since then that I haven't been advised of, then yes.

#### **PREMIER'S EXCELLENCE AWARDS**

**The Hon. R.P. WORTLEY (14:48):** Will the minister inform the council about the great work of the recently announced nominees—

**The PRESIDENT:** Again, the Hon. Russell Wortley, which minister?

**The Hon. R.P. WORTLEY:** The Attorney-General. He is my favourite minister. My question is to the Attorney-General. Will the minister inform the council about the great work of the recently announced nominees for the Premier's Excellence Awards?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:49):** I thank the random member for his/her interest in this area and would be more than happy to answer his/her question.

Since I informed the council about the opening of the nominations for the 2023 Premier's Excellence Awards last year, as you would expect nominations have come in thick and fast detailing the outstanding work carried out by South Australia's public sector. A record 177 nominations from over 30 agencies were received across six categories.

As I have alluded to before, South Australia's public sector delivers a huge range of services to assist South Australians and so often does so without seeking any recognition or praise. The Premier's Excellence Awards acknowledge those individuals and teams across the South Australian public sector who go above and beyond, who strive to deliver exceptional outcomes for South Australia while living public sector values.

There are 33 finalists who have been announced this week, representing a vast array of services. The way in which all these public sector staff go about their work is inspiring and part of what makes the South Australian public sector what it is. I would like to spend a very small amount of time outlining a few of the finalists whose work I am familiar with or whose work, particularly in the area of bettering the lives of Aboriginal people, caught my interest when the finalists were announced.



First, Paul O'Connor of the Legal Services Commission has been nominated in the Connecting Communities—Individual category. Paul led the development and delivery of the Legal Services Commission's community education program Healthy Relationships and the Law to Aboriginal and culturally and linguistically diverse communities. Paul set out to develop a culturally sensitive program and did so by applying co-design principles that incorporated the needs and perspectives of a range of different cultures.

Paul delivered the sessions across four months of last year, with just over 850 attendees across 35 sessions, including to various community organisations, New Arrivals Program groups, and Aboriginal men's yarning groups. Paul has received excellent feedback from his sessions, with many community leaders asking for a return visit for further sessions.

Another nominee in the Connecting Communities—Individual category is Ali Abdullah-Highfold. Ali is a proud Kurna Ngarrindjeri Kokatha and Wirangu man who works as part of the Family and Community History Consultant Team at the South Australian Museum. In that role Ali provides confidential family history research, delivers community workshops and repatriates copies of archival materials back to the First Nations people and communities to whom they relate.

Ali managed the Mapping Family Project, made possible by a stolen generations repatriation grant, which created an online index of First Nations people recorded across South Australia to assist members of the stolen generations tracking their family back through generations.

Finally, in the Connecting Communities—Team category, the Aboriginal Education Team at Para Hills High School has been nominated as a finalist. The team provide support to Aboriginal students to help and facilitate culturally safe learning environments. They have seen phenomenal results, with 100 per cent SACE achievements for Aboriginal students and the doubling of enrolment across the last three years, as well as an 89 per cent attendance rate. Para Hills High has become a leader in this field, with other schools in northern Adelaide looking to replicate its fine work and the accompanying results.

I congratulate and thank all the finalists, the ones I have mentioned and all the dozens of other finalists. I look forward to informing the chamber about the winners after they are announced next month.

### ISRAEL-PALESTINE CONFLICT, REFUGEES

**The Hon. C. BONAROS (14:53):** I seek leave to make a brief explanation before asking the Attorney, representing the Minister for Health, a question about public health care and refugees.

Leave granted.

**The Hon. C. BONAROS:** I refer to a guidance note by Victorian health services, which indicates that:

People fleeing the Israel-Palestine conflict who arrive in Australia on a visa subclass 600...will have free access to health services in Victoria. This is in line with existing asylum seeker and refugee health policies.

It also follows on from services that have been committed to and provided by the commonwealth government and fills the gaps in terms of specific services that are not covered under the commonwealth program, namely, public hospital admissions and emergency patients, Medicare and the like—the list goes on. It also includes emergency care, elective care, pathology and radiology, mental health services and pharmaceuticals.

My question is: given that Victoria has committed to do its part in terms of those who have fled from those very unfortunate events in Palestine and Israel, is there any plan for this government to adopt a similar program?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:54):** I thank the honourable member for her question, and I will be happy to refer that to my colleague the Minister for Health, the Hon. Chris Picton, member for Kurna, in another place and bring back a reply.

*Parliamentary Procedure***VISITORS**

**The PRESIDENT:** I acknowledge in the gallery the presence of former member, former Leader of the Opposition, former minister and now our beloved Agent General in London, the Hon. David Ridgway.

*Question Time***CROSS BORDER COMMISSIONER**

**The Hon. J.M.A. LENSINK (14:55):** My question is for the Minister for Primary Industries and Regional Development regarding the Cross Border Commissioner. Has the recruitment process for the new Cross Border Commissioner begun?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:55):** The processes are in place.

**CROSS BORDER COMMISSIONER**

**The Hon. J.M.A. LENSINK (14:55):** Supplementary: can the Minister advise whether this will be a merit-based selection process?

**The PRESIDENT:** The Hon. Ms Lensink, you can't get a supplementary question out of that original answer.

**CROSS BORDER COMMISSIONER**

**The Hon. D.G.E. HOOD (14:56):** Supplementary: minister, when did the process begin, and when do you expect it to finish?

**The PRESIDENT:** You did say that the process is underway, minister.

*Members interjecting:*

**The PRESIDENT:** Order! The Minister for Primary Industries and Regional Development, I think that was a reasonable supplementary question out of that very brief answer.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:56):** I commend the Hon. Dennis Hood for being able to actually ask a question that is in keeping with the standing orders of this place. I don't have those dates in front of me. I will endeavour to get that information and bring back a response to the chamber.

**NURSERY AND GARDEN INDUSTRY SOUTH AUSTRALIA AWARDS**

**The Hon. R.B. MARTIN (14:56):** My question is to the Minister for Primary Industries and Regional Development. Will the minister please inform the chamber about the important Awards of Excellence ceremony held recently for the Nursery and Garden Industry South Australia?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:57):** I thank the honourable member for his question. The Nursery and Garden Industry South Australia was formed in 1908 and has been recognised as the peak industry body for amenity horticulture in South Australia since that time. The association has grown to boast over 110 members, including retail and production nurseries, garden centres and allied traders, which supply a variety of garden centre and decor products.

The annual Awards of Excellence ceremony was held last Saturday night, and I was delighted to not only attend but also have the pleasure of the company of the Hon. Tung Ngo, who last year attended the same event and represented me, as I was unable to go to that one. It was particularly pleasing to be able to go this year. The ceremony was appropriately bathed in green lighting and adornments, and the 200-plus attendees were encouraged to either embrace green glamour or at least a touch of green to embrace the dominant, bright colour of landscape gardening.

The awards themselves were diverse, recognising the welcoming beauty of large garden centres, as well as the valuable inputs provided by production nurseries and allied traders. It is a point worth emphasising that all parts of the nursery and garden industry supply chain play a vital

role in cultivating the wellbeing of South Australians by providing the plants, flowers, lawns, landscaping and nurseries that so many of us enjoy.

At a local level, I must admit I was thrilled that Mount Gambier's Van Shaik's Bio Gro took out the Best Allied Trader Commercial award. Van Shaik's Bio Gro is a proud family-owned business that specialises in the organic re-use of waste materials that might otherwise end up in landfill. Examples include green organics and food from kerbside collections, commercial timber waste, whey from the dairy industry, by-products from intensive agricultural and commercial food industries, as well as garden and landscaping waste.

In doing this across its South Australian and Victorian facilities, the company processes in excess of 300,000 tonnes of organic material to create a range of products for the horticulture, viticulture, agriculture and landscape markets, including potting mixes, vegetable and herb mixes, water-saving mulches, landscape pine barks and chips, liquid stimulants and soil conditioners.

Also honoured with life membership on the night was association president, David Eaton, for his long and dedicated service to the sector. I congratulate all the award winners and thank them for both the economic and wellbeing contributions they make to their state through their industry.

### TRAM NETWORK

**The Hon. R.A. SIMMS (15:00):** I seek leave to make a brief explanation before addressing a question without notice to the minister representing the Minister for Transport on the topic of Adelaide's tram network.

Leave granted.

**The Hon. R.A. SIMMS:** On Monday morning, in response to a renewed push from the Greens to extend the trams to the eastern suburbs, Minister Tom Koutsantonis told the ABC, 'I just don't think a tram up the eastern suburbs would do anything to decrease congestion, and it will probably make the problem worse.' He went on to say, 'We won't be building a tram to Norwood.'

I refer to Labor's election policy from the 2022 state election, where under the title 'Taking back our trains, trams and stopping privatisation', they state:

Each train or tram in South Australia could take up to 540 cars off the roads. They are also some of the most energy efficient modes of transport, with greenhouse gas emissions per passenger kilometre up to five times less than that of cars.

My questions to the minister therefore are:

1. Does the government agree that getting cars off the road will reduce congestion?
2. Why has the Labor government abandoned its commitment to trams?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:01):** I thank the honourable member for his question. I think the answer is that, in terms of congestion, it will of course depend on all the other factors, including the particular road in question, and I do not accept the premise of the second half of the member's question.

### LOBBYISTS

**The Hon. L.A. HENDERSON (15:01):** My question is to the Attorney-General on the topic of lobbyists. Can the Attorney-General explain what safeguards are in place to prevent unregistered lobbying of ministers and their staff to protect the integrity and transparency of government decision-making processes?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:02):** I thank the member for her question. We have legislation that regulates lobbyists' activity. To my memory we have a register of lobbyists who are defined as engaging in lobbying activity under the act and are required to be registered and have an obligation to disclose their lobbying activities in the circumstances.

## LOBBYISTS

**The Hon. L.A. HENDERSON (15:02):** Supplementary question: does the government have any systems in place for unregistered lobbyists?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:02):** We have legislation that governs the registration activities of lobbyists.

## TARNANTHI FESTIVAL

**The Hon. J.E. HANSON (15:02):** My question is to the Minister for Aboriginal Affairs. Would the minister inform the chamber about his recent visit to Tarnanthi at the Art Gallery of South Australia?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:02):** I thank the honourable member for his question. Tarnanthi is a highlight of the South Australian events calendar, and it has been my pleasure to attend many events over a number of iterations of Tarnanthi since its inception close to a decade ago, I think—the first one being unveiled by former Premier Jay Weatherill and former Prime Minister Paul Keating in the middle of the last decade.

Tarnanthi is presented by the Art Gallery of South Australia, with support from the government of South Australia, and provides an opportunity for Aboriginal and Torres Strait Islander artists from across Australia to display stories of their culture through art. In addition to exhibitions at the gallery, the recently concluded festival was comprised of an art fair, artist talks, performances, workshops, education programs and activities and much, much more.

It was a great pleasure to be given a tour of some of the sensational exhibitions at the Art Gallery of South Australia. I met with Tarnanthi's artistic director, known to many people in this parliament and across South Australia, Nici Cumpston OAM, the gallery's curator of Aboriginal and Torres Strait Islander art.

Nici is an Aboriginal woman with connections to Central Australia, with an impressive resume of bringing Aboriginal art to the forefront and promoting First Nations artists and communities. Nici was able to provide insight and a tour of the vast exhibitions across multiple floors of the gallery, with a diverse range of artists displayed and stories told. It would take many hours to not just see the art that's on display but many multiples of more hours to curate the art that is on display.

A particular highlight this year was Vincent Namatjira's survey exhibition entitled *Australia in Colour*, which juxtaposes colonial Australia with its Aboriginal history, sitting, for example, King Charles alongside Vincent's great-grandfather, Albert Namatjira. Vincent's work is witty, powerful and, of course, stunning and tells a story of history as well as of the amazing Australian natural landscape.

Another highlight was the work of Yankunytjatjara artist Tiger Yaltangki, whose art incorporates imagery from recycled posters such as AC/DC music posters. His work is fun, colourful and modern, bringing pop culture into the ancient history of Aboriginal art.

I am grateful to have been able to, yet again, have a very close look at what is on offer at the Art Gallery's Tarnanthi exhibition and thank in particular Nici Cumpston for all the work that she does in fostering very talented artists and putting this exhibition together once again.

## PROTON THERAPY IN SOUTH AUSTRALIA

**The Hon. F. PANGALLO (15:05):** I seek leave to make a brief explanation before asking a question of the Attorney-General, representing the Treasurer, about the proton therapy unit.

Leave granted.

**The Hon. F. PANGALLO:** Following an extensive investigation by *The Advertiser's* investigative editor, Andrew Hough, the proton therapy unit at SAHMRI now looks like falling over, an abject failure by the federal Turnbull government and the Weatherill government to do its due diligence on an expensive medical project that was not proven, with concerns that had been raised

at the time for the ability of the US-based ProTom International to deliver the unit and meet its obligations.

I note that today's press release by the Treasurer appears to try to sheet some of the blame for the massive cost liabilities the state now faces to the Marshall government when it was actually Labor which signed off on the project. My question to the Treasurer is:

1. Can he now provide details of what due diligence was done on ProTom International's ability to deliver its experimental unit, going back to 2017?
2. What is the full liability exposure now facing South Australian taxpayers?
3. How much taxpayer funding has been committed to local builder Commercial & General, which was to construct and install the unit?
4. If the project falls over, as now looks likely, what will the government do to recover commitments from taxpayers?
5. What has happened to the \$68 million committed by the federal government?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:07):** I thank the honourable member for his question. I am happy to pass those questions onto the Treasurer in another place to bring back a reply, particularly any parts that aren't covered by the, I think, 2½-page ministerial statement that was tabled in this chamber today.

I am aware that—I think it was in about 2020—the former Treasurer of South Australia, the Hon. Rob Lucas, agreed to a significant expansion of some of the ways the state government would be liable in relation to this project, but the Treasurer would be across the details, and to the extent that the ministerial statement doesn't answer the honourable member's questions I am happy to bring back answers to those.

#### CROSS BORDER COMMISSIONER

**The Hon. B.R. HOOD (15:08):** My questions are to the Minister for Primary Industries and Regional Development regarding the Cross Border Commissioner.

1. Can the minister outline to the chamber the recruitment process for the Cross Border Commissioner?
2. Will the Cross Border Commissioner—the new Cross Border Commissioner, that is—be based in Mount Gambier?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:09):** I thank the honourable member for his question. The recruitment process I envisage will follow pretty much the same as it did for the original recruitment. In terms of the way the recruitment company will operate, if I recall correctly the position was advertised not only locally in regional areas—particularly, obviously, in cross-border areas—but across the state in metropolitan media and, I think, nationally. I would expect that that recruitment process will continue, as these recruitment processes usually do.

The location of the Cross Border Commissioner is that, as is required in the legislation, again if I recall correctly, they must reside in a cross-border area. I have a high expectation that that would be Mount Gambier given that we have an established office there; however, it would not be impossible for it to be at another cross-border area. As I have mentioned, it is part of the requirements that applicants do reside in a cross-border community, in addition to having good knowledge and understanding of the sorts of issues that affect people who live in cross-border communities, as well as other criteria, such as having an understanding of government processes, industry and so on.

#### CROSS BORDER COMMISSIONER

**The Hon. B.R. HOOD (15:10):** Supplementary: if the Cross Border Commissioner is not based in Mount Gambier, what would the break-lease costs be for the current office in Sturt Street?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:10):** First of all, that is a question that is simply speculation in terms of—

*Members interjecting:*

**The Hon. C.M. SCRIVEN:** Of course it's speculation if they are not—

*Members interjecting:*

**The Hon. C.M. SCRIVEN:** Exactly, if Ben's speculation—

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** However, what I would say is that it wouldn't necessarily be the case that we would need to break any leases whatsoever. The Cross Border Commissioner obviously needs to spend a lot of time in various cross-border communities. The opportunities to have meetings, to have round tables, to do various other engagement activities are, of course, assisted by having a physical office such as that in Mount Gambier. Regardless of where the new Cross Border Commissioner resides, I would expect that that Mount Gambier office would be utilised.

Secondly, there are always opportunities, when there is government leased accommodation, to have it used for a number of different purposes, potentially concurrently, so all of those things are possible. However, I also think it highly likely that the new Cross Border Commissioner will be located in Mount Gambier.

#### **CROSS BORDER COMMISSIONER**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:11):** Supplementary: is the minister suggesting that the Cross Border Commissioner may have multiple offices across the state?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:12):** What I am suggesting is that the Cross Border Commissioner will continue to have multiple meetings across the state and will utilise the facilities that may be available.

#### **FISHCARE VOLUNTEERS**

**The Hon. T.T. NGO (15:12):** My question is to the Minister for Primary Industries and Regional Development. Can the minister tell the chamber about the recent Fishcare forum and the recognition of some outstanding volunteer work?

**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 question. I am absolutely delighted to be able to speak again on the great work of our Fishcare volunteers. I have spoken on several occasions both in this chamber and elsewhere in other forums about that great work.

Fishcare volunteers have a critical role in educating the fishing community, engaging with fishers and providing information that assists in conserving marine resources for future generations. Just some of their roles include offering guidance and support to the public, educating recreational fishers about fishing rules and regulations in our state, distributing information brochures and educational materials, and participating in community events such as field days and shows.

Fishers would recognise these dedicated volunteers from their Fishcare uniforms, replete with the Fishcare logo, and I encourage anglers to have a friendly chat with them when they next see them and to, among other things, thank them for their work.

Today, I would like to acknowledge in particular nine dedicated volunteers as they have reached some incredible milestones in their time with Fishcare, all of whom were recognised at the recent annual Fishcare forum held at PIRSA's West Beach office. Having reached 2,000 hours of volunteering with Fishcare, I congratulate Alan Croft and Kelvin Keatley from the metro team, Neville Verco from the Riverland, and Ray Wallis from the Yorke Peninsula. What an incredible achievement, 2,000 hours is almost the equivalent of a year's full-time work or, to put it into even more perspective, one might say 2,000 question times—which one is easier, I don't know—a very long time indeed.

Reaching 1,000 hours of volunteering was Sue Verco from the Riverland and June Roberts from the Yorke Peninsula, and with 500 hours, Graeme Coppock from the metro team and Reychie Lindquist from the South-East, who was also acknowledged for 10 years' service, along with Don Barnett from the Riverland, who also reached the 10-year milestone.

Some of the volunteers whom I have just mentioned have been with Fishcare for 16 to 17 years and, just like all of our state's incredible volunteers across so many walks of life, it is clear that they keep doing it out of a passion for the work that they do and the things that they can achieve through that work.

Once again, I place on record my appreciation of and my thanks to—and the thanks, I am sure, of the whole chamber—the dedicated Fishcare volunteers reaching their milestones and all Fishcare volunteers who spend so much of their time dedicated to protecting our state's marine resources through education and sharing their knowledge with others.

### **ROYAL COMMISSION INTO DOMESTIC, FAMILY AND SEXUAL VIOLENCE IN SOUTH AUSTRALIA**

**The Hon. T.A. FRANKS (15:15):** My question is to the Attorney-General, representing the Premier, on the topic of the domestic, family and sexual violence royal commission:

1. What will the terms of reference be?
2. When will the royal commissioner be announced?
3. Will the royal commission be cognisant of the missing and murdered First Nations women Senate inquiry that is currently underway?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:15):** I thank the honourable member for her question. I know, from being part of the round table that was held towards the end of last year—which was exceptionally well attended and had very persuasive arguments put about the royal commission that I think were instrumental in the decision of the government to announce that a royal commission will be held, and I acknowledge the advocacy of other members of this chamber who have advocated for a royal commission to be held—that at the time there was an announcement that the royal commission would be held as soon as reasonably practical to have it set up and to be held in a reasonable time frame.

I think at the time an intention was talked about to hold it within 12 months of it being started, to have results, so that they could be actioned, rather than—as some royal commissions do, and some necessarily do—have it be held over quite a number of years. Certainly, in my discussion with people involved in providing services for victim survivors of family and domestic abuse, the idea of a royal commission being held quickly to get answers and policy prescriptions to have a look at how effectively funding is spent and what they do is one that has been welcomed.

I don't have a time frame in front of me, but I can say that I know the aim is to have it set up as soon as we possibly can. So it would be in the coming weeks, or couple of months—as soon as possible—that I would expect terms of reference and a framework for the royal commission to be set up for the royal commission to be able to get on with its work and, as was outlined, hopefully deliver a report within 12 months of it being established.

### **ROYAL COMMISSION INTO DOMESTIC, FAMILY AND SEXUAL VIOLENCE IN SOUTH AUSTRALIA**

**The Hon. T.A. FRANKS (15:17):** Supplementary: will the South Australian royal commission be cognisant of the Senate inquiry into missing and murdered First Nations women?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:18):** I apologise: the honourable member asked that as part of her question and I forgot about it. I am not sure exactly what the terms of reference will end up being, but of course the royal commission is generally able to take into account quite a wide range of things, and that may well be something that the royal commission takes into account,

whether it's through the terms of reference or through its ability to look at matters, or any other matters.

I am aware of that Senate inquiry. I think it might have been one of the members of the Western Australian Senate, a colleague whom I have a great deal of time for, actually, and catch up with regularly, who is very involved in that committee. I commend the work of Senator Cox, from Western Australia, and the committee and the work that they are doing.

### LOBBYISTS

**The Hon. D.G.E. HOOD (15:18):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development on the subject of lobbyists.

Leave granted.

**The Hon. D.G.E. HOOD:** On 7 February, a media report revealed that the extent of activist funding against Australia's primary producers was extraordinary, in my view. The Australian Electoral Commission donor disclosure report notes the money raised by lobby groups that activate campaigns and court cases against those producing the food and fibre to feed and clothe Australia and the world.

The Australian Conservation Foundation, which has demanded less water for producers and more for environmental flows in the Murray-Darling Basin, pulled in over \$59,000 over the three years to June 2023. Animals Australia raised some \$79 million over the past five years to support campaigns and court cases against wild dog control, kangaroo culling, live export, feedlots, poultry farming and pig abattoirs. The Australian Dairy Farmers President, Ben Bennett, said Animals Australia were a 'well-oiled machine'.

Industry notes the lobby groups are very effective at getting a message across while ignoring the complexity and realities of issues such as food security, the environmental footprint of food and fibre imports compared to local production, and quality assurance levels of South Australia's excellent food and fibre. Mr Bennett is also quoted as saying, 'We're turning up with a water pistol and these guys have a bazooka.' My questions to the Minister for Primary Industries and Regional Development are:

1. What is she doing to protect and support South Australian farmers who come under campaign attack from these sometimes very aggressive lobby groups?
2. What support is available from her department to assist small operators from multimillion dollar attack campaigns?
3. Given the size and financial backing of these groups, is it appropriate in the minister's view that the Environmental Defenders Office should also play a part in these sorts of cases?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:20):** I thank the honourable member for his questions. I think the relevant point here is that there is a regulatory regime in place for lobbyists. In terms of funding and disclosure there are various requirements for any group and a number of those that were mentioned would be included in that, as would, for example, the National Farmers' Federation, in terms of their need to be transparent as well. I think that always in a democracy it is good to have robust debate and I would hope that we would all assist in that occurring.

### *Matters of Interest*

### UKRAINE INVASION

**The Hon. J.E. HANSON (15:21):** On Saturday, the world will mark the two-year anniversary of the biggest attack on any European country since the Second World War. Russia's major invasion of the Ukraine began at dawn on 24 February 2022, a sudden and dramatic escalation of a war that had been building in intensity for several years and tensions that have simmered for far longer. In fact, between 2014 and 2022, Ukraine and Russia held around 200 rounds of peace talks in various formats. They agreed on 20 ceasefires. With their invasion, Russia shattered the peace process and commenced full-scale war against Ukraine.



Perhaps rather unexpectedly to them, Russia's invasion was met by fierce and effective Ukrainian resistance. I think it is fair to say that the whole world has been impressed and inspired by Ukraine's determination in holding fast against such significant aggression from a much larger army. The February 2022 invasion seems to have been intended as a series of quick and decisive short battles to deliver a knockout blow, with the goal of destroying the Ukrainian state within weeks. Many would have thought Russia would make short work of it, but the people of Ukraine have well and truly shown us their might and the strength of their love for their country.

Two long years later, Ukraine is still standing and fighting back, having liberated more than half of the newly occupied territories, lifting Russia's naval blockade by sinking nearly a third of Russia's Black Sea fleet and galvanising the support of a range of allies from around the globe. Ukraine has suffered widespread civilian casualties and devastating damage to critical infrastructure. Russia has no evident intention of ceasing aggression or pursuing diplomatic solutions. They continue to send troops in to launch missiles and drone strikes on Ukrainian cities. It must be so far beyond exhausting that I cannot summon words to express how I imagine it must feel to be one of those who stayed in Ukraine to stand and to fight.

I welcome those who have arrived to seek refuge here in Adelaide and indeed around our nation and I hope for all of them for an end to the separation, the loss and the suffering. I have been fortunate to speak with Australia's Ukrainian Ambassador, His Excellency Vasyl Myroshnychenko, on several occasions. I asked him for some words to share with this chamber on the sombre occasion of the two-year anniversary of the invasion. He gave me a lot of words, of which I must limit myself to sharing only a few, but I assure members that all of those words have been conveyed in earnest, in good faith and from the hearts of the Ukrainian government and its people. I quote:

We urge all of our partners to remain united and to continue to support Ukraine. Russia makes every effort to sow doubt and discord among the free nations and support of Ukraine. We must not allow Moscow to achieve this goal. Ukraine is grateful to every nation, leader and individual who has been standing with us all along. We appreciate your support and will keep it in our hearts forever. It has allowed us to survive and resist the invasion.

No other country wants peace more than Ukraine. But Ukrainians also know that the path to true and just peace lies through battlefield success and throwing occupiers out of Ukrainian land.

Don't ask how long this war will last; ask yourself what else you can do to help Ukraine prevail sooner. One lesson that should have been learned over the past two years is that only unity and resolve are effective in resisting the aggressor. Appeasement has never worked, and it never will.

Our message, as Russian full-scale aggression hits its two-year mark, is: believe in Ukraine.

You cannot meet Ambassador Myroshnychenko without being profoundly moved by the love he feels for Ukraine and the pain he feels for its ongoing destruction. I know many of you may have met him too, and I am sure you may have been similarly affected by the experience. Being a war-time ambassador is an extraordinary burden to bear.

Amid the gruesome smorgasbord of an unfathomable atrocity that has characterised the last couple of years on the world stage—amid some of the worst of humanity on full display, and knowing that I personally can change nothing about any of it—I seek simply to draw members' attention to the fact that the war in Ukraine is ongoing, to the fact that Ukraine's people, whether they are there, here, or anywhere else in the world, are still broken-hearted and suffering, and to remind members that when Saturday arrives, we should all reflect upon how, if it was us living through the tragic and terrible circumstances that Ukraine has been enduring now for two years, we would wish for the world to respond.

## FOSTER AND KINSHIP CARE

**The Hon. C. BONAROS (15:27):** Today, I wish to speak about the opportunity costs for foster and kinship carers who take on the selfless job of providing a home to children in need. Specifically, I wish to speak about the financial opportunity cost when it comes to superannuation. In her November 2022 report of the Independent Inquiry into Foster and Kinship Care, Dr Arney recommended:

That a scheme is created to enable carers to have superannuation contributions made by the South Australian government while they provide care for children and young people.

As the report also noted:

Governments save considerable costs by relying on the voluntary services of foster and kinship carers.

However the context for providing foster and kinship care has changed dramatically since the traditional model of voluntary foster care was created.

While most carers are still female, women's labour force participation has significantly increased with many carers in paid employment before taking on the caring role.

Many carers are single or unpartnered, and many carers already experience financial stress due to high costs of living and low housing affordability even before taking on the caring role.

We know the number of foster placements has decreased in the last two years. We also know a higher proportion of children under the guardianship of the chief executive are in residential care placements than ever before—14.4 per cent at last count. For the last 10 years, the government has spent more than \$8 on residential care for every \$1 on home-based care.

Last financial year, it cost a whopping \$562,000-odd for a child to be placed in residential care for a year, compared with \$63,000 for non-residential care. It makes absolutely no financial sense to be supporting current carers and encouraging new carers so that residential care is used as an absolute last resort. We know that over 75 per cent of the child protection budget is spent on residential care.

For caring to be more attractive and sustainable, the government has to be focusing on more than just the direct costs of care. A carer will typically change or alter their employment to fulfil their caring role. A carer will typically give up earning superannuation for their retirement, a huge sacrifice, to provide this incredible and selfless service. In their submission to the review, peak body Connecting Foster and Kinship Carers SA shared the following carer observations:

- there is an unspoken expectation when Carers take on a child that they will either decrease or end employment to support their young person if it is required
- many Carers do this willingly, but suffer financially
- at times, and because the resources [provided] by the state are limited, Carers are forced to use their superannuation (or money they intended to contribute to superannuation) to fund services, activities and daily living needs for their young people
- they have a strong desire to contribute towards their superannuation for example, they want to 'put money towards the future' rather than watch their money 'just go' whilst caring
- they are aware their superannuation, and future financial security at retirement, is directly impacted
- superannuation is not discussed with Carers at first point of caring or throughout the caring journey
- it is challenging for rural Carers to find work that fits with the needs of their young person and school hours, therefore their superannuation is impacted
- they often choose to take a lower paying position in order to fit in school drop offs and pickups and any 'unexpected pickups' that were required to best care for their young person, which in turn impacts the ability to generate superannuation

Work flexibility is also a critical issue for carers. The list of quotes from that association goes on and on. It is an issue that carers, more than anyone, are very familiar with. How much is this anticipated to cost? The cost of diverting 70 children and young people from residential care to home-based care would easily support an annual \$5,000 voluntary superannuation payment by way of comparison to the figures I have just quoted. I look forward to discussions with the Minister for Child Protection on this in coming weeks and will be urging her once again to consider this issue from a gender equality perspective.

### INTEGRITY FRAMEWORK

**The Hon. J.M.A. LENSINK (15:31):** I rise on a matter of importance regarding the integrity framework that underpins our democracy. I have a document that I wish to refer to, so I seek leave to table the document.

Leave granted.

**The Hon. J.M.A. LENSINK:** I am sure all members share my strong commitment to our decision-making processes being transparent. We have important rules in place to ensure the

conduct and actions of participants in public debates, policy decisions and the allocation of taxpayer resources are fair and impartial. We know that ministers, parliamentarians, their staff and public servants must operate within a framework that ensures our personal interests are disclosed, conflicts are declared and managed, and that we do not use our privileged positions for gain or profit for ourselves, friends or family.

I am therefore deeply concerned to be in possession of a document which would seem to clearly breach these integrity standards and raise serious questions about a former staff member to a member of this place, her husband's business dealings with government and what appears to be the use of a privileged position of influence to attempt to achieve personal profit from the allocation of taxpayer funds.

I have been provided with an email that was sent from Mr James O'Hanlon to his wife, Ms Cressida O'Hanlon. It is from his business email account to her personal email. The date of this correspondence is 7 February 2023, during the period when Ms O'Hanlon worked for the Hon. Reggie Martin MLC. The email represents a request from James O'Hanlon for Cressida O'Hanlon to secure him a meeting with a government minister so that he can discuss securing taxpayer funds for his business, Citadel Secure. This correspondence has equally raised a broader issue regarding the business Citadel Secure, Mr James O'Hanlon and the requirements of the Lobbyists Act 2015.

A review of the company's website shows that this company promotes with pride its connections and networks with government decision-makers. This is a direct quote from the business's website, accessed by me today:

We have built broad and productive bipartisan networks with key decision makers and influencers in Australia and NZ to maintain a clear picture of government priorities and future policies.

Our team is respected for its integrity and accountability in all its engagements with government.

The accountability and integrity they boast does not extend to being registered under the Lobbyists Act and disclosing any of their interactions with government through that process, the sole point of the Lobbyists Act. The registration and declaration of relationships, clients and meetings with government officials, ministers, parliamentarians and their staff is the central point of the register.

The penalties for potential violations of the Lobbyists Act range in fines of up to \$30,000 or two years' imprisonment for individuals, and up to \$150,000 for corporations. This matter invites clear and serious questions:

1. Was a parliamentary staff member, Cressida O'Hanlon, using her position of privilege and networks in government to secure preferential treatment and access for her husband and his business to seek to earn profit from government decisions and taxpayers' funds?
2. What meetings were sought and/or occurred between this business, Citadel Secure, and any state or commonwealth minister, staff member or government official, and what was discussed?
3. Why is a business that promotes its activities in government relations and networks with decision-makers not registered as a lobbyist and not providing disclosures of meetings and interactions with government as the Lobbyists Act requires?

Answers to these questions will determine what future action is taken to escalate these issues with SAPOL and other high-level investigative bodies. I make no suggestion of any awareness of the alleged actions of this staff member by her employer, the Hon. Reggie Martin MLC, or anyone else in government, state or federal.

I believe this chamber, and South Australians, are entitled to an explanation for these revelations. If true, they demonstrate a breakdown of the necessary protections of government decisions from personal preferment and the improper use of privileged access to senior government decision-makers.

## URBAN HEAT ISLANDS

**The Hon. T.T. NGO (15:36):** I rise today to speak on the urban heat island effect. It is well documented that during extreme hot weather the heat in Australia's urban areas intensifies and the locations that this intensified heat occurs in are known as urban heat islands. Although we may have experienced a cooler January this year, Australia is one of the world's hottest continents. In fact, on 4 January 2020, the hottest place on Earth was Penrith in Western Sydney. Its official temperature was 48.9°, keeping in mind that, according to the Bureau of Meteorology, above 35° is defined as hot and above 40° is extreme.

Dr Fiona Foo, a Sydney cardiologist, says, 'Already heat waves are silent killers, causing more deaths than other natural disasters combined.' Given that around 86 per cent of Australia's population is urbanised, the shape and planning of our cities will have a huge impact on addressing urban heat islands in Australia.

According to a report prepared by the consultancy firm Edge South Australia, many of the heat islands in Adelaide are home to our most vulnerable. The report mentioned that most of the heat islands identified in Adelaide's north-eastern suburb of Campbelltown coincided with areas of high vulnerability.

Some of the developer-led housing estates cram large houses onto small sites or build two or even three where only one previously existed. Although we have tree planting strategies in place, the trees that are planted are decades away from providing decent shade. Consequently, hard surfaces, dark rooftops, heat absorbent materials, traffic and lack of shade all contribute to making our urban temperatures 10° or 15° higher than our surrounding regional areas.

Research tells us that the most successful strategy we can use to tackle the urban heat island is to plant the right trees in the right places. Many streets in Adelaide showcase beautiful trees that were planted decades ago, showing us the value of the shade they provide today. We know all trees provide shade, hold groundwater, nurture soil and suck up carbon. The deciduous species provide us with summer shade and winter sunlight. The preferences around whether we should be planting native trees versus the deciduous European species should be viewed in terms of the location and functionality of the trees.

The Melbourne City Council was recently calling for tenders to manage and maintain its city trees. The council describes Melbourne's urban forest as one of its most valuable assets because of its crucial role in helping remove pollution and in keeping Melbourne streets cooler during hot weather. In fact, according to arboriculturist Mr Ryan Roche, Melbourne has the largest concentration of mature elm trees in the world.

We know trees need light to grow, and cities need better airflow during hot weather; however, dense clusters of high-rise buildings block both. This fact highlights the importance of city environments, including more buildings of varied height and shape.

The member for Badcoe, Ms Jayne Stinson, in the other place is Chair of the parliamentary inquiry currently responding to Adelaide's shrinking tree canopy. The parliamentary inquiry has looked at data that shows that most of Adelaide's residential suburbs have significantly less tree coverage than they did 10 years ago.

As we move towards a future that must address the urban heat island, at a time when the construction of houses, apartments and infrastructure is rising, the importance of increasing our tree canopy and repurposing our city buildings to encourage better airflow and light will be essential.

## HOUSING CRISIS

**The Hon. L.A. HENDERSON (15:41):** I rise today to speak about the unprecedented housing crisis plaguing our state. This housing crisis is not one that has crept up on us. We have had Labor governments in South Australia for about 18 of the last 22 years, watching South Australia's population growth and not accounting for the housing supply needed to go with that growth. Sadly, property analysts say that the South Australian housing crisis is going to get worse before it gets better.

For too long the government has put aside the reality that we need housing—and now. South Australians are paying the cost. Today, I am standing up for the hardworking South Australians whose voices are not being heard, for those who cannot get their foot in the door to own their own home, and for those hardworking South Australians who are competing against hundreds of others to rent an overpriced home. That is not an exaggeration—it is hundreds.

Realestate.com.au revealed today that the demand for rooms and share houses is far outstripping supply in some Adelaide suburbs amid the cost of living and rental crisis. There were 105 people searching for a room in Brighton where there were none to rent, while Glenelg had 314 with just four available, according to the data. Meanwhile, there were 133 people seeking a room in Marion with just two available, and 143 in Henley Beach where there were just three on offer.

In bad news for South Australian renters, the residential vacancy rate in Adelaide during January 2024 was 0.5 per cent, compared with the national average of 1.1 per cent. We had the second worst residential vacancy rate in the nation, and that is putting upward pressure on prices, with September 2023 rental prices for houses rising around 8 per cent per annum while apartments were rising around 11 per cent.

These soaring prices ultimately put low income households into financial or housing distress. To highlight that point, in the last financial year more than 6,600 South Australians became homeless, with 70 per cent of those aged around 18 to 44, and well over half being parents with children.

Then there are those in our community who are trying to break into the property market. Those trying to purchase their first home in Adelaide are battling record average asking prices of more than \$864,000, the highest in the state's history and almost more than double the asking price of 10 years ago.

However, it gets worse. Analysis carried out by the Grattan Institute highlights that between 2001 and September 2022 the national cost of a home grew by more than 400 per cent. Examination of the 2021 Census by the Australian Housing and Urban Research Institute highlighted that in 1981 about 61 per cent of Australians aged between 25 and 34 owned a home. By 2021 that had fallen to less than 45 per cent, and there are fears that this will only get worse with the rapidly rising costs of owning your own home.

Data analysed by Finder in late 2023 found that the minimum household income required to afford the average house is now more than \$182,000. Yet, when the ABS reviewed personal income tax data from the 2020-21 financial year, it found that the median income in Australia was \$54,890.

Now let us compare the difficulties of buying a home now compared with years gone by. Recent research shows that stamp duty is now around 4.4 times higher for Adelaide homebuyers than in the 1980s. Data sourced by the ABS highlights that baby boomers would be required to spend around four times their average annual salary to purchase a home, compared with Gen Z, who are now required to spend around 11 times their annual salary.

What is not helping right now is the cost-of-living crisis that is pushing South Australians to their breaking point. It is forcing them to take extreme measures to ensure that their rent and their mortgages are paid, all while keeping the lights on and keeping food on the table, a task that sadly for many South Australians is not an easy task at the moment.

Adelaide has seen one of the sharpest rises in the nation when it comes to food prices. Between 2021 and 2023—

Time expired.

#### **INDEPENDENT COMMISSION AGAINST CORRUPTION**

**The Hon. F. PANGALLO (15:46):** I will start with some breaking news. The ICAC inspector, Phillip Strickland SC, has informed the Governor that he is stepping down from 30 April after delivering another report from complaints about ICAC investigations and a referral from the Attorney-General. I anticipate another snow job, like the Hanlon review, in which I pointed to glaring errors, including a section of the ICAC Act that no longer exists, to come to his conclusion that no singular person was to blame for ICAC's incompetent investigation but that it was institutional failure.

I have also asked the Attorney-General for documents from footnotes in that report, but have got nothing. However, there has been no proper legal critique of his report, that is, until Mr Strickland received a deconstruction from 83-year-old retired barrister Michael Fuller. He is no fool and is exceptionally skilled and well versed in law. His action has exposed the inspector's glass jaw, but in doing so appears to have impacted on Mr Fuller's own complaint to the inspector after a referral by the Attorney-General concerning the Lawton fraud imbroglio, regarded by the ICAC harms committee so serious as to warrant an independent judicial inquiry. That has not happened.

Mr Fuller's complaint has been acknowledged as a relevant complaint under the ICAC Act. Sadly, and for reasons that are demonstrably improper, Mr Fuller has been completely shut out of participation in the process of review of his complaint. This follows a trail of correspondence between Mr Fuller and the inspector and his deputy, Mr Plummer, in which he questions their fitness to continue in office, considering the Hanlon review and their refusal to meet with him about his complaint, along with legitimate questions about whether the process has followed what the act demands in his own complaint.

The communications speak eloquently to the questions asked. They are forthright, yet not offensive nor threatening. However, the inspector did not see it that way and has taken offence. Mr Fuller's latest response to the inspector is an easy read. A layperson can follow and understand his Hanlon deconstruction.

All that is required is to be able to read Mr Fuller's recital of section 5(4) of the ICAC Act and its equivalent, section 4(2) of the Ombudsman's Act, and compare with the inspector's finding in his report of evidence of so-called institutionalised maladministration, to know as a matter of simple logic that Mr Fuller is right when he describes the Hanlon report as 'a vacuous, expensive waste of taxpayers' money'.

Anybody who reads his summary will be immediately convinced that something just does not sit right here—there is an awful whiff of scandal. You might ask how can this possibly be with a gun Sydney SC and local lawyer with experience as a government solicitor and adviser? How is it that this first exercise of function can end up as a legal nullity? These are questions deserving of answers from the Attorney-General in the public interest.

Mr Fuller is entirely comfortable that his deconstruction of the Hanlon report will stand scrutiny by any competent lawyer in the land. He has, without fear of consequence, put his legal forensic skill on the table for all to see and to judge. Let us see if someone independent is prepared to take up that challenge. The inspector rejects Mr Fuller's assertions and his interpretation of those crucial sections of the act that were repealed in 2021 and transferred to the Ombudsman Act—typical legal argy-bargy between the egos of the key actors.

In response to a letter from the inspector and his deputy dated 1 February 2024, Mr Fuller deals with the inspector's refusal to engage with him as a denial of natural justice and procedural fairness, calling for him and Mr Plummer to resign. In a response from the inspector's office dated 14 February, Mr Fuller's comments were noted and that the inspector had already informed the Governor of his resignation for reasons entirely unconnected with his demand.

I understand that Mr Lawton, who is now in extremely frail health in hospital, has also declined to engage with the inspector because he does not believe it will achieve anything in the fraud matter. He simply wants the government to act on the recommendation made by the harms committee for an independent judicial review of his case.

That is my contribution today. I now seek leave to table all the documents and emails I have referred to.

Leave granted.

#### **INTERNATIONAL MOTHER LANGUAGE DAY**

**The Hon. M. EL DANNAWI (15:51):** Today is International Mother Language Day, a day nominated by the United Nations to highlight the role of languages in promoting inclusion and achieving sustainable development goals. The date 21 February was chosen to commemorate the tragic events of 1952 in Bangladesh where students protesting for the recognition of their mother

tongue, Bengali, were brutally suppressed by authorities. This day serves as a solemn reminder of the importance of protecting cultural identity and linguistic rights as fundamental human rights.

Based on the data collected from the 2021 Census, South Australia is home to people from more than 214 countries, speaking 248 languages, and almost 18 per cent of South Australians speak a language other than English at home. I, myself, speak to my family in Arabic and French, Arabic being my mother language and French being a language I studied from the age of three.

Languages are not only tools of communication, they are also a profound aspect of human identity and diversity. They are vessels of history, tradition and collective memory. The languages I speak tell the history of my home country, Lebanon. For example, the use of French in Lebanon is a result of the French mandate following World War I. The French language is now used on Lebanese lira banknotes, road signs, vehicle registration plates and public buildings, alongside Arabic, and Lebanese Arabic, although a descendant of classical Arabic, evolved to have its own distinct pronunciation, vocabulary and grammar since its introduction in the 7<sup>th</sup> century, reflective of the various diaspora in Lebanon.

This year's theme for International Mother Language Day is 'Multilingual education—a pillar of learning and intergenerational learning'. The theme highlights the importance of multilingual education policies, which are crucial for inclusive education and preservation of indigenous languages. It also empowers children from CALD communities to fully engage with their cultural heritage.

I was fortunate enough to attend an event held by Community Language Schools SA last November on behalf of the Hon. Blair Boyer, Minister for Education, Training and Skills, and the Hon. Zoe Bettison, Minister for Multicultural Affairs. I saw firsthand the important work being done by the board, staff members and volunteers of Community Language Schools SA's member schools to preserve the heritage and culture of our diverse communities.

Language learning is not just about mastering vocabulary and grammar, it is a source of cultural enrichment, awareness and empathy. It is through language that we learn about our roots, understand our place in the world and pass on the wisdom of our ancestors to future generations. It is wonderful that our government recognises the importance of nurturing community languages in our state and have committed an additional \$4 million over four years in our community language schools.

### *Motions*

### **SA UNIONS**

**The Hon. R.B. MARTIN (15:54):** I move:

That this council—

1. Recognises that 2024 marks the 140<sup>th</sup> anniversary of SA Unions, formerly the United Trades and Labour Council of South Australia;
2. Acknowledges the significant impact that unions have had on shaping our economy, our society and the life of our state; and
3. Commends SA Unions on all that it has achieved on behalf of working South Australians over its 140 years of dedicated service to the people of our state.

This year, we celebrate the 140<sup>th</sup> anniversary of the formation of the United Trades and Labour Council of South Australia. The founding took place in January 1884 at the still-standing Franklin Hotel, although it was then known as the Bristol Tavern.

Back in 1884, this new organisation brought together 13 unions from across the colony's early industries to coordinate activities and advocate on behalf of South Australia's workers, and 140 years later the United Trades and Labour Council of South Australia still exists. It is now called SA Unions and it is the peak body for what is now 26 unions representing over 160,000 members across South Australia.

As early as October 1836, the colony's first industrial dispute was resolved when a South Australian company manager, Charles Hare, was left with no option but to pay extra wages to

seamen and settlers who were threatening to strike. The first formal move in the early colony to control workers—an attempt to make a withdrawal of labour punishable by imprisonment—came in the form of an act for the summary determination of all disputes between masters and servants passed by the Governor and Council of South Australia on 4 January 1837. However, on the advice of the Privy Council, Queen Victoria disallowed this act. Unsurprisingly, amongst these circumstances, unions began to form.

The rise and expansion of the class of wealthy gentry in SA led to renewed calls for laws that would control labour and provide terms of imprisonment for workers who chose to withdraw their labour. An ordinance to amend the laws relating to masters and servants was introduced in the Legislative Council in 1847 by pastoralist Charles Hervey Bagot, a man who had amassed immense wealth as the owner of the colony's first copper mining company, which he established to exploit the vast mineral deposit that his son had discovered. Bagot's legislation attracted considerable organised opposition but enjoyed sufficient support within the parliament that it was passed in July 1847.

It is little wonder that in the following decades union membership increased in defiance of such legislation, so much so that the Trade Union Act 1876 saw South Australia become the first territory of the British Empire, outside Britain itself, to legalise trade unions. In 1884, the founding members of the United Trades and Labour Council came together for the purpose of uniting more closely the various trade societies and for discussing unitedly any question affecting the welfare of any society and also for the purpose of exerting more political influence in the colony.

So from the very early days, South Australian workers recognised two things. First, the fundamental principle behind collective organising, which is the very same principle today as it was then, that when we stand together we are so much stronger than anyone who stands alone. Collective action is a powerful driver of industrial and social change. Secondly, this powerful momentum that we are capable of creating can equally be used for change from within government as well as from without. That is why, in 1891, the UTLC sponsored the formation of the United Labor Party of South Australia, as the voice and the vehicle for working people to help shape the laws of our state and the colony before it.

The aims of SA Unions today remain fundamentally the same as those of the UTLC. SA Unions still aims to maximise the union movement's effect in political, social, economic and industrial issues, to defend and extend the rights of working people, to increase the standing of trade unions, and to provide leadership and coordination in issues of broad concern to unions and the community.

Whilst some today might try to portray the work of unions as not relevant or as unimportant, the fact is that over decades upon decades of Australia's industrial and social history the increased living standards and the hard-won entitlements that we enjoy today was the work of our unions. Without the role of unions in shaping South Australia's and Australia's contemporary economic, industrial and social landscapes, our state and our nation would look tremendously different than they do today, because progressive industrial reform does not happen on its own.

In 2024, many victories have been won, but across industries we still see that workers in some workplaces are being underpaid or are subject to wage theft, that workers in some workplaces are denied their entitlements, and that workers in some workplaces still cannot be guaranteed the most basic benefit of coming home safe at the end of their shift. In 2024, we need strong unions just as much as we did in 1884.

The South Australian union movement in 2024 is resilient and united. A list of the achievements the union movement has celebrated in the past year, a great deal of it in collaboration with the Malinauskas and Albanese Labor governments, includes but is not limited to:

- industrial manslaughter becoming enshrined in law as a criminal offence;
- new regulations requiring the active management and mitigation of psychosocial hazards;
- rental tenancies reform;
- public holiday protections;



- family and domestic violence leave in the NES;
- criminalisation of wage theft;
- protecting those who work with engineered stone; and
- expanding workplace protections for young workers.

As someone who was a long-term union organiser at the SDA and a long-time Labor official after that, I am proud of the constructive relationship the Malinauskas government enjoys with South Australia's unions and with their peak union council, SA Unions.

I was grateful to join SA Unions late last month to kick off their anniversary celebrations at the Franklin Hotel, where it all began 140 years ago. I commend the work of our state's unions, from the mighty SDA, where my own career began, to each and every union that stands up for South Australian workers. May you remain ever strong and ever united.

I commend this motion to the chamber and hope that all members, in recognition of the role that unions play in our community and have played throughout our state's proud history, will support it.

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

#### **DOM POLSKI CENTRE**

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (16:02):** By leave, I move this motion in an amended form:

That this council—

1. Congratulates the Dom Polski Centre for reaching its golden jubilee anniversary and notes the centre as the heartbeat of the Polish community since the foundation stone was laid on 29 December 1972;
2. Recognises the proud history of Dom Polski Centre as the community hub that plays a significant role in the Polish community through its mission to 'promote Poland and Polish language, culture, tradition, and history for present and future generations' and to foster Polish-Australian business enterprises;
3. Acknowledges the outstanding contributions and dedication of founding members, community leaders, current and past presidents, committee members, volunteers, cultural dance groups and supporters of the Dom Polski Centre for organising programs, courses and events that promote Polish and Polish-Australian culture and accomplishments and for maintaining a repository of artifacts, archival materials, works of art, and publications;
4. Highlights the Dom Polski Centre as an iconic function venue in Adelaide that fosters inclusive community engagement and multicultural partnerships by hosting festivals and special events for the Polish community as well as serving the broader multicultural community; and
5. Reflects on the achievements and legacy of the Dom Polski Centre over the last 50 years and wishes the centre and members of the Polish community every success and a bright future ahead as they enter a new chapter.

It is a great honour today to rise to convey my heartfelt congratulations to the Dom Polski Centre for reaching its golden jubilee anniversary. The name Dom Polski in Polish means 'Polish house', and today in this parliament we recognise the proud history of the Dom Polski Centre as a community hub that plays a significant role in the Polish community through its mission to promote Poland and Polish language, culture, tradition and history for present and future generations and to foster Polish-Australian business enterprises.

Dom Polski is the home of the Australian-Polish community's heritage and culture in South Australia. For over five decades it has housed numerous Polish-Australian organisations, including the Federation of Polish Organisations in South Australia; the very well-known and well-loved Polish folklore ensemble, Tatry; a Polish theatre group; the Polish Hill River Church Museum in Sevenhill; numerous artifacts of historical importance; and meeting facilities for the many elderly people in the South Australian community.

To continue celebrating its 50<sup>th</sup> anniversary, Dom Polski Centre is hosting a year of celebrations throughout this year. They kicked off with their Golden Jubilee Gala Dinner on 9 December 2023. I was deeply honoured to attend the memorable event to convey my best wishes on behalf of the Leader of the Opposition, the Hon. David Speirs, representing the Liberal Party of South Australia.

The Dom Polski Centre on the night was decorated proudly with Polish flags and a colour scheme that was perfectly curated by the organising committee to mark the golden jubilee gala. It was well supported by special guests and dignitaries and of course 300 members of the Polish community. Guests were delighted with the exquisitely designed Polish dinner.

The audience was mesmerised by the spectacular Polish folklore ensemble Tatry dance performance and they were joined by the Volya Ukrainian Cossack Dancers. Having the two most amazing, talented and energetic dance groups perform at the 50<sup>th</sup> anniversary dinner was a true showcase of the great bond and the longstanding friendship and cohesion between the Polish and Ukrainian communities in South Australia.

I vividly recall that, in August 2022, the Polish community put together a fundraiser and raised \$10,000 for the Ukrainian refugees in Poland. The funds transfer took place at the Dom Polski Centre, where I joined key Polish community leaders, as well as leaders from the Association of Ukrainians in South Australia, to witness the generous donation and electronic funds transfer to Caritas Poland, which is the largest charity organisation in Poland. This is one of many philanthropic projects by the Dom Polski Centre, working in partnership with other groups, that demonstrates the generosity and compassion of the Polish community towards their Ukrainian friends and communities in need.

The Dom Polski Centre, located at 230 Angas Street, Adelaide, is well known to many honourable members in this parliament and has long been recognised as an iconic function centre in the heart of our multicultural city of Adelaide. While the Dom Polski Centre on the current site is celebrating its 50<sup>th</sup> anniversary, the history of Dom Polski goes back much further.

The Polish community in South Australia has a rich and proud history of contribution in state and national affairs, with the first settlement of Polish émigrés in the mid-1800s. The South Australian History Hub recorded that the first group of people clearly identifying as Polish arrived in South Australia in 1844. This first group consisted of about 30 people from nine families. As this record shows, the Polish community has been an integral part of our South Australian community for 180 years. Following World War II, many Polish refugees came to Australia. Between 1947 and 1954, the Poland-born population increased from 6,573 to 56,594 people.

The Polish community saw it as important to preserve their heritage and culture in South Australia. The original Dom Polski was purchased in the 1950s as a community hub for the newly-arrived Polish immigrants from war-torn Europe. The original building was a house purchased in suburban Woodville and it proved to be a popular gathering place for the growing group of hardworking Polish migrants who contributed much to the emerging industrial base of South Australia at the time, and they continue to make social and economic contributions across different sectors and in all aspects of our society.

Dom Polski has always valued the spirit of community working together and it has been well supported by many Polish community groups, including the Polish Women's Association of South Australia, the Polish Ex-Servicemen's Association in Australia (No. 2 branch), the Tatry Folkloric Dance Ensemble and the Federation of Polish Organisations in South Australia.

By the late 1960s, the Woodville property was getting too small to accommodate the numbers of growing Polish-Australian families, so, under the leadership of then chairman, Mr Stanislaw Gotowicz, the site in Angas Street, Adelaide, was selected and plans were drawn up to begin construction. To raise the much-needed funds for the building on Angas Street, Mr Gotowicz and his dedicated team of volunteers worked relentlessly and went forth every night after work to nearly every single member of the Polish community, asking and begging for money.

Many had young families and funds were tight, but these Polish-Australians nevertheless generously made financial contributions towards the building cost because they shared the same vision to see their Polish house become a dream come true. They recognised the importance for the

Polish community to preserve their identity, cultural heritage, language and unity for generations to come. Their incredible hard work and persistent fundraising efforts would soon bear rewards as the foundation stone was laid on the site on 29 December 1972. Subsequently, the Dom Polski officially opened its doors 12 months later, on 8 December 1973.

For his longstanding commitment and outstanding service to the Polish community, Mr Stanislaw Gotowicz was awarded the Medal of the Order of Australia, a very well-deserved recognition for a wonderful community leader. Although Dom Polski was built as a place for the Polish community to gather, it has always intended to welcome South Australians from all backgrounds, from all walks of life, to make use of the venue. As stated by Mr Stanislaw Gotowicz at the opening of the centre:

As we celebrate today the opening of our Polish House, it is not our intention to become an island unto ourselves. Rather we would wish that our 'Dom Polski' became known as a centre where all can share and enjoy the cultural side of our heritage and which, we sincerely hope, will help to enrich the Australian way of life.

His vision and his words would be fulfilled, with the centre hosting events for many communities and groups over the last 50 years. It has hosted hundreds of events and cultural exhibitions for the Polish community and other groups and become a popular function centre for members of our South Australian multicultural communities, including the Indian, Afghani, Nepalese, African and Pakistani communities, just to name a few. It has also catered for local South Australian groups, not-for-profit organisations and government agencies. It has even served as a polling booth for early voting in state elections.

In the latest ABS 2021 Census data, there are now 20,394 people of Polish descent living in South Australia, which is about the size of a state electorate. That is a 9 per cent increase over the five-year period since the previous census, up from 18,708.

The much-accomplished history of the Dom Polski Centre would not have been possible without its strong leadership and the dedication of those involved. I want to thank the former directors of Dom Polski, including the late Stanislaw Gotowicz, Helena Duluk, Stanislaw Duluk, Zygmunt Pawlak, Stanislaw Brog, Eugeniusz Hejka and Antoni Fela. I take this opportunity to pay respect and tribute to their remarkable legacy for the Dom Polski and their wonderful contributions to South Australia.

As shadow minister for multicultural South Australia and the continuous longest serving member in the portfolio of multicultural affairs, I want to take this opportunity to give special mention to the current board members of the Dom Polski Centre, whom I have the pleasure to get to know and work closely with.

They are Leonard Nowak, chairperson; Chris Gibki, secretary; Adam Skuza, shareholder liaison manager; Richard Szkup, treasurer; Zofia Brzezinski, functions and operations manager; Wanda Koplín, share registry team and seniors' liaison; Dr Rick Wiechula, grants and gifting director; and Camille Tropa, design and marketing. Thank you to all of these board members for contributing their time, knowledge, skills and talents to serve the Dom Polski community.

Leadership is crucial to the success of any organisation. I would like to commend Mr Leonard Nowak, who as the chairperson is a knowledgeable, collaborative, capable and hardworking community leader who dedicates his valuable time and efforts to the Dom Polski Centre and the Polish community of South Australia. With a background as a former airline captain, Leonard was also ministerial adviser in the South Australian government and served as the national aviation and defence correspondent at the ABC.

Len brings to the community a rich legacy in teambuilding, communication and management. It has been a privilege to work with Len and his team over the years and I have personally witnessed his tenacity and dedication in achieving great outcomes for Dom Polski and delivering many meaningful community projects and activities for the Polish community.

Today, Dom Polski continues to attract a dedicated band of generous and hardworking volunteers who continue this tireless tradition of service. I want to once again express my deep appreciation to the current board members for their amazing work for the Polish community and their involvement in organising the golden jubilee celebrations at the centre. Thank you again to the

founding members, community leaders, past presidents or past chairpersons, committee members, volunteers, cultural groups and supporters of the Dom Polski Centre, without whom the centre would not have been able to survive and thrive as it has for the past 50 years. I would like to quote Leonard:

Dom Polski would not have survived if not for the hard work of the many hundreds of dedicated volunteers. For 50 years they tirelessly supported our community, recognising it is bigger than just themselves.

Dom Polski is the most significant asset of the Polish community in South Australia. It is an inspiring example for the newer communities across Australia to model their vision on: working together with a common purpose, a vision, holding onto their traditions and working tirelessly and selflessly to achieve their dream.

As we learn from its great history and legacy, Dom Polski certainly enriches our multicultural state and the Australian way of life. The positive impact Dom Polski has had on the Polish community and the wider multicultural community is testament to the hard work and resilience of the Polish people in South Australia.

I look forward to continuing working together with the Dom Polski Centre and all the team. Congratulations once again on their 50<sup>th</sup> anniversary. I wish them well for another 50 years and beyond, building on the strong traditions and foundation to take Dom Polski to a new era with the hope of a very bright future ahead. It is truly an honour to recognise the marvellous achievements of Dom Polski in parliament today. With those words, I wholeheartedly commend the motion to the chamber.

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

### TRAM NETWORK

**The Hon. R.A. SIMMS (16:19):** I move:

That this council—

1. Notes that:
  - (a) in 2016, the Weatherill state government undertook a multi-criteria analysis of a proposed tram network for Adelaide, AdeLINK, which proposed five tram routes radiating out from the city; and
  - (b) AdeLINK and the tram to the eastern suburbs were abandoned after the change of government at the 2018 state election.
2. Acknowledges that:
  - (a) the tram extensions to the Botanic Gardens and the Adelaide Entertainment Centre have been successful public transport projects for Adelaide;
  - (b) over 7.4 million journeys were taken on Adelaide trams in the 2022-2023 financial year;
  - (c) until the 1950s, Adelaide was serviced by a comprehensive network of trams connecting outer metropolitan areas with the centre of the city;
  - (d) there is a demand for additional public transport across the metropolitan area; and
  - (e) trams would reduce congestion and greenhouse gas emissions.
3. Calls on the Malinauskas government to conduct a feasibility study to explore options to extend the tram network including to the eastern suburbs.

This motion calls on the Malinauskas government to conduct a feasibility study to explore options to extend the tram network, including to the eastern suburbs.

In considering this motion it is worth reconsidering the history of the tram extension project in our state. Back in 2016 the then Weatherill government undertook a multi-criteria analysis of a proposed tram network for Adelaide. That was AdeLINK, which had a series of tram routes that would radiate out from the city. The Greens were certainly supportive of seeing trams back on the agenda.

As we know, the Labor government was not re-elected, and the incoming Liberal government abandoned the AdeLINK project. However, from the perspective of the Greens we have continued to be concerned about the lack of investment in public transport, in particular the potential for trams.

It is for that reason that I took to the airwaves earlier this week to spruik the benefits of a tram extension and, in particular, talk about the potential to extend the tram from the city to Norwood.

I understand that in Labor's original proposal they were talking about extending the tramline up to The Parade. We in the Greens said, 'Let's look at all the options, let's look at potentially extending the tramline from the Botanic Gardens stop, up Payneham Road and up to the Portrush Road intersection. We could allow cars to run on the tramlines, as we have seen in Melbourne, which would reduce congestion.'

It has long been the policy of the Labor Party that they are supportive of trams; indeed, in Labor's election policy document from 2022 they make a statement about the benefits that flow from trams. The policy document states that, 'Each train or tram in South Australia could take up to 540 cars off the road.' The policy document reads that they are some of the most energy-efficient modes of transport, 'with greenhouse gas emissions per passenger kilometre up to five times less than that of cars.'

With that in mind, when I suggested that the Greens would be moving for a feasibility study in the parliament this week I assumed I would get enthusiastic support from the relevant minister, the Hon. Tom Koutsantonis. Well, I nearly choked on my cornflakes when I heard the minister's response, where he flatly rejected the idea and said that he was ruling it out and that there would be no tram up to Norwood. He went further to say, 'I don't think a tram would do anything to decrease congestion, it will make the problem worse.' That is a real contradiction with the policy position the Labor Party has had for some time.

Of course, he was backed up by his ideological soulmate in the party, the Hon. Vincent Tarzia, who came on the airways as well to support the Labor Party's policy position, their 'do nothing' position, on trams. We have heard about Thomas the Tank Engine; well, we have Thomas the car engine in Minister Tom Koutsantonis in South Australia, because he does not want to look at trams. He is committed to cars; indeed, this is a government that is pumping billions and billions of dollars into the north-south road corridor project but will not even consider a feasibility study to look at how we can get trams back on the agenda.

Trams cost approximately \$120 million per kilometre, whereas a six-lane highway, which would carry the same number of people, costs \$150 million per kilometre. The route that the Greens have proposed in terms of extending the tram network down to Norwood would cost 3 per cent of the total budget of the north-south corridor project—just 3 per cent—so it is a question of priorities.

Most of the issues that are raised with trams are solvable. People say there is a loss of car parking or that there could be a loss of grass and the like; all of these things can be solved. After all, we are not talking about sending a man to the moon, we are talking about laying some tram tracks and I think we can do that. What we do know is that when you build tramlines people use them—they are popular. Last financial year, 7.4 million trips were taken on Adelaide trams.

The extension to the Botanic Gardens and the Adelaide Entertainment Centre has been a very successful public transport project for Adelaide. Let us put trams back on track for our state. It is really disappointing to see this U-turn from the Labor government. I hope that the minister, the Hon. Tom Koutsantonis, was misspeaking. Perhaps he got it wrong and has taken the wrong turn on behalf of this Labor government. The Greens are here to help, as always. If he has made a mistake he can of course support our motion and we can work together to explore this.

It is some time since an analysis was done of the potential to expand the tram network in South Australia. We are recognising that the costs may have increased due to inflation and the like, and that is why I have proposed to do this study. Let us look at what options are available and at how much it would cost to get this happening again.

To say that in this era of climate crisis, to say that in this era of cost-of-living crisis, that trams are not going to play a role in terms of the public transport solution for South Australia is a real shame. I hope the minister is less like Thomas the car engine and a bit more like Thomas the Tank Engine in terms of turning his mind to the potential for trains, trams and public transport to really deal with the climate crisis and to reduce the pressure that South Australians face at the bowser.

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

## CHILD SEXUAL ABUSE

**The Hon. L.A. HENDERSON (16:27):** I move:

That this council—

1. Acknowledges that one in three girls and one in five boys are sexually assaulted by the time they turn 18;
2. Acknowledges the call on the federal Labor government to close the legal loophole which protects paedophiles' superannuation from access by their victims and survivors; and
3. Calls on the Malinauskas Labor government to urge their federal counterparts to adopt a policy addressing the legal loophole around superannuation for victims and survivors of child sexual abuse.

The act of child sexual abuse is the most unforgivable of acts. It is to strip a child of their innocence, it is to strip a child of their childhood and it is to take advantage of an inherent imbalance of power, to abuse a position of trust. It is behaviour that is vile, disgusting, inexcusable and unforgivable. Our children deserve better and they deserve to be safe. They deserve to keep their innocence and they deserve to have a childhood.

It saddens me that so many children in our community have had their childhood ripped away from them through no fault of their own. It saddens me that so many in our community will be left with scars due to the acts of the vile, cowardly and disgusting individuals who prey on the innocent and the vulnerable.

The South Australian District Court list for 25 January 2024 showed that among the 51 matters to be heard that day a staggering 16 related to the sexual abuse of children. That is around 31 per cent of all cases. That is a sickening statistic, and it should alarm us all. Concerningly, we know that this is a tiny fraction of the offences committed. It has been reported that for every 1,000 reports of child sexual abuse only six end up with a conviction, and around three of those are overturned on appeal. This figure represents only a small portion of offences being committed. It should be noted that many offences are not reported to the police and therefore, of course, are not captured in these statistics. Many victims will never share their story.

I think it goes without saying that reporting historical childhood sexual crimes can be extremely distressing for survivors. To come forward, to seek justice, is to have to relive this traumatic event or events not just once but many times, over and over, as they have to retell their story. Through all of this there is no guarantee that a survivor will successfully record a guilty conviction or recover their compensation damages. Understandably, some may commence in the process and then subsequently withdraw if they find it too overwhelming.

The Royal Commission into Institutional Responses to Child Sexual Abuse found that survivors of sexual assault take on average 24 years to tell someone what happened to them. By virtue of the passage of time it can make it difficult for the prosecution to secure a conviction, noting, of course, that the burden of proof in criminal matters means that any offence must be proven beyond reasonable doubt.

The very sad reality is that many of these vile offenders may never see the inside of a prison cell—an injustice to survivors everywhere. The reality of the criminal law burden of proof, coupled with the passage of time, can mean that victims and survivors often seek an outcome through the civil jurisdiction, where the offence could be found to have occurred, weighed up by the civil burden of proof being on the balance of probabilities.

It is my view that if a court is satisfied that sexual abuse has occurred and awards monetary compensation in favour of the civil applicant the victim should be able to claim the awarded compensation, either through enforcement of judgement or settlement, via the offender's superannuation as a part of the assets to claim distribution, even if no criminal conviction is recorded.

Currently, there are three clear avenues through which a victim of crime can seek compensation. They are as follows: state and territory compensation schemes, which pay compensation directly to a victim or survivor of crime, such as the Victims of Crime Fund in South Australia; civil action pursued by the victim or survivor against an offender or alleged offender for damages, requiring the offender to pay the victim or survivor; and the National Redress Scheme,

which is available specifically for survivors who were abused in a participating institution and which expires in 2028. It should be noted that, once the redress scheme finalises, survivors will return to needing to claim compensation via civil suits against government schools and institutions.

As I have stated, the reporting of allegations of child sexual abuse often occurs significantly later, sometimes decades after, when those who were children at the time reach a point in their adult lives where they may be willing to come forward. From a practical perspective, this means that their Victims of Crime Fund compensation payment may be greatly reduced.

To be perfectly honest, I was very surprised when I learnt that an abuser's superannuation was not available to the victims of crimes they commit. This means that wealth they have accumulated over many years, which should go towards compensating victims of their vile abuse, can be reduced to the extent that civil action filed on behalf of a victim or a survivor is almost pointless.

It has been reported that convicted paedophiles have been able to hide their assets in their superannuation to avoid compensating their victims. The responsibility therefore falls on taxpayers to compensate victims from the existing state Victims of Crime Fund or from institutional cases from the federal pool available following the royal commission, which the state has also contributed to.

With historical cases claiming through the state-funded Victims of Crime Fund, some victims have been limited to recovering as little as \$1,000 or nothing at all. As one can imagine, this leaves victims and survivors with little to no support, as they try to seek the help that they need because of this crime, and a continued sense of injustice after many years of trauma. By way of example, in the well-publicised case of former magistrate Peter Liddy, who was jailed for 25 years for the abuse of multiple children in the 1980s, before he was sentenced he moved his assets—understood to be worth millions—into his superannuation, protecting them from claims by his victims.

Last year, survivor Edan van Haren, who is 27 years old, was awarded \$1.4 million in damages and court costs for the psychiatric harm caused to him as a teenager by Maurice van Ryn, a former chief executive at Bega Cheese. An article from November 2023 indicates that this serial predator also rushed to squirrel away his millions before being sentenced to 13 years in prison. When some of his 10 victims sought compensation they discovered that Maurice van Ryn was essentially broke on paper and that his superannuation was insulated from any claim. The victims of his offending were left to accept a small compensation offer.

I would like to share with the chamber some examples that have been provided to me from a group called Super for Survivors. It says that survivors face many hurdles in claims for compensation. The control aspect of offenders usually continues throughout civil claims. Many cases have seen offenders abuse their financial position in order to exploit this loophole. This results in survivors never realising the full damages they have sustained. Recent cases run by Andrew Carpenter provide examples of the cycle of abuse continuing and how the survivor will never obtain the entire redress that they deserve.

The first example is Mr M, who was abused by his uncle. The uncle was a notorious convicted sex offender in South Australia. Mr M reported this conduct—which took place regularly between 1974 and 1978—in 2010. Due to the passage of time, police did not believe they could secure a conviction beyond reasonable doubt and closed the file. Mr M commenced proceedings. The offender had previously been sued by multiple survivors who secured a conviction against the offender. The offender sold his house to compensate his other victims. The offender is currently serving a term of imprisonment of 12 years.

The offender split the balance of the sale of his house into his superannuation account, which has a balance of \$770,000, and into his solicitor's trust account. Steps were taken to obtain a freezing order, however, the usual carve-outs for freezing orders enable the offender to access \$500 per week for daily living expenses. The offender is able to access these funds despite being sentenced to 12 years' imprisonment. The offender is therefore able to spend \$500 per week in jail on commissary items for the next 12 years, with funds accessed from his superannuation, at the cost of \$312,000.

As the law currently stands, Mr M is only to access the minimal funds held in the lawyer's trust account in the event he succeeds with his action at trial, whilst the offender can utilise his superannuation whilst incarcerated. Mr M has been on Centrelink for almost all of his adult working

life. He has required and continues to require ongoing psychiatric treatment, and will be on medication throughout the remainder of his life. The taxpayer has incurred substantive costs on his life, and the offender has contributed nothing despite being the sole cause of his injuries and losses.

The second example is Ms S, who was groomed by her godfather over a period of time. The abuse commenced when she was 13 years old and continued for some time. Fortuitously, multiple members of the public witnessed her being abused by the offender in public and called the police. The offender was convicted in the District Court of South Australia. He appealed to the Supreme Court; however, the finding of guilt was upheld. He appealed to the High Court, which upheld the finding of guilt.

In settlement discussions, the offender took the position that he had millions of dollars in superannuation, which he obtained after selling a successful company he founded, and was prepared to lose his house in defending this civil action. This was despite the multiple findings of guilt against him. The offender openly stated that he could declare bankruptcy in order to keep his superannuation.

He also openly stated that he was prepared to spend \$20,000 a day on barristers to ensure Ms S received nothing from him. He blamed her for the abuse he committed against her. This was a further attempt to control his survivor. He knew the legal loophole would protect him. Ms S has only ever been able to hold employment of five hours per week and has required, and continues to require, treatment. As she received a lump sum settlement, she will no longer be on Centrelink, can afford private treatment and hopes to commence full-time work in the coming years.

The third example, and the last, is Ms S, who was adopted at 2½ years old and was physically abused every day until she was 13. The sexual harassment took place until she was 27. She required vaginal and anal reconstructive surgery due to the abuse she endured at such a young age. This treatment is continuing, and she will likely require further surgeries in her lifetime. Her hips are deformed due to the forceful penetration. Her wrists are also deformed due to being tied to the bed during the assaults committed by her adoptive father.

Her adoptive mother knew of the abuse and took no steps to prevent this abuse from occurring. Her uncle also abused her with the knowledge of the adoptive mother and father. The adoptive father also abused family friends and was convicted for such abuse. Despite this, Ms S was not removed from his care.

She was agoraphobic until she was 27 years old. She never left the house. She had no place to go and remained with her offender. He continued to expose himself to her when walking through the house. Ms S went to the police when she escaped the family home. Police set up a phone intercept in which the adoptive father made admissions regarding the abuse. He pled guilty to eight counts of abuse, rather than proceed to trial on thousands of counts of abuse.

When Ms S sued the offender, he transferred his house to a family member for \$20,000. She was subsequently awarded damages of over \$700,000. The claim would have been worth millions; however, the offender only had limited assets and pled guilty to eight counts of abuse, rather than thousands. Civil proceedings only pled the counts the offender pled guilty to due to the limited assets. Further, the offender could not defend the eight charges, due to his plea of guilt.

The house was transferred back into the name of the offender. A warrant of sale was issued and the property sold. The damages she received after obtaining a warrant of sale on the property came nowhere near the damages that she was awarded. The use of the offender's superannuation would satisfy the judgement sum.

Ms S has been unable to work or study. She will never be able to work, based on her physical and psychological condition. She is on a disability pension. Many other survivors have similar actions, whereby they are unable to claim damages as their offenders will declare bankruptcy to avoid paying any judgement sums. The bankruptcy would discharge the judgement and settlement. Offenders will continue to use their superannuation to restore their assets after proceedings are finalised. I have no words.



The horrendous scourge of child sexual abuse impacts the quality of life and the health of these victims and survivors in both the long term and the short term. The lack of avenues for compensation for some of these victims needs to be addressed, and soon.

This is ultimately why a federal law reform campaign called Super for Survivors was established, seeing Andrew Carpenter from Websters Lawyers, the Grace Tame Foundation, the Carly Ryan Foundation and Fighters Against Child Abuse Australia team up to pursue reform, seeking improved access to justice for those who have suffered at the hands of vile abusers. This campaign looks at closing the legal loophole that paedophiles use to hide their assets in superannuation to avoid compensating their victims. I commend them for their advocacy in this space, along with so many others who continue to advocate for victims and survivors of child sexual abuse.

While reforming superannuation law is a federal issue, ensuring the safety of children is everyone's responsibility. Ensuring that victims and survivors have the support that they need should be the priority for us as a community as a whole, in South Australia and across our nation. Should a victim successfully sue for damages and then be able to access compensation via the offender, the victim would then not need to seek to apply for compensation via victims of crime compensation, which of course is taxpayer funded and a state issue, or the redress scheme, ultimately reducing the cost to the state.

Should the federal government take this up—and I firmly believe that they should—the state and territories will play an important role in ensuring any outcome determined by the federal parliament can work within their current legislative and administrative frameworks for compensating victims of crime.

In closing, I strongly believe that a perpetrator should not be able to use their superannuation to prevent the rightful access to money and assets by victims of child sexual abuse offences that would otherwise be available for distribution in any successful claim. For some of these offenders who hide their assets in their superannuation, once they have served their sentence, if they even end up seeing the inside of a jail cell, they can almost return to their normal lives. Meanwhile, the victims of their vile offending are dealt a life sentence, at times with the ongoing need for psychological sessions, medications and financial welfare support.

It is my belief that the victims of these inexcusable crimes should be prioritised and protected, rather than their perpetrators, that as a state and as a nation, where we must choose between supporting the victim and survivor in seeking justice for crimes committed against them as a child or supporting the offender in hiding assets from their victims, we should be supporting the victim every single time.

If an offender is sued for compensation for their crimes against children, their superannuation should be up for grabs. This money would give survivors the best opportunity to rebuild their lives and seek the support they often need to provide a sense of justice where there has been so much injustice. This would mean that victims and survivors could have funds available to seek the specialised psychiatric treatment they need. They may be able to come off their welfare payments.

Victims are given a life sentence due to the nature of the crimes that are committed against them and there is nothing that will ever right the wrongs that have been committed to them at no fault of their own. Meanwhile, in many circumstances and in many instances, offenders will never see the inside of a jail cell.

Today, I call upon everyone in this place and I call upon the Malinauskas Labor government to urge action from their federal counterparts to effect change for the benefit of those who have suffered at the hands of vile abusers. Child sex offenders should be held responsible for compensating their victims, with all the funds made available for doing so. The system should be there to support these victims and survivors and, in my view, it is about time this system was no longer stacked against them.

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

## FOSSIL FUELS

**The Hon. T.A. FRANKS (16:48):** I move:

That this council—

1. Acknowledges that fossil fuel combustion is the primary driver of global heating and climate change, which is threatening the lives, livelihoods and health of people across the globe;
2. Notes the petition by Fossil Free South Australia calling for an end to the Santos-fossil fuel partnership of the Tour Down Under;
3. Notes that sporting organisations already say no to the dirty money on offer from tobacco, alcohol and gambling;
4. Notes that heavily profiting fossil fuel industries are greenwashing their public image by exploiting people's love of sport; and
5. Calls on the Malinauskas government to ban fossil fuel sponsorships for South Australian sporting organisations and events.

Today, I speak to a petition of over 8,000 signatures, a petition that has been put together over two incarnations by Fossil Free South Australia. That petition calls to end the Santos fossil fuel partnership of the Tour Down Under. The petition reads:

We support a Tour Down Under that promotes sustainability and showcases South Australia's forward-looking energy policy. Events SA partnering with Santos is inconsistent with the promotion of a healthy, clean sport such as cycling.

Santos is a fossil fuel company committed to expansion of the gas industry, including controversial 'fracking' projects. Santos has no credible transition plan towards net zero emissions.

Events SA should seek a new naming rights partner...with credentials that better align with the event values and Union Cycliste Internationale (UCI) sustainability principles.

A very simple call, and a very substantial petition of some 8,000-plus signatures via electronic means, which of course in this parliament faces a problem when it comes to tabling such a petition because we do not in this parliament yet accept electronic petitions. One would think, as Fossil Free South Australia did, 'No worries. We will just present it to the Premier.' The Premier refuses to meet you, so you then think, 'Oh, well. The petition is to EventsSA. We will just present it to EventsSA.' EventsSA also refuses to meet you and accept your 8,000-plus signatures calling for an end to this dirty fossil fuel partnership of Santos with the Tour Down Under.

So the Greens are very happy today to table those 8,000 signatures in this Legislative Council so that at least the parliament will finally hear the voices of those who have signed the petition. With that, I seek leave to table this document, which is 'The petition by Fossil Free South Australia to end the Santos fossil fuel partnership of the Tour Down Under'.

**The PRESIDENT:** The Hon. Ms Franks, I just need clarity. Are you seeking leave to table a document, or are you seeking leave to table a petition to the council?

**The Hon. T.A. FRANKS:** I am seeking leave to table a document that is called 'The petition by Fossil Free South Australia to end the Santos fossil fuel partnership of the Tour Down Under'. This is what that document looks like.

Leave granted.

**The Hon. T.A. FRANKS:** I will leave this here for the attendants to finally take carriage of the petition. It is one of the fundamental tenets of our democracy: the right of people to petition their parliamentarians. It should not take a motion of parliament to receive such a petition. I do think it is very sad that it has come to this.

What I would say is that it seems that when it comes to major sporting events, the Premier has been there for the photo-op but not for the follow-up, to borrow someone else's statement. I will also share with the council today some of the thoughts and comments that came with the petition because I feel that, unless they are heard in this council chamber by this parliament, they may be silenced. Peter has signed and says:

Please don't compromise the long term safety of our environment for short term gain. For the sake of our future climate and there for future cycling events...Keep Santos out this year

A further comment, from Pamela:

Really, this petition should not be needed. Australia's love affair with coal needs to be replaced with sustainable options. We are a disgrace on the world stage.

Mark writes:

I'm a former coal worker who quit the industry in disgust on eventually becoming aware of how damaging it was. At the time I wondered how long it would take the broader community to view the coal industry with the same disgust. It's taken far too long. Similarly, it is taking far too long to realise that the gas industry is no better. Your association with SANTOS should be an embarrassment to you. You are as complicit as they are in fuelling climate change. Get rid of them!

Another comment, from Kim:

For many years now I have watched companies like Santos pretend to be good corporate citizens. Like many fossil fuel companies they move into vulnerable communities sponsoring football clubs, charities and events. At the same time landowners are fighting to protect their environment, groundwater and livelihoods. Santos's coal seam gas Pilliga project in NSW is a perfect example. They have run roughshod over the wishes of farmers, environmentalists and community members for years. It is time to stop accepting funding from all fossil fuel companies.

Jo writes:

Companies should not be able to buy their community approval by slapping their logo on a high profile sporting event. This should be a fossil free event, on bicycles!

Jenny writes:

How can you accept donations or sponsorship from a company that pays NO TAX, whose greed has led to huge increases in gas prices for Australians and whose fracking activities add to climate change and destroy rural communities? Please don't.

Dr Steven Gratton writes:

The hypocrisy of Santos being allowed to sponsor a major cycling race and advertise their polluting fossil fuel activities in total disdain for South Australia's renewable energy record is not lost on the people of Australia. It's time for Events SA to take the ethical and moral stance of ditching Santos and finding a suitable major sponsor.

Dorothy writes:

Stop gaslighting us and move to a green sponsor. The only gas we need is that supplied by our foot on the pedal of a bike.

Clare writes:

As a GP, I am fully aware that climate change is our biggest threat. Health activities like bike riding are not compatible with fossil fuel consumption. We need to make EVERY effort, including denying damaging sponsorships, to influence our future away from impending disaster.

This is the Big Tobacco playbook—pay peanuts to associate a scourge on humanity with something attractive and healthy. Why are we still falling for it? As the person responsible please be responsible and don't accept such tainted money.

Chris writes:

Do not sell social license to social and environmental destroyers such as Santos.

Bryan writes:

I'm a cyclist—there's no place in cycling for fossil fuel companies anymore. The evidence is overwhelming. Clean cyclists, clean sponsors!

Angela writes:

We are a laughing stock around the world. You would never hear 'The Chevron Tour de France' or 'The Shell Giro'. Only in Australia—so embarrassing.

Amber writes:

Climate change is bad news for the TDU, with the number of days over 40 degrees predicted to increase by 60 percent over the next decade. Bushfires are also more likely, and hence disruption from smoke. Imagine the sad irony in the Santos TDU being cancelled.

Alfredo writes:

Santos doesn't have social license to exploit Australian resources! They don't pay any taxes and contribute to the Climate Changes with toxic emission and contaminate underground aquifers.

Andrew writes:

I am a keen rider and have love the TDU over many years, seeing numerous sponsorship partners come and go. I am also very concerned about climate change and the urgent and critical need for the world to transition away from fossil fuels. I am therefore extremely dismayed that my favourite annual sporting event in South Australia continues to be sullied by its association with what I consider to be an unethical company that apart from polluting the earth, pays very little tax, receives government support and steamrolls over the wishes of indigenous people to maximise its profits. I implore you to drop Santos as a sponsor of the TDU.

I am happy to bring this petition to this council today and this broader motion to raise these issues to the awareness of this parliament. I also commend those members of Fossil Free South Australia. Fossil Free South Australia is working to rapidly end fossil fuels by contributing to a global climate movement, and it is taking action right here in South Australia.

It has a campaign, #BreakAwayFromGas, and that campaign is to pressure EventsSA to end Santos's partnership with the Tour Down Under. Santos, it claims, must not be allowed to use this prestigious event to greenwash its activities. The company cannot present itself as community-minded when its business model directly contributes to the climate crisis and extreme weather events, which ironically disrupt the event itself.

Quite simply, BreakAwayFromGas and Fossil Free South Australia want to see the Tour Down Under continue with the support of clean corporate partners that are not linked to fossil fuel industries or the financial institutions that sustain them. Fossil Free SA is part of 350 Australia, and 350.org Australia aims to rapidly end fossil fuels by building a global climate movement. I would hope that 350.org would be very familiar to some members of this place, if not all of them.

Other organisations involved in this petition and in this particular campaign include the Australian Conservation Foundation, the premier Australian national environmental organisation that has been around since 1965 protecting the nature we all love, our unique wildlife and our beautiful beaches and bush. It includes Extinction Rebellion, more of a newcomer to the scene but a decentralised international and politically non-partisan movement using nonviolent direct action and civil disobedience to persuade governments to act justly on the climate and ecological emergency. Extension Rebellion is a global movement that has been around since 2018. As I said, it is a recent newcomer to the space.

Another name members would be aware of, of course, is Greenpeace, a leading independent campaigning organisation that uses peaceful protest and creative confrontation to expose global environmental problems and promote solutions that are essential to a green and peaceful future.

I commend all those groups, and I thank the individuals from those groups who, in representative roles, met with me this week to present that petition. As I said, they sought a meeting with the Premier to present the petition, and were denied. They sought a meeting with EventsSA to present that petition, and were denied. I question why a petition of some 8,000 plus signatures cannot even secure a home with those it seeks to petition, be that the Premier or EventsSA. Surely some public servant could have taken the folder and put it in the Premier's inbox so that the Premier would actually see the depth of community concern about what is going on.

It is no surprise there is community concern, because we are in a climate crisis. As our rivers dry up and our country burns, people from all walks of life are coming face-to-face with the harsh reality of our changing climate: raging bushfires, prolonged droughts, air so thick with smoke one cannot breathe—that, in fact, one might need to take holiday in Hawaii to avoid. These things should not be normal, but if we continue down the path we are currently on they will be. We must face a harsh but necessary truth: fossil fuels have had their day.

Many Australian sporting organisations are beginning to take action to reduce their climate pollution and climate pollution footprints and leverage their significant media profiles to promote environmentally positive behaviours. We welcome that. As they do so, the appropriateness of coal, gas and oil sponsorships and partnerships is, quite rightly, receiving increasing public scrutiny.

In 2021, the Australasian Centre for Corporate Responsibility (ACCR) commenced landmark proceedings in the Federal Court, alleging that Santos Limited had breached the Corporations Act 2001, under the commonwealth, and the Australian Consumer Law by engaging in misleading or deceptive conduct relating to its supposed 'clean energy' claims and its net zero plan in its 2020 annual report.

The Malinauskas government should be following this case quite closely. This was the first court case in the world to challenge the veracity of a company's net zero emissions plan. In August 2022, the ACCR amended its case to include alleged greenwashing in Santos' 2020 Investor Day Briefing and 2021 Climate Change Report following additional information produced by Santos in the litigation discovery process. In October 2023, the Hon. Justice Michael Lee ordered Santos to provide written statements on the key evidence and assumptions behind its emissions reduction targets.

I also draw members' attention to the Out of Bounds Report, which certainly does look at the greenwashing that is currently occurring in our sport. Sport is a key part of our cultural identity in this country. Many of us love sport, many of us love to play sport, participate in sport and watch sport.

The Boston Consulting Group has estimated that sport contributes some \$50 billion annually to our economy across the nation each year. Climate change is having growing impacts on Australian sports at elite and community levels, and by 2040 heatwaves in Sydney and Melbourne could reach highs of 50° Celsius and threaten the viability of iconic sporting events, such as the MCG Boxing Day Test or the Australian Open.

At a community level, extreme heat is posing significant health risks to participants. Climate change is also driving longer and more intense bushfire seasons, exposing athletes and spectators to dangerous air pollution. So climate change is both an immediate and future threat to sport in our nation. From flooded-out music festivals, concerts cancelled by bushfire threats, to extreme heat disrupting play at the cricket, climate change, driven by the burning of coal, oil and gas, is putting our sports and events—those sports and events that we love—at risk.

Even in the midst of the climate crisis, giant fossil fuel companies, like Woodside, Santos, Chevron and Glencore, are greenwashing their image by sponsoring hundreds of Australian teams, arts institutions and community events, while leveraging the positive image of sport and fan loyalty associated with domestic and national teams.

A number of high profile sports teams, including the Australian Rugby Union team, the Wallabies and the Australian Football League's Fremantle Dockers, have high-profile sponsorship relations with fossil fuel corporations. With these fossil fuel relationships comes reputational risk. Sporting organisations do have a history of moving away from corporate sponsors due to growing public awareness about the harm a particular product inflicts on our society.

One could not imagine today tobacco or alcohol being a sporting sponsor, and gambling—again, just some of the industries that have faced regulation over the years to control their involvement with our much-loved sports as a promotional platform to launder their bad image because of public concern at the impact of individual and community health and wellbeing quite rightly calling out those sportswashing attempts.

The sport industry in Australia is highly visible, it is a key part of our cultural identity, and 77 per cent of Australians call themselves sports fans. This is one of the most visible ways that corporations can align themselves with something that Australians love: these well-loved sporting bodies. When these sponsorships include controversial partnerships like coal, oil and gas, which damage the health of people and the planet, this association becomes particularly problematic.

Sponsorship arrangements between sporting organisations and corporations which extract or retail coal, gas and oil are now likely to be heavily scrutinised by sports fans as global and national concern at the impact of climate change on our health as humans and our planet grows. Sport provides substantial benefits to fossil fuel industries that sponsor them. They allow these fossil fuel companies to create a positive association with millions of sports fans, while continuing to do that irreversible harm to our people and to our planet.

We need to have sponsors for sport that help, not harm, our planet. That is why people are calling out the TDU sponsorship by Santos. That is why people have signed this petition I tabled today, and that is why the Malinauskas government must seriously look at moving to fossil free sports and moving away from fossil fuel sponsorship of our much-loved sports. With that, I commend the motion.

Debate adjourned on motion of Hon. J.E. Hanson.

### **ASSANGE, MR J.**

**The Hon. T.A. FRANKS (17:09):** I move:

That this council—

1. Notes that—
  - (a) on 20 and 21 February 2024, the High Court of Justice in the United Kingdom will hold a hearing into whether Walkley Award winning journalist, Mr Julian Assange, can appeal against his extradition to the United States of America;
  - (b) Mr Assange remains incarcerated in HMP Belmarsh in the UK, awaiting a decision on whether he can be extradited to the USA to face charges for material published in 2010, which revealed shocking evidence of misconduct by the USA; and
  - (c) both the Australian government and opposition have publicly stated that this matter has gone on for too long.
2. Acknowledges the importance of the UK and USA bringing the matter to a close so that Mr Assange can return home to his family in Australia.
3. Requests the President urgently write to the US Ambassador reflecting the resolution of this council.

This motion before us notes that today, on 20 and 21 February 2024, the High Court of Justice in the United Kingdom is holding a hearing into whether Walkley Award winning journalist, Mr Julian Assange, can appeal against his extradition to the United States of America. It notes that Mr Assange remains incarcerated in Belmarsh prison in the UK awaiting that decision of whether he will be extradited to face charges for material published by WikiLeaks in 2010, which, of course, revealed shocking war crimes by the US.

It notes that both the Australian government and the opposition at a federal level have publicly stated that this matter has now gone on for far too long, and it acknowledges the importance of the UK and the USA in bringing this matter to a close so that Mr Julian Assange, an Australian citizen, can return here, safely, home to his family. It also, should it pass, Mr President, requests that you, as the President of this Legislative Council and our representative, write to the US Ambassador, Caroline Kennedy, reflecting the resolution of this council. Put simply, it is time to bring Julian Assange home.

In 2010, Chelsea Manning, an intelligence analyst in the US military, bravely broke US law to blow the whistle to WikiLeaks about US war crimes. Chelsea was bound by military and criminal law. She lived in the United States, and she was a United States citizen. In 2013, Chelsea was convicted of 17 serious criminal charges and sentenced to 35 years' maximum-security imprisonment. Four years later, Manning's government acknowledged the wrong in imprisoning her and her sentence was commuted by the then US President, Barack Obama, and she was released from prison in 2017.

In 2010, Julian Assange, an Australian journalist living outside the United States, with no legal or contractual obligations to the United States, published Manning's material on WikiLeaks. This included thousands of documents that exposed the brutal reality of US-led wars. One of those was the deeply distressing video of a cold-blooded murder by a US Apache helicopter of Iraqi citizens, which included two Reuters journalists.

Since then, the US has been openly targeting Julian Assange in order to prosecute him under the United States Espionage Act. In late 2010, the US National Security Agency added Assange to its 'man-hunting time line', an annual account of efforts to capture or kill alleged terrorists. For the decade that has followed, the US named Assange as effectively an enemy of the state, and in

2019 he was charged with multiple breaches of the US Espionage Act, with a maximum sentence of 175 years in prison.

For the past four years, Julian Assange has been held in solitary detention in a UK maximum-security prison awaiting extradition to the US. Unfortunately, it is not the first time this council has had to move to push to ensure that Julian Assange is brought home, but it is, perhaps, more critical now than ever that we speak—hopefully with one voice today—to make it clear that it is time to bring Julian Assange home.

The UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment visited Julian in May 2019 and even at that stage reported serious concerns about his detention and his health. Years later, we have a situation where the very next thing that might happen to Julian Assange is his transportation to the United States. Let us be clear: given Mr Assange's health, any sentence of imprisonment under the notorious US Espionage Act and extradition to the US would almost certainly be a death sentence. It cannot be allowed to come to that.

That is a very large part of the reasons you will see so many people from right across the political spectrum saying that this has gone on far too long. He is now facing a grave risk to his life because it has gone on for so long. That is why this critical next step must be to ensure that Julian Assange is brought home.

An open letter from the federal Bring Julian Assange Home Parliamentary Group, which was published in *The Washington Post* and signed by 63 federal parliamentarians, emphasised the wrongdoing by the US to deny him his liberties. That letter concluded by saying:

We note with gratitude the considerable support in the United States for an end to the legal pursuit of Mr Assange from members of Congress, human rights advocates, academics, and civil society, and from within the US media in defence of free speech and independent journalism.

Today, Mr Assange's legal team is making the final plea to the UK's High Court to block his extradition to the US. If he is convicted, the US will set a legal precedent that means any publication of US government information by anyone, anywhere, could result in espionage charges under those US laws.

Just to stress this again, it should be quite clear to most people now that the US Espionage Act is here being applied to somebody who is not a US citizen, who was not in the US at the time. It is being used in a political way to silence freedom of speech and freedom of the press. Should it succeed, should Mr Assange be extradited, this will be damaging—beyond damaging—for journalists in the future, damaging for the ability of the media to hold governments to account, to say uncomfortable things about governments, things that might be uncomfortable for their own government, and to know that you can tell the truth without facing imprisonment and without facing a risk to your own life for laws that are established in another country that should not apply to you.

That is why there is global support for Julian Assange to be returned home. It is particularly strong in Australia, as it should be; he is an Australian citizen. He has become symbolic of journalists right across the world, who face attacks on press freedom, often shrinking government accountability and, in some jurisdictions, persecution ranging from political prosecutions through to murder.

A motion very similar to the one that I put before the council today last week passed the federal House of Representatives with the support of Labor and the Greens. I acknowledge there the work of my federal Greens colleagues the Hon. David Shoebridge, Senator, and the Hon. Peter Whish-Wilson, Senator, for pushing for this at that federal level as well as, of course, my Greens and other colleagues in the House of Representatives. I also want to acknowledge the work of Jodie Saad and Adelaide for Assange for their advocacy and all others who have pushed for justice for Julian.

As WikiLeaks wrote in their statement responding to the extradition news, Julian Assange's freedom is coupled to all our freedoms. To quote the United Nations High Commissioner for Human Rights:

The safety of journalists is not just a question of personal security, it is a question of the safety and health of entire societies. It is a moral imperative—for the future of all of us—that we do everything possible to protect it.

This man has suffered enough. This matter must be brought to an end. I hope that we join together today and say clearly from this Legislative Council in the Parliament of South Australia that we want to see Julian Assange brought home. With that, I commend the motion.

**The Hon. F. PANGALLO (17:17):** I fully endorse the comments and the motion that has been put up by the Hon. Tammy Franks. This is the third such motion that has come before the Legislative Council. As members know, I have previously put up two, and I was intending to put another up, but I think the Hon. Tammy Franks summed it all up in her motion.

I am hopeful that today we will see a change of heart from the two political parties, certainly from Labor, who have already indicated that they now will support moves to get Julian Assange out of his prison hell and returned to Australia. They did so in supporting Mr Wilkie's motion in the federal parliament last week, and it was a resounding result. It was a complete about-face by Labor, who, because of the influence of the foreign minister, Penny Wong, had previously twice in this place told Peter Malinauskas to oppose the motion that was seeking what we are seeking here today.

Clearly, Labor now has found a conscience about Julian Assange and what has happened to him over a number of years, and particularly what has been going on in the Belmarsh prison, and now there are concerns about his mental health and wellbeing. The state of his health has been raised in the proceedings currently before the UK courts. The fact is that he has been held in there for far too long and there is no point in keeping him in prison, awaiting the outcome of his appeal.

This may well be Julian's last roll of the dice in terms of trying to avoid extradition to the United States. We know that the Americans tried to get Mr Assange extradited to the US by stealth when a concocted story of rape allegations was made, which was later abandoned by the Swedish government. There was no evidence that Mr Assange had ever committed that crime, and it was the common belief that Mr Assange was being set up in order to have him extradited to the United States to face proceedings there for doing what any journalist worth his salt would do, and that was to expose horrendous war crimes and also the murder of innocents that came as a result of that.

Yes, there were thousands of documents that were released. In fact, Mr Assange had also notified the authorities that he had had these documents, and he warned of their impending release. Regardless of that, what he had done was in the public interest, in the global interest. Speaking as a journalist myself, if that information—and I have said this before—had come to me, I would have had absolutely no hesitation in running that story, absolutely no hesitation. It is all about transparency and the public interest. We all had a right to know how American forces were conducting themselves in those operations. That evidence, if people have seen that video, is horrific. Of course, the Americans were totally embarrassed by that information coming out, along with all the other information.

I must point out that, despite the release of all those documents and names and other information that has come out as a result of the WikiLeaks leak, not one person has been harmed or killed as a result of it—not one person. The only persons who have taken umbrage are the United States government—and then it tries to invoke its Espionage Act, which, as the Hon. Tammy Franks has pointed out, is a piece of its own legislation that it tries to police to others around the world. They have no jurisdiction outside their own borders to try to implement this act in order to get their pound of flesh and get Mr Assange back to the United States.

You wonder what is going to happen when they get him there. There could be no purpose in having Mr Assange return to the United States. I think everyone is aware and probably would acknowledge that what he has gone through for the last 10 or 15 years has been horrendous: horrendous for him and horrendous for his family. There was the period in which he was holed up in the Ecuadorian embassy, and then those charges were dropped. Then, of course, he was later arrested for breaching bail conditions in the UK. Since then he has spent time in Belmarsh prison, most of it in solitary confinement, in the most cruel of conditions. All this is because Mr Assange believed in his motivation: he believed in his craft, his profession as a journalist, and believed in exposing the wrongs. As a result of that, he has been punished for telling the truth.

Telling the truth should not be a crime. It should not be subjected to harassment and influence by governments, particularly that of the United States, just in order to make somebody pay for creating an international embarrassment for them because of the way they behaved.



Again, I will say this: journalism is not a crime. I have heard opponents to my motion previously try to say that Julian Assange was not a journalist. I cannot understand why anyone would try to describe him as a person who was not a journalist. His job was the dissemination of news information. He did that through his WikiLeaks site, and he was also given a Walkley Award, which is the highest distinction that a journalist in Australia can achieve.

It is quite clear that there is now unanimous support around the world for some mercy to be shown towards Mr Assange. He has already had strong support from many news organisations around the world, particularly in Europe and the UK. He has also had strong support from governments, especially European governments, which have demanded he be released and be allowed to return to Australia.

I want to touch on the enormous support that Mr Assange has received from so few, not only in this country but also overseas, which is now growing, particularly in Australia. There was a small band of people who were actively protesting outside the offices of Penny Wong, the foreign minister. The Adelaide for Assange group is run by Jodie Sard, who has done a fantastic amount of work in continuing to put out messages expressing concern about Mr Assange and also calling on governments to act.

This group has been meeting outside the offices of Penny Wong now for more than a year and a half. It could be getting to two years. I have spoken outside those offices two or three times. I know that the Hon. Tammy Franks has also spoken. There is always this group of determined protesters there. Sometimes it only numbers a dozen or so people, but they are always there sending that message.

Incredibly, since they have been there, they have not even been acknowledged by anyone from Penny Wong's office, nor has Penny Wong agreed to meet with Mr Assange's supporters. That has not happened at all. But now we see that there is a change of heart, and it is pleasing to see that finally Prime Minister Anthony Albanese is saying that something has to happen and that something needs to be done. We do not know if he said something to President Joe Biden on his last visit there, although it seems that he may well have raised Mr Assange's case.

We will wait to see what happens and wait to see what reaction the US government gives to that overwhelming endorsement of the motion that succeeded in our federal parliament last week. It sends a very clear message to the Americans that Australians have had enough, the Australian government has had enough, and we want to see our citizen returned home. It is as simple as that.

Right now, the American President could write an order to withdraw those charges and even give a pardon to Mr Assange, if he wishes to do so. You would think that it would be in the best interests of the relations that we have with the Americans that Mr Biden would now at least do something that would appease the supporters of Mr Assange and what the Australian parliament wants and hopefully what the South Australian parliament wants.

In closing, I would also like to acknowledge the work that has been done by Mr Assange's family, his wife in the UK, his father, his brother and others who have consistently and constantly traversed the globe seeking out support from various leaders and countries for their son. It has been a long journey for them, but one hopes that we are finally getting to a resolution, and a satisfactory resolution, that will see Mr Assange able to return home to his family. He has some children, who are longing to see their father, and he also has family in Australia.

Again, I point out that I will not hear of members in this place, members of the opposition, the Liberals, condemning Mr Assange for the work that he did as a journalist in the free world. It is all about free speech, it is all about transparency, it is all about accountability. It is also about ensuring that truth is told. This is what one of the foundations of journalism is all about. It is about truth-telling and also being able to expose criminal acts in the public interest. That is what he did. It is exactly what he did, and he should be lauded for that.

I hope when he is released that he is lauded when he returns to Australia. I certainly would look forward to actually meeting him and thanking him for his determination, his dedication, his commitment and also the sacrifices he has had to endure the last number of years. With that, I say that I will strongly endorse the motion by the Hon. Tammy Franks.

**The Hon. J.M.A. LENSINK (17:31):** The Liberal Party is, consistently, not going to be supporting this particular motion, as we did not in the federal parliament recently. Our reason is not that we disagree with all the content that is in the motion but is the simple fact that Australia is not a party to the legal proceedings currently underway in the UK. Australia is unable to intervene in the legal processes of another nation, just as we would not accept another country intervening in Australia's legal proceedings.

The former Coalition government made representations to both the UK and US authorities about Mr Assange's case. The Coalition and the Australian High Commission in London sought to provide consular assistance or assistance with medical support to Mr Assange, just as we would do for any Australian citizen who is held in detention overseas. However, Mr Assange refused these requests and since 2019 has not provided his consent for information about him, including on his health and welfare, to be shared with Australian officials.

I appreciate that some members of the public feel very strongly about Mr Assange's situation, but as I have said, Australia needs to respect the rule of law in countries such as the US and the UK. There is no doubt that it would be in everybody's best interests, none more so than Mr Assange's, for his case to be resolved as soon as possible. We will not be supporting this motion.

**The Hon. R.P. WORTLEY (17:33):** I rise to support the motion of the Hon. Tammy Franks, and I congratulate her on bringing this motion to the chamber. Julian Assange is this week appearing before the UK's High Court of Justice to appeal against his extradition to the United States. Mr Assange has spent the last five years in London's high-security Belmarsh prison while challenging his extradition to the US over matters relating to documents published on the WikiLeaks site, which Mr Assange founded.

I would just like to remind people that Chelsea Manning, who leaked those confidential documents—some classified, some not classified but very sensitive—to Mr Assange has had her sentence commuted by President Barack Obama. She has actually been free for seven years.

It is not unusual for the Australian government to make statements, plead to a government, send motions to a government or represent Australian citizens to a government even though they are not party to legal proceedings.

We can just take the example of China. We often call on the Chinese for mercy or leniency or for a fair trial for Australian citizens. I remember about 12 years ago a young South Australian citizen was hanged in Singapore for drug-related charges. Unfortunately, we were not very successful on that occasion, but Australia made very strong representations to that country. The Liberals are really scraping the bottom of the barrel with their excuses not to support this motion.

To repeat the sentiment expressed by the Prime Minister last week, there are, of course, many varying views about the conduct of Mr Assange. Regardless of where these views stand, this drawn out matter cannot go on indefinitely the way it currently stands. Whilst it is not appropriate for any country to interfere in the legal processes of another, it is appropriate for the commonwealth government to put their very strong view to the countries involved: that enough is enough and, in the present circumstances, this matter should be brought to an end.

As outlined in remarks made by the Prime Minister to the commonwealth House of Representatives last week, the Australian government, as well as its diplomats, continue to make representations at the highest level to the governments of the United States and the United Kingdom about this matter. I understand the foreign minister has asked the High Commission of the United Kingdom to continue to convey Australia's expectation that Mr Assange is entitled to due process, humane and fair treatment, access to proper medical care, and access to a legal team.

It is not new to this chamber to support Australian citizens when there is a belief that due process has not taken place. This chamber was the only parliamentary chamber in the country, about 10 or 12 years ago, to pass a motion, by one vote, calling upon the repatriation of David Hicks. That was strongly opposed by members of the Liberal opposition at the time, but it got up by one vote, and that one vote was Mr Andrew Evans from Family First.

Family First actually split their vote for the first time—I do not think they have done it since—because, after discussions, they realised that, forgetting about David Hicks and a lot of negative

publicity about David Hicks, for any Australian citizen to be in a jail or incarcerated for five years (it may be a little longer) without charge is an appalling lack of due process.

This chamber passed a motion, by one vote, and, not long after, David Hicks was repatriated. This chamber may have had some very significant influence on the way that happened. Not long after that he was released back into society as a citizen.

With this motion, and the motion of the commonwealth parliament that was agreed to last week, it is quite clear, from all levels of government, and we agree, that it is time to bring Mr Assange home.

**The Hon. T.A. FRANKS (17:37):** I thank those speakers who have made their views known today. I particularly thank the Hon. Frank Pangallo for effectively co-sponsoring this motion with me today. We both had the same idea once we saw the move at a federal level, a shift in the language if you like, from the federal Labor government, to see if we could test the waters for South Australia to become the first parliament to express its full support to bring Julian Assange home.

I thank the Hon. Michelle Lensink of the Liberal opposition and I thank the Hon. Russell Wortley of the Malinauskas government for their contributions to this motion. I note the Liberal opposition will not be supporting the motion; I certainly hope, in terms of their party vote, where they have put a case to the council that they respect the rule of law, that they reflect on the fact that the rule of law would dictate that a member of a nation state who is not a member of another nation state should not be subject to laws such as the Espionage Act of the United States of America if he is an Australian citizen who was not in America at the time of his supposed crime—the crime, of course, of telling the truth, a crime of journalism. Journalism should not be seen as a crime.

That is what is at stake here, when the US government attempts to use its 1917 Espionage Act against a journalist and a publisher for the very first time, one who is not a US citizen, who is not in the US and whose publications were not based in the US. If that is successful, it will have redefined investigative journalism as espionage. That will have judicial reach right across the globe.

If you want to talk about rule of law, that is the biggest threat to the rule of law I see here in this debate. That is why every human rights organisation and journalists' union of note, including Amnesty International, Human Rights Watch, the American Civil Liberties Union, Reporters Without Borders, the National Union of Journalists, the International Federation of Journalists, PEN International, The Guardian, *The New York Times*, *Le Monde*, *El País* and *Der Spiegel*, which all published the WikiLeaks revelations, have signed an open letter opposing his extradition.

Politically his extradition is opposed, as I have said, by parliamentary groups in Australia, but also in dozens of countries, including eight in Europe. Even the Pope has expressed his opposition to what is happening right now to Julian Assange. We can see that the rule of law in fact is the thing that is very much under threat here. I ask the Liberal opposition to reflect on their argument that this is somehow contrary to the rule of law.

With that, I note that I believe we will be the first jurisdiction at a state or territory level to move such a motion, and I welcome that. It has taken far too long. I know the Hon. Frank Pangallo, well before his time in politics, and certainly me in my time in politics, some 14 years now, have called for WikiLeaks and for Julian Assange to be free, have called for the defence by politicians of the freedom of press, have seen this for what it is in terms of the American government's attempt to quash, to silence, to put the fear into any journalist or any person who might expose their war crimes or their wrongdoings.

This will have a chilling effect, unless Julian Assange is freed. It already has had a chilling effect for some 14 years now; it has gone on too long. With that, I commend the motion and look forward to the Liberal opposition having the gumption to actually express their votes and be prepared to divide.

Motion carried.

*Bills***MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) (WATER ENTITLEMENTS)  
AMENDMENT BILL***Introduction and First Reading*

**The Hon. S.L. GAME (17:42):** Obtained leave and introduced a bill for an act to amend the Members of Parliament (Register of Interests) Act 1983. Read a first time.

*Second Reading*

**The Hon. S.L. GAME (17:43):** I move:

That this bill be now read a second time.

*There being a disturbance in the gallery:*

**The PRESIDENT:** Out you go! I will send the Black Rod up.

**The Hon. S.L. GAME:** The Members of Parliament (Register of Interests) (Water Entitlements) Amendment Bill 2024 amends the Members of Parliament (Register of Interests) Act 1983. Members of parliament currently do not need to disclose the ownership of water listed on the water register under schedule 4 of the Landscape South Australia Act 2019 on the parliamentary register of interests.

The minister must keep a register of water management authorisations granted or issued under the act. The water management authorisation applies to a water licence or a water allocation, amongst other things. Members, and people related to members, would be required to disclose any holding of schedule 4 entitlements in their register of interests. This disclosure would include the nature of the holding and a unique identifier for the entitlement. Water resources such as a watercourse or lake, surface water, underground water and stormwater are valuable assets, and it is only reasonable that such assets should be declared on the parliamentary register of interests.

It is in the interests of transparency, and therefore in the interests of the South Australian public. A water licence granted by the minister is a valuable commodity, and if a member of parliament can profit from such a resource the public has the right to know. Including such information on the register of interests makes this information more accessible. With perceptions of conflicts of interest plaguing some of our politicians, the more disclosure of such assets and interests the better.

Further to this bill, I will look to introduce a broader bill, the Statutes Amendment (Water Rights Transparency) Bill 2024, aiming to increase transparency around water rights in South Australia. The bill proposes the creation of a water rights transparency register. This register would be maintained by the minister and publicly accessible online. It would contain detailed information about all schedule 4 entitlements granted under the Landscape South Australia Act 2019, including holder name, water resource details, date of issuance/expiry, specific information depending on the type of entitlement (water licence, water access entitlement, water allocation, forest water licence) and transfer details including reason, date and price.

The minister would have the power to collect information from individuals and penalise noncompliance or false statements. Overall, the broader bill aims to increase public transparency and accountability regarding water rights in South Australia. Land and water should never have been separated, and One Nation does not agree that farmers should be trading water with wealthy interstate or foreign investors. Our water should be used to grow our food bowl; it should not be used to line the pockets of New York bankers.

Following the government's support for my Public Sector (Ministerial Travel Reports) Amendment Bill 2023, where all ministers conducting travel on the public purse outside of South Australia—including interstate and overseas—must be accountable and show transparency, this bill seeks to ensure the same level of accountability.

The rules for the register of interests in the Members' Handbook make no specific reference to water. I have looked at the Members of Parliament (Register of Interests) Act—and again, no reference to water. This bill tightens the rules around disclosure by making specific reference to

water, which makes the register more transparent. I want to see more accountability from our parliamentarians, and this amendment achieves just that.

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

## **PARLIAMENTARY COMMITTEES (REFERRAL OF PETITIONS) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. C. BONAROS (17:48):** Obtained leave and introduced a bill for an act to amend the Parliamentary Committees Act 1991. Read a first time.

### *Second Reading*

**The Hon. C. BONAROS (17:49):** I move:

That this bill be now read a second time.

**The Hon. R.B. Martin:** Seconded.

**The PRESIDENT:** You do not need to second it, but thank you, the Hon. Mr Martin. Very kind.

**The Hon. C. BONAROS:** That seconding should indicate a level of enthusiasm which I hope is shared amongst everybody in this chamber for this bill. Mr President, if you have—and you have, indeed—served on the Legislative Review Committee you will know that my favourite words on that committee are—

**An honourable member:** Cats.

**The Hon. C. BONAROS:** Not cats, not desexing, not toilet blocks, but rather, 'If we passed the committee on committees bill we wouldn't find ourselves in the position that we do,' particularly on that committee. I suspect that there are others in this chamber who will welcome this bill. I do not say that lightly, because it was a very good initiative and one that a former member, Frances Bedford, the member for Florey, did a substantial amount of work on to get over the line and one that we supported wholeheartedly at the time.

I acknowledge the work also of the former Attorney-General in that respect. I think it is one that enjoyed unanimous support through the parliament, and we have all become very familiar with that bill now. The purpose of the bill was to basically trigger a parliamentary inquiry when petitions were able to be signed off by 10,000 members of the South Australian public.

You might be surprised to know that as it stands right now the Legislative Review Committee has five such inquiries. This is democracy on display for all of us but particularly for those members of the Legislative Review Committee, who are trying to juggle five such inquiries: one into ambos, one into cat desexing, one into radiation therapy, one into highways and one into health care.

It has become very evident to everybody serving on that committee that it is probably time that we reviewed this legislation and came up with a better way of referring those petitions for inquiry. I am not going to put words into everybody's mouth, but I think the purpose of this bill is not to undermine the intent of the previous bill in terms of having those inquiries—they are a very, very important feature of our democracy—but certainly sharing the love amongst all of the parliamentary committees and, more importantly, ensuring that the appropriate committee is the one that is actually inquiring into an issue is really at the forefront of what is being proposed in this bill.

I remember the debate very vividly when we had it, when the former member for Florey was here. There was a lot of discussion about, 'This is going to get over the line. Which committee would be best suited to deal with this?' It was determined that the scrutiny role of the Legislative Review Committee was that committee. I do not think anyone anticipated at the time the number of inquiries we would see pass that threshold but, more importantly, at the same time. We have five ongoing inquiries that we are trying to deal with, and the reality is that there are other committees that are probably much more suited to some of the issues that are being looked at by that committee.

That said, I do foreshadow that in the next sitting week I will be introducing a further bill, which, again, is my second favourite line in the Legislative Review Committee, which is that if we all showed some political appetite here, following the committee on committees report—and that has

taken a lot of convincing, but I think we are there—then it is high time that we looked at legislation that restructures our parliamentary committees framework.

Those recommendations also enjoyed the unanimous support of everybody who was on that committee. I will make special mention of our former Treasurer, the Hon. Rob Lucas, who surprised me a lot on that committee because sometimes it was hard to work out if he was actually paying attention to what we were doing and how much was being absorbed of the evidence that was being given. It turns out that everything was absorbed and he played an instrumental role in formulating the recommendations, which ultimately enjoyed the unanimous support of that committee.

The Hon. Justin Hanson was also on that committee and I think we were all surprised at the outcome and the bipartisan approach that we took. In the next sitting week, I will be introducing a bill that is based on those recommendations. There will be a couple of elements to that bill that will be up for debate in this place. The bill incorporated the issue of a human rights impact statement, as they do federally and in other jurisdictions, and a couple of other issues, which we all agreed during the committee would probably be something that we fleshed out on the floor of the chamber, but in principle all the recommendations were supported.

Given the current situation with inquiries, the reality is that, because of the workload of the Legislative Review Committee, unfortunately we are not capable of undertaking and completing those inquiries—and we have five now—in a timely manner, certainly not in the manner that the public would expect if they have gone to the effort of collecting those 10,000 signatures. As we know, there is a great deal of legislation, over 90 per cent of government legislation, which is now made by regulation. So in addition to that inquiry role, that committee performs another very important role in terms of its scrutiny functions over regulations and by-laws and such other codes and guidelines that we pass through this place.

In short, I think it is fair to say that we are doing a disservice to our democracy and to the good people who have put their name to those inquiries by not having dealt with those inquiries in as timely a manner as we would like. I acknowledge the work of the current Chair in that regard and everything that he is doing to make that as expedient as possible in terms of the workload of the committee and the inquiries themselves, but it is not sustainable, and I think that is the bottom line. It is not sustainable for the committee staff, it is not sustainable for the committee members and it is not acceptable to the public of South Australia—I think that is the bottom line.

I will seek leave to conclude my remarks and perhaps touch briefly again in the next sitting week on what the bill actually does, but in a nutshell I think it is pretty self-explanatory. I think members have had the opportunity now to consider that bill. In essence, all I am saying, and I think the general consensus appears to be, that it would be better if we allowed each inquiry that was successful, in terms of getting off the ground, to be referred to the most appropriate committee.

If the other bill is successful, then this can coexist with that, but given that that one may take a little bit more time I think what is really important now is that we deal with the easy part, and this appears to be the easy part. We have carved out the petitions and said, 'Let's deal with that separately.' I expect that could be the subject of very swift passage through this place, and then we get into the nuts and bolts of the structure of the parliamentary committees framework in more detail in due course. With those words, I seek leave to conclude my remarks.

Leave granted; debate adjourned.

#### *Motions*

#### **PRESIDENT OF TAIWAN**

**The Hon. F. PANGALLO (17:59):** I move:

That this council—

1. Congratulates Dr Lai Ching-te on his election as the leader of the Democratic Progressive Party to President of Taiwan, on 13 January 2024;
2. Joins with the Australian government, Australian opposition, state governments and governments around the world, including the US, the UK, the EU, Canada, Japan, Singapore and the Philippines, in congratulating Dr Lai Ching-te on his victory in the election;

3. Congratulates the people of Taiwan on the peaceful exercise of the democratic rights to ensure that the outcome truly represents the will of the people;
4. Notes that the smooth conduct of the elections and congratulations received from Australia and around the world are testament to the maturity and strength of Taiwan's democracy; and
5. Encourages South Australia to continue to work with Taiwan to advance our important trade and investment relationship, and to foster our deep and longstanding educational, scientific, cultural and people-to-people ties.

I rise to move and speak to the motion in my name, congratulating Dr Lai Ching-te (or William) on his election as the President of Taiwan on 13 January this year. As the leader of the Democratic Progressive Party (DPP), having taken over from President Tsai Ing-wen as the DPP's presidential candidate, prior to the election, Dr Lai Ching-te secured a third term of government for the DPP.

I felt very privileged and honoured to have met Dr Lai (William) and many other political leaders, business people and community members during a visit to Taiwan in 2023 as a member of the South Australian Taiwan Parliamentary Friendship Group, along with my colleagues here from the Legislative Council, the Hon. Reggie Martin, the Hon. Tung Ngo, the Hon. Laura Henderson, and the Hon. Ben Hood. It was certainly an eye-opening experience for me and, in the process, we were able to also have a briefing from Dr Lai.

I found Dr Lai to be a rather inspirational person and a very impressive statesman-like person who spoke very passionately about Taiwan and the fact that it needed to remain as a separate entity against the face of the aggression that has been shown by the People's Republic of China. The People's Republic of China does not like Dr Lai. In fact, they have labelled him a troublemaker, and probably labelled him as a troublemaker simply because of his popularity in Taiwan and also that it would have impacted—and certainly his election would have impacted—on the other parties, and the influence that the People's Republic of China may have had on other parties in trying to absorb Taiwan—which is what its intention is through its acts of aggression.

I would classify Dr Lai not as a troublemaker but as a peacemaker. He believes Taiwan has a place in world affairs. It certainly holds an impressive place in the world's economy. It is one of the largest economies in the world, when you consider it is a country of only 23.5 million people, and it is one of our largest trading partners with Australia. It is a country that actually really fights above its weight, I have to say. Its people, its government and local government are intent on maintaining their democracy and also maintaining their approach to business. They are very strong. We know that they are the biggest exporters and manufacturers of semiconductors in the world, and that gives them an enormous amount of respect.

It is rather ironic how the Chinese are putting all this pressure on Taiwan when you consider that Taiwanese businesses actually do have manufacturing plants in China. Nonetheless, they do hold an important place in the world's economy, and they are an important trading partner for Australia and also for South Australia.

As I said, I found Dr Lai to be quite an impressive person. We had a really good chat not just about the affairs of Taiwan and the future aspirations that he had for his country, should he be elected as president when we were there at the time, but we also had some rather cordial discussions about his sporting passion. Dr Lai loves baseball, and we spoke about Taiwan's pastime—I think baseball is almost a national pastime—and hopefully that we could one day see a Taiwanese baseball team come to Adelaide to play against our national champions. They have won it for the second time now. It would be great to actually see an international fixture at Adelaide Oval involving the Taiwanese, who are quite skilled at that sport, playing against our state and national champions.

I offer a bit of background about Dr Lai, as not many people know much about him here. He was born in New Taipei, and he and his five siblings were brought up by his mother after his father died in a coalmine disaster when he was only two years old. He went on to study medicine and practised as a doctor prior to entering politics in the late 1980s. He has dedicated his life to public service, defending the principles of liberal democracy and making sure that the Taiwanese people can continue to live in a liberal democratic society, often at great personal cost to himself and his family.

As President, he will lead Taiwan during what will undoubtedly be a tumultuous and challenging period for that island state. On our recent visit to Taiwan, it was interesting to learn that as an island democracy of, as I mentioned, 23.5 million people, it has never been governed by communist China. It has been occupied; we know that it was occupied by the Japanese at the turn of the 20<sup>th</sup> century and it has had occupation from foreign invaders, but communist China was only established after the revolution with Mao Tse-Tung in 1949. That is when the democratic leaders of China were forced from the revolution to flee to the island of Taiwan, with Chiang Kai-shek in charge. He helped establish the democratic government in Taiwan. They continued to live there and operate and govern quite peacefully until this very day. It was a very successful transition from what had happened in 1949.

Of course, China continues to claim Taiwan as its territory and has refused to rule out using force to take control of the island. This is a real and serious threat which Taiwan has been constantly subjected to and will have to deal with. It is certainly a situation that Australia is going to have to deal with, should an act of aggression be applied and the Chinese mount some kind of military action against the Taiwanese. It will undoubtedly bring in the United States, which has already promised to come to Taiwan's aid. If the United States come to their aid, of course, Australia—as a strong ally of the United States—would go in support. There would also be support from Japan, South Korea and others, certainly, to maintain Taiwan's status as a free democratic society.

If China was to step up its coercion tactics and unofficial warfare to undermine Taiwan's government, the pressure will grow on Dr Lai Ching-te and also on other governments, including the US, the UK and Australia, to respond—and that could also pose, as I said, a threat to our respective national security. That gives you an indication of the prominent place and prominent status that Taiwan has in this region, and how vital Taiwan is to the stability of the region and also, of course, for what it manufactures. If there were some kind of military activity that stopped the production of semiconductors, or the distribution and export of semiconductors, it could almost grind the Western economy and Western manufacturing industry to a standstill. That is why they are so important.

Showing a great deal of personal and professional courage and determination, Dr Lai Ching-te has publicly pledged to prioritise the status quo and defend Taiwan's right to democracy and peace. At a recent briefing of the Taiwan Foreign Correspondents' Club, Dr Lai said:

I will lead a new era of values-based diplomacy...

He went on to say that:

Taiwan has a responsibility to share its experience of democratization to the world and to the Indo-Pacific.

It was especially pleasing to hear so many governments—including our own Prime Minister and DFAT; the Australian Leader of the Opposition, Peter Dutton; and governments from around the world, including the US, the UK, Canada, Japan, Singapore and the Philippines—join with major representative organisations, such as the EU, to publicly congratulate Dr Lai Ching-te. The will of the Chinese people was democratically expressed and exercised on 13 January, reflecting the maturity and strength of Taiwan's democracy and its newly elected president. This is truly something to be celebrated and supported.

I was following, with a great deal of interest, the elections during that period in January and watching television reports that were being beamed in by the BBC and other news organisations. It was pleasing to see how the Taiwanese conducted themselves and how the citizens approached their voting and their voting rights. They did it with a great deal of enthusiasm, hoping, of course, that they would continue living in a democratic society. Those elections were conducted without any questions about their credibility really being raised anywhere. It was a true credit to the way that they had organised themselves.

Of course, it comes back also to Australia's recognition of Taiwan. The Australian government, as do other governments, adheres to the so-called one-China policy. Personally, I do not recognise that policy. I believe Taiwan is a country in itself and should be recognised as such. The Republic of China, Taiwan, is entitled to exist in its own right without having to be intimidated by an aggressive, large neighbour that tries to flex its muscle at other nations around the world to try to isolate Taiwan so that they can get their way. We have seen countries that previously had recognised Taiwan move away after being intimidated and threatened by China.



Of course, China does wield a big stick because of their economy and what they produce and what they export to some of those countries, not to mention their belt and road policy, which is where they pour a lot of capital into many struggling economies to win or curry favour with them and then try to influence them on their international relations with other countries.

I want to point out that I did have a motion—and still have a motion—before the Legislative Council about Taiwan, recognising them and their status and also their national day. Unfortunately, I had to pull that motion because the other parties in here did not want to cause any offence to the Chinese, which I think is ridiculous and appalling. It seems that the influence of China extends even to political parties in this state as well as this country. While I am disappointed in having to do that, I am actually quite pleased that at least the Department of Foreign Affairs and Trade did put out a statement on 14 January and I will read out that statement:

Australia—

which means the Australian government, the Commonwealth of Australia—

congratulates Dr Lai Ching-te on his victory in the Taiwan elections held on 13 January. We also congratulate the people of Taiwan on the peaceful exercise of their democratic rights. The smooth conduct of the elections is a testament to the maturity and strength of Taiwan's democracy. Australia looks forward to continuing to work with Taiwan to advance our important trade and investment relationship as well as our deep and longstanding educational, scientific, cultural and people to people ties.

That comes from the Department of Foreign Affairs and Trade, Penny Wong's department. I would hope that in light of that message of support to the people of Taiwan the Labor Party in this place would at least support this motion when I bring it to a vote, and I intend bringing it to a vote on the next sitting Wednesday.

I would also like to acknowledge that the federal Leader of the Opposition, the Coalition, the Hon. Peter Dutton, congratulated Dr Lai on his victory at the elections and during a media conference said:

We welcome and congratulate the incoming President. Obviously, an experienced vice president and particularly in a troubling time it's important that democracies are able to implement the outcome of the will of the people. That's what happened in Taiwan and we welcome that outcome.

I am hoping the Liberals in this place will now support that motion as well, considering the support that has been shown by the Leader of the Opposition, the Hon. Peter Dutton.

In closing, I would also point out that our visit to Taiwan introduced us also to the fact that there are a number of indigenous tribes in Taiwan and that the Taiwanese government are quite proud of their indigenous heritage. We visited the cultural museum in Taipei. When we were greeted by the curator of that museum we were actually met and greeted with a similar Welcome to Country acknowledging the traditional peoples of that country. In fact, the Welcome to Country and Acknowledgement of their indigenous people was quite similar to what we have in Australia. That was probably a reflection of the fact that the curator of the museum had attended university in Australia, in Melbourne, and she was quite cognisant of the recognition that we give our First Nations people in Australia.

It was enlightening to see that a number of indigenous peoples are in Taiwan, considering it is only a small place. Their history only dates back about 200 to 250 years, but nonetheless they are open and welcoming of their heritage and their background.

Our experience also indicated to us what an entrepreneurial and progressive country Taiwan really is, certainly in contrast to mainland China. I have been to both mainland China and now to Taiwan, and I found enormous differences in the approach of the people in Taiwan and their motivation, their standard of education, their—

**The Hon. R.B. Martin:** Love of hydrogen.

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

**The Hon. F. PANGALLO:** It is brown hydrogen, I must point out to the Hon. Reggie Martin. He might like to speak about it. The Taiwanese were certainly very keen, I must say, to learn more about what we were doing with renewable energy in this country, particularly with hydrogen. It was

interesting that the Taiwanese have also decided to mothball their nuclear plants in favour of renewables.

I find that a bit odd, and I actually questioned some of their politicians about their plans to reach zero emissions when they have the cleanest source of energy, nuclear energy, and they are walking away from it. They then spoke about their interest in brown hydrogen and also their intent to mix hydrogen and gas, so they do not intend to get rid of fossil fuels in a hurry, the Hon. Mr Simms.

As I said, they were certainly very impressive. They impressed me a lot. I thoroughly enjoyed the country, what they are doing with it, the people themselves. As I said, it is totally different from my experience in mainland China. It is important that we continue to recognise the Republic of China, Taiwan for what they are, a democratic nation in that part of the world, and also ensure that we will continue to show our support for maintaining their democratic rights.

With that, I would like to commend the motion to the chamber. I also will say that I look forward to one day President Lai visiting Australia. It might upset the Chinese, particularly the Chinese consulate here, but who cares? I would certainly like to see him visit this country. I am sure that South Australia will want to continue its relations with Taiwan. There is a term that they use, that it is an unofficial relationship, which I find quite odd.

It is quite clear that we do have a relationship with them. Why beat around the bush, just because of this one-China policy? We do have a strong relationship with them. They are our friends, they will continue to be our friends, they want to be our friends. They want to be our trading partners. I would certainly like to see South Australia show more interest in expanding our trading—

*The Hon. R.B. Martin interjecting:*

**The PRESIDENT:** The Hon. Mr Martin, can you stop interjecting?

**The Hon. F. PANGALLO:** I would certainly like to see—

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hanson, you are not helping.

**The Hon. F. PANGALLO:** Thank you, Mr President. I see that the Hon. Justin Hanson is giggling into his phone as usual.

*The Hon. J.E. Hanson interjecting:*

**The Hon. F. PANGALLO:** You are not? In summing-up, as I said, I would like to see South Australia's interest with Taiwan grow. I know that when we met with the Australia-Taiwan society in Melbourne late last year they were very keen on expanding trade with South Australia. It seems that South Australia does not have as much interest in trade with Taiwan as do Victoria, New South Wales and Queensland. They were quite interested in our primary produce. They are also interested in our wine.

We may recall that China decided to turn off the tap illegally and impose that hefty, illegal 210 per cent tariff on our wines, which effectively brought our wine industry to its knees. It just goes to show you the intent of China when it wants to impose itself and its views on a country. It will actually hurt innocent businesses in this country.

When they did that, the Taiwanese were the first to respond and come to the support of Australian wine producers and also our grapegrowers by ordering wine which was then sold as freedom wine, and they are very proud of it. Everywhere we went meeting with political leaders they also expressed their strong support for us and also mentioned the fact that they were strong supporters of Australian wine. That is good because at present, of course, we are still waiting to see what China is going to do.

The Premier and others visited China some months ago. The federal Minister for Trade and Tourism, Don Farrell, visited China as well and came back with these assurances that exports of wine, lobsters and others were going to resume. We have seen barley resume, but at this point we have not seen the trade in wine or certainly the embargo on our wine being lifted at a crucial time for our wine growers in the Riverland, the Riverina and also in Sunraysia where currently they are facing

enormous financial problems because wine buyers are only offering a fraction of what they need to break even with their product this year.

If you heard reports on AM today you will know that many of them are hurting. They are on the verge of bankruptcy not only because of the situation that has arisen because of a glut of red wine around the world, or that is what they are being told, but also—because of what China did a few years ago—many of them are now facing financial hardship as a result of those unfair tactics that were applied.

We now have large conglomerates, international companies like Accolade, putting the pressure on growers to buy their product at a substantial loss to the producers at \$120 a tonne for red wine. It takes a farmer \$400 just to break even and then to get to market. It equates to about 15¢ a litre, so that is unfair. I await the day that the People's Republic Of China decides to lift those tariffs and ease the burden on our wine industry as such. With that, I commend the motion.

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

*Bills*

**STATE ASSETS (PRIVATISATION RESTRICTIONS) BILL**

*Final Stages*

The House of Assembly agreed to the bill with the amendments indicated by the following schedule, to which amendments the House of Assembly desires the concurrence of the Legislative Council:

- No. 1. Clause 2, page 2, lines 13 and 14 [clause 2, definition of *state-owned asset*]—Delete 'and an asset'
- No. 2. Clause 2, page 2, after line 23 [clause 2, definition of *state-owned asset*]—After paragraph (d) insert:  
(da) SA Pathology;

At 18:31 the council adjourned until Thursday 22 February 2024 at 11:00.