

LEGISLATIVE COUNCIL

Thursday, 7 March 2024

The PRESIDENT (Hon. T.J. Stephens) took the chair at 14:15 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.

Question Time

VARROA MITE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:17): My questions are to the Minister for Primary Industries and Regional Development on the topic of varroa mite and the bee industry:

1. How long is it before we expect varroa mite to make its way to South Australia?
2. What are the estimated impacts that varroa mite would have on the bee industry here in South Australia?
3. What are the predicted impacts of varroa mite on South Australian pollination services?
4. How many FTEs in PIRSA are currently assigned to managing the bee industry?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:18): I thank the honourable member for her question. As we will recall, last year there was an outbreak of varroa mite in New South Wales, and initially there was an eradication process in place. Unfortunately, that didn't result in eradication and the outbreaks in New South Wales continued. It was first detected—actually, I don't think it was last year; I think it was in June 2022, if I recall correctly.

As we know, varroa mite is considered the greatest biosecurity threat to both Australia's honey bee industry and Australia's agricultural and horticultural honey bee pollination-dependent industries. In response to the detection, following the initial outbreaks and detections, the Emergency Plant Pest Response Deed involved containment, tracing, surveillance, education and compliance.

It was 455 days of intensive response, being the biggest plant pest response ever undertaken in New South Wales, I am advised, but after that the National Management Group (NMG) confirmed on 19 December last year that the agreed position from all members of the Consultative Committee on Emergency Plant Pests had changed and that varroa mite eradication was now no longer considered technically feasible and the response should shift to a transition to management program.

The National Management Group met on 9 February this year and endorsed a new national response plan, incorporating the transition to management. The total costs of the response, including transition to management activities, are being shared, up to a revised limit of \$100 million. The national response plan has a strong focus on education and engagement activities to support the bee industry, and further information about the activities being undertaken is expected to be published or may, indeed, have recently been published. I will need to take that on notice to check.

In September last year, I approved the establishment of the South Australian Varroa Industry Advisory Committee (SAVIAC) for an initial period of 12 months, with the primary role of providing advice to the chief executive on the development and implementation of the transition to management strategy for South Australia. It is intended that this committee will ensure that the decisions that are being made in relation to varroa mite being detected in South Australia are being made with the benefit of industry support and involvement.

The committee currently comprises an independent chair; two representatives from each of the two South Australian peak honey bee industry bodies; one representative from the national peak

honey bee industry body, AHBIC; two representatives from honey bee pollination-dependent industries; and a representative with knowledge of and expertise on commercial beekeepers.

In terms of South Australia, the apiary industry pollinates agricultural and horticultural crops valued at an estimated \$1.7 billion and produces more than \$11 million worth of honey bee products annually. The South Australian government continues to take a responsible approach to the ongoing situation in New South Wales, and we remain committed to working closely with New South Wales DPI, Biosecurity Queensland, Agriculture Victoria, pollination-dependent industries and the honey bee industry to ensure an appropriate response for South Australia.

As such, movement restrictions on entry of bees and bee commodities into South Australia that have been in place since June 2022 continue, according to my advice, whilst being regularly reviewed and updated. Entry of bees and bee commodities are subject to Chief Inspector of Stock permission, with individual applications assessed on risks, including origin, commodity type and ability to treat. The South Australian government continues to work closely with industry, state and federal counterparts, and we will continue to assess and monitor the situation and respond accordingly.

In terms of the question as to when we can expect it in South Australia, that question is akin to, 'How long is a piece of string?' We are doing what we can in terms of the measures I have just outlined. We certainly do not wish to see it in South Australia, but it is obviously something that is transmitted and may eventually get here. We intend to be as prepared as possible when that occurs; hence the transition to management strategy.

VARROA MITE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:23): Supplementary: has the minister or her department done any modelling on the potential impact of varroa mite to the bee industry or primary production more broadly here in South Australia and, if not, why not? I ask again: how many FTEs in PIRSA are assigned to manage the bee industry?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:23): I am happy to take that on notice and bring back a response.

VARROA MITE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:23): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development regarding varroa mite preparedness.

Leave granted.

The Hon. N.J. CENTOFANTI: According to the Australian Honey Bee Industry Council Chief Executive Officer Danny Le Feuvre, as part of the national management program a varroa development officer will be in every jurisdiction across Australia, and they will work one on one with those beekeepers. The officers would help apiarists to develop their management plans, understanding the pests and look at what might best suit them in terms of treatment in their individual areas. These officers would be particularly important in states that did not yet have varroa mite. He has said in media reports, and I quote:

It will help support those beekeepers set up some industry surveillance programs where we can have a network of sentinel hives looking for that early detection, so that our beekeepers can be best prepared for when it gets to their areas.

He said a pollination industry coordinator would also be appointed to enable the flow of information between the honey bee and pollination-dependent industries. My questions to the minister are:

1. When will the varroa development officer begin in our state?
2. Will a pollination industry coordinator be appointed here in South Australia?
3. How many state-funded biosecurity inspectors will be employed for compliance and surveillance activities over the next five years?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:25): I thank the honourable member for her question. First of all, it's just worth making the point that, according to my advice, there are already sentinel hives in South Australia and there have been for a very long time. Indeed, it was, if I recall correctly, in sentinel hives in New South Wales that varroa mite was first detected. In terms of time lines or whether some of those processes are already in place, to which the honourable member referred, I will bring back an answer.

RIVERLAND WINE GRAPEGROWERS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:25): I seek leave to make a brief explanation before asking the Minister for Primary Industries and Regional Development a question about Riverland wine grapegrowers.

Leave granted.

The Hon. N.J. CENTOFANTI: As the minister is well aware, Riverland Wine held a meeting on 21 February with wine growers to assess the urgent need of growers in the region. In attendance was the federal member for Barker, Mr Tony Pasin, who addressed the group, and the member for Chaffey, Tim Whetstone MP, was also in attendance. There were no federal or state government members of parliament in attendance. The Riverland region is Australia's largest producer of wine grapes, responsible for over 30 per cent of Australian grapes, and many growers say they are on the brink of financial collapse. My questions to the minister are:

1. Will the minister consider support to industry to allow growers to diversify and keep land productive?
2. Is the minister aware of the Regional Investment Corporation and, if so, has she discussed widening the eligibility criteria for these loans for wine growers with her federal colleagues?
3. Has the minister contacted Minister Watt, the federal Minister for Agriculture, Fisheries and Forestry, requesting that he meet with Riverland wine growers?
4. If not, why not, given the very serious financial predicament these growers are in?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:27): I thank the honourable member for her question. First of all, in terms of considering support, we have been undertaking work for more than 18 months and providing that kind of support to the Riverland. I have outlined on multiple occasions some of the support that has been provided and, of course, those discussions are continuing.

In terms of loans, there is, I understand, according to my advice, the opportunity for low-interest loans through I think the Farm Household Allowance scheme, or it may be an alternative federal scheme, but I am aware that there are low-interest loans available. I would very much encourage growers to reach out to Rural Business Support in terms of being able to be provided with information about the types of support that are available.

In addition to that, there was a support guide released, and that is on the PIRSA website. That was developed in conjunction with the wine industry and it sets out the various sorts of assistance that are available. That can be accessed by wine grapegrowers.

My understanding from Minister Watt's office is that he has offered a meeting, or certainly agreed to have a meeting in Canberra, following a request from the federal member. As I was last advised, the federal member hadn't taken up that option, despite initially asking for that question. I do acknowledge that Tony Pasin did turn up to the meeting. Of course, we were here in parliament, being a state parliamentary sitting day, and were therefore unable to attend. I know that Tony Pasin has written I think one letter, or it might be two—

The PRESIDENT: The member for Barker.

The Hon. C.M. SCRIVEN: Sorry, the member for Barker. I think he wrote a letter and 14 months later wrote another letter, so I guess that is something. I also would mention that the issue, as we have mentioned before, is a large issue for the Riverland, for South Australia and for Australia. It is a global oversupply, which is impacting the growers here in South Australia. It is also the damage

to the trade relationship with China under the former Coalition government, which resulted in the imposition of tariffs, which has been incredibly difficult, and there are a number of other factors.

Members may recall that I mentioned and indicated that I am going with a delegation to China next week, which hopefully will have some good outcomes as part of the broader campaign to try to re-establish and strengthen those relationships with China. There are many aspects to addressing this issue. Some of them are in the purview of the federal government, some in the state government and some in the industry.

RIVERLAND WINE GRAPEGROWERS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:30): Supplementary: has the minister contacted Minister Watt requesting that her federal colleague travel to the Riverland to meet with Riverland growers, given the serious financial predicament that this region is in?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:31): I have communicated on a number of occasions to Minister Watt the serious situation. I think he is very aware of that. What I think is also a question is: did the former Coalition bother to think about the implications on wine grapegrowers when they trashed the relationship with China as they did?

TIMBERLINK

The Hon. M. EL DANNAWI (14:31): My question is to the Minister for Forest Industries. Will the minister update the council about the recent opening of the Timberlink CLT GLT plant in Tarpeena?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:31): I thank the honourable member for her question. It is an incredibly exciting time to be in the forest industry here in South Australia. I spoke earlier this week about the release last week of the South Australian Wood Fibre and Timber Industry Master Plan and the exciting projects that are underway in the industry.

I am pleased to advise that was not the only exciting event occurring in the forest industry last week. The long anticipated opening of Next Timber by Timberlink Manufacturing facility and upgraded green mill located in Tarpeena in the South-East took place last Thursday, with hundreds in attendance to celebrate this special day. This newly opened facility will be producing both cross-laminated timber (CLT) and glue-laminated timber (GLT). The new facility was opened by the Premier and also attended by two hardworking local South-East MPs, the member for Mount Gambier, Troy Bell, and the member for MacKillop, Nick McBride.

Cross-laminated timber is when layers of timber cut from a single log are glued together symmetrically, with the grain of each outer layer alternated at 90° angles. Once this process is complete, it gives CLT similar characteristics to concrete in terms of strength and can be used in buildings as high as 12 storeys. Indeed, there are buildings here in Australia that are over 10 storeys high and built solely with this timber product. Glue-laminated timber is when timber laminates are bonded and glued together. The process is done by layering each laminate with the grain, which results in producing larger and longer length members and is commonly used in structural beams or columns.

This state-of-the-art facility is Australia's only combined CLT and GLT radiata pine mass timber facility and the first in Australia to be integrated with a structural manufacturing plant. This facility will be able to produce CLT panels up to 16 metres long and 3½ metres wide. Mass timber products offer an exciting alternative to traditional construction materials and can help reduce the embodied carbon of a project.

I congratulate the Timberlink team and everyone involved in the realisation of this remarkable achievement and note the benefits that will flow to nearby regional towns as a result of this expansion. I understand close to 30 FTEs—I think it was 27 or 28—will be created because of this milestone and will have flow-on effects for our broader Limestone Coast community.

Our forest industries have a proud history of sustainably growing and utilising our local resources to address growing timber demands, both locally and globally. Innovation and investment

have enabled the sector to grow, and this \$70 million investment by Timberlink will certainly contribute to that growth. This investment contributes not only to our economy but also to our environment and social fabric.

I am proud that the state government contributed towards this modern manufacturing facility to expand their operations. I want to thank both David Oliver and Paul O'Keefe for their time in taking the Premier and I for a tour of the new facility and for an in-depth brief on the benefits of this exciting product.

REGIONAL BANK CLOSURES

The Hon. R.A. SIMMS (14:34): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Regional Development on the topic of regional banks.

Leave granted.

The Hon. R.A. SIMMS: Last month, the Senate inquiry examining bank closures in rural areas visited Kingston here in South Australia to hear evidence about how the bank closures have impacted on local communities. BankSA, which is part of the Westpac Group, has paused the closure of its Kingston branch while the Senate inquiry is underway, but the future of that branch remains unclear.

This time last year, on 8 March 2023—in fact almost a year to the day—this chamber passed a Greens motion calling on the government to formally raise the closure of the Coober Pedy bank with Westpac and to advocate for the retention of bank branches in the regions. My question to the Minister for Regional Development therefore is: what action has the minister taken in relation to regional bank closures following the passage of that motion here in this place, and what is the Malinauskas government doing to prevent the closure of any more regional banks?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:36): I think the issue of regional banks is something certainly not only that we have discussed on a number of occasions here but is of great concern to regional communities. The Senate's Rural and Regional Affairs and Transport References Committee's inquiry into bank closures in regional Australia I understand did have reopened submissions.

I am not sure whether the member who asked the question did put in a submission for this inquiry with it being reopened. I would have thought that if he had felt strongly, as I would have thought he would—I know he doesn't get out to the regions very often, but I know he still cares about them—

Members interjecting:

The Hon. C.M. SCRIVEN: —I know he still cares about them. Look, I am being fair to the honourable member.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: I would have thought he would have put in a submission. I hear a lot of squealing from those opposite as well, and yet I am not sure that they put in a submission either.

Members interjecting:

The PRESIDENT: Interjections are out of order.

The Hon. C.M. SCRIVEN: Did they put in a submission to the inquiry?

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: If they didn't, it really does beggar belief that they are now making such comments, as they are attempting to do, contrary to standing orders, by these interjections. I have previously written to the big four banks' CEOs: Mr Peter King from the Westpac Group, Mr Matt

Comyn from the Commonwealth Bank of Australia, Mr Ross McEwan from National Australia Bank, and Mr Shayne Elliott from Australia and New Zealand Banking Group.

In that correspondence I outlined the state government's disappointment and concern at their continuing and alarming trend of regional bank closures, and I forwarded with those letters to the CEOs the government of South Australia's submission to the Senate Rural and Regional Affairs and Transport References Committee inquiry into bank closures in regional South Australia.

I haven't had an update in the last week or two, but I think it is most unfortunate when we see private entities not living up to what should be their community responsibilities to provide essential services such as banking in regional areas.

REGIONAL BANK CLOSURES

The Hon. R.A. SIMMS (14:38): Supplementary: I understand the power of a persuasive letter. I have written a few in my time; they are very powerful. But what else has the minister done? Has she actually requested a face-to-face meeting, given this motion was passed 12 months ago? What more has she done other than being pen pals with the CEOs?

The PRESIDENT: I will allow the supplementary question, but gratuitous self-praise, the Hon. Mr Simms, is out of order.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:39): I suggest it is a bit gratuitous, given the honourable member didn't bother to make a submission to the inquiry. Writing a letter is good and useful, but I suggest that when there is a Senate inquiry open that a submission to that Senate inquiry might be a good action to take, as indeed the state government did.

ABORIGINAL COMMUNITY, CEDUNA

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:39): I seek leave to make a brief explanation before directing a question to the Minister for Aboriginal Affairs about the Aboriginal community in Ceduna.

Leave granted.

The Hon. J.S. LEE: An article published by the ABC News on 17 February mentions that there has been a rise in crime and antisocial behaviour in Ceduna. Ceduna Aboriginal Corporation Chief Executive, Wayne Miller, was quoted as saying:

...the community needed to come together to find a solution to social unrest.

We want to see Indigenous people employed in the main street from local businesses.

...rough sleeping and violence were connected to a lack of housing.

Yalata Anangu Aboriginal Community Chief Executive, David White, was also quoted as saying that there was a need for job incentive programs, that lack of job incentives had impacted the community. My questions to the minister are:

1. During the minister's recent visit to Ceduna, what response was the minister given in relation to housing and jobs to address the problems that have been brought up by the Ceduna Aboriginal community and the Yalata Anangu Aboriginal community?

2. Will the minister outline the government's plan to address these critical issues raised by Aboriginal community leaders?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:41): I thank the honourable member for her question. As the honourable member points out, I was recently in Ceduna—last month—on a planned visit that went to Port Lincoln, Ceduna and a number of homelands around Ceduna. I had an opportunity to meet with Aboriginal leaders in Ceduna to talk about issues being faced in that community.

Housing certainly is one of those, and that is why I spent some time at a number of homelands around the outskirts and west of Ceduna, to look at what issues are being faced, what could be done and addressed in terms of the housing issue. The housing issue, not just in the

Aboriginal community but, as we have discussed here and in many forums, is acute in not just regional communities but also in metropolitan communities across the country at the moment.

One thing that was raised, that was talked about as being needed, are more jobs in remote Aboriginal areas. Certainly a large part of the discussion centred around I think the just over \$700 million commitment for the reinstatement of the Aboriginal employment program by the federal government, a reinstatement of something similar to the old CDEP rather than the CDP, which will provide some 3,000 jobs, including funding for the projects, the jobs we worked on. It was certainly exceptionally welcome, that we had discussions about how that might look in the Ceduna area.

I would have to say that there was some disappointment among the Aboriginal leaders when I met a number of them in Ceduna, and a lot of that disappointment was focused particularly on Liberal members in that area—members such as the federal member for Grey, Rowan Ramsey, and the local member, Sam Telfer.

A large part of the disappointment was the demonisation of those people, including a pile on with the federal opposition leader, Peter Dutton, about the Aboriginal community in Ceduna. There was grave disappointment in those Liberal leaders and the way they treat Aboriginal people. These members have had near death experiences from independent women who have run against them in recent elections, but beating up on Aboriginal people, as they do—

The Hon. J.S. LEE: Point of order.

The PRESIDENT: I will listen to your point of order.

The Hon. J.S. LEE: There is no relevance in the answer to my question.

The Hon. K.J. MAHER: I completely understand why the deputy leader doesn't want to hear this, I completely understand it. As I have said, there was grave disappointment amongst the Aboriginal leadership on the way some of these Liberal members of parliament have been demonising them, and just because they both have come exceptionally close to being beaten by exceptionally high-quality women candidates in recent elections is no reason to treat people like this.

FAMILY VIOLENCE LEGAL SERVICE ABORIGINAL CORPORATION

The Hon. R.P. WORTLEY (14:44): My question is to the Minister for Aboriginal Affairs. Will the minister inform the council about the work of the Family Violence Legal Service Aboriginal Corporation?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:44): I would be more than happy to, and I thank the honourable member for his question. Aboriginal community-controlled organisations play a critical role in the delivery of services across this state. The Family Violence Legal Service is one such organisation. Every day, they provide free legal support services, including advice, referrals, ongoing casework and court representation, with the aim to eliminate family and sexual violence through quality legal services, education and community partnerships.

I was able to spend some time with the team at the Family Violence Legal Service's office in regional South Australia to get to know more about the service they provide to communities. As I mentioned in the answer to the last question, in February I visited organisations, communities and leaders in Eyre Peninsula and the Far West Coast and spent time at the service's office in Port Lincoln to hear from staff about initiatives in the way they are engaging clients and victim survivors in their services.

I know that many organisations in the family and domestic violence sector face hard work to create safe spaces for victim survivors to seek support without fear of perpetrators. This is particularly acute in regional and remote areas of the state, in smaller communities where victim survivors are often more fearful of being outed by friends or neighbours. The Family Violence Legal Service have some remarkable and innovative programs to overcome these barriers. They are making a real difference in regional South Australia with programs like Sista 2 Sista and Love Colours, provided by their dedicated staff.

A few weeks later, I had the opportunity to visit the Port Augusta team in their office in that part of the Upper Spencer Gulf. The Port Augusta office provides services across much of the region, in close collaboration with other service providers. The service was established in 2011 to provide assistance to victim survivors of family or sexual violence. Free support services are in the areas of intervention orders, family law, child protection, victims of crime compensation and other legal problems arising from family violence. I would like to thank all the dedicated people at these services and many of the other Aboriginal community-controlled organisations that provide so much benefit to Aboriginal people in the state.

NUCLEAR POWER

The Hon. S.L. GAME (14:46): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries, representing the Minister for Energy, regarding nuclear power.

Leave granted.

The Hon. S.L. GAME: The global nuclear power movement has reached approximately 440 nuclear power reactors operating in more than 30 countries. These include our closest allies: the United States, the United Kingdom, Canada, France, South Korea, Japan and India. There are currently a further 60 power plants under construction and another 110 in the planning stages. France has 56 operating nuclear power plants that provide around 70 per cent of the country's power.

The UK government has announced plans for the biggest expansion of nuclear power in 70 years, with the Prime Minister branding nuclear power 'the perfect antidote for the energy challenges facing Britain'. My question is: does the minister agree with Premier Peter Malinauskas' view that nuclear energy is a completely uneconomic technology and, if so, how does the minister explain more than 30 countries operating and developing over 500 nuclear power plants, with another 110 to come?

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. I was in the Upper Spencer Gulf recently, and at one of the very well-attended forums, this particular issue was raised. The Premier gave quite a fulsome answer to it. I cannot pretend to have as much to hand in terms of notes on that particular topic, but the upshot was that, in terms of the cost, given the scale that we would have in South Australia—being a small state in a country that is also fairly sparsely populated—it would not be economic. If there is anything to add from the minister in the other place, I will bring back that response.

CHILD SEXUAL ABUSE

The Hon. L.A. HENDERSON (14:48): My question is to the Attorney-General regarding compensation of victims of child sexual abuse. Has the Attorney-General written or spoken to federal ministers or his state or territory counterparts to advocate for access to offenders' superannuation for victims and survivors of child sexual abuse, and when did he last request an update on this issue from his federal counterparts?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:49): Yes, I have a number of times. The most recent time would have been in the last few weeks.

RED IMPORTED FIRE ANTS

The Hon. R.B. MARTIN (14:49): My question is to the Minister for Primary Industries and Regional Development. Will the minister please update the council about the role South Australia is playing in the ongoing battle against red fire ants?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:49): I thank the honourable member for his question. Of course, I have stood up in this place on numerous occasions and addressed members on a wide variety of feral and invasive pests—feral pigs, deer, fruit fly and wild dogs, just to name a few—all of which pose significant and ongoing challenges to our state.

One such invasive pest that I hope to never have to talk about in this place as having taken home in South Australia is red imported fire ants. They were first discovered in Australia at the northern port of Brisbane in Queensland in 2001. These ants are only two to six millimetres long, but their bites unfortunately pack a punch that vastly exceeds their size. They are aggressive, swarm when disturbed and can inflict a painful sting that can cause potentially fatal allergic reactions in humans, pets and livestock.

Red imported fire ants are widespread in more than a dozen states across the USA and there sadly have been reported human fatalities from the ants' bites because of people going into anaphylactic shock. It is also estimated to cost US industry and agriculture \$7 billion a year. In the US and indeed in Queensland, where there has been a prolonged outbreak, they have seen local parks, reserves and sporting precincts closed because of red fire ant infestations and often these closures are for weeks to ensure public safety can be improved.

It is for these reasons that the South Australian government has recently committed an additional \$17 million as part of a nationwide package to the National Fire Ant Eradication Program, which is a cost-sharing arrangement between state and territory governments, along with the commonwealth, to help the ongoing battle against this dangerous pest.

I am advised that this additional funding will expand the program to include 350 new workers, a new depot, new vehicles, new aerial eradication contracts and an additional 1,400 tonnes of bait each year. It will support the program operations, doubling the size of the treatment and surveillance area, including high-density residential areas. This funding is in addition to the previously committed \$6½ million that South Australia had already budgeted.

Not only are red fire ants a threat to humans, parks and reserves and so on but they render agricultural machinery, paddocks and farmland unusable and are a great threat to the livestock industry across the country. Fire ants are considered one of the world's worst super pests and have the potential to spread across 97 per cent of Australia. Concerningly, five red fire ant nests were detected in Murwill—

The Hon. T.A. Franks: Murwillumbah.

The Hon. C.M. SCRIVEN: Thank you—Murwillumbah in northern New South Wales, having crossed the border from Queensland where they are most prevalent and have caused significant damage. The ants are certainly on the march, with estimates they are currently spreading between five and 45 kilometres each year, so it is essential for our state to play its part in preventing the spread of these fire ants and ensure that they are contained and that eradication is achieved.

The National Fire Ant Eradication Program is a nationally cost-shared program, funded, as I mentioned, by all Australian state and territory governments, along with the commonwealth, and delivered by Biosecurity Queensland. I had the opportunity last year to visit the control centre for fire ant management in Berrinba in Queensland and see firsthand for myself the work being done to eradicate the pest and also to see the significant damage that the ants are causing. I saw some of the latest technology and innovative approaches that are being implemented to assist with the eradication program.

One of the challenges has been locating red imported fire ant nests. One of the response tools to this challenge has been sniffer dogs, which are able to sniff out the nests which allow response units to then quickly destroy the established nest colony, and I saw that in action when I was there. Participating in the national eradication response is critical to ensure our state is protected from this dangerous pest into the future.

RED IMPORTED FIRE ANTS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:53): Supplementary: is the minister aware of criticisms by stakeholders, academics, local government and community members about the government's program which has been reported as an absolute shambles and they are calling for an independent eradication body and saying it is urgently needed?

The PRESIDENT: It was a broad-ranging answer you gave, minister.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:54): Yes, certainly, Mr President. Although the supplementary wasn't clear, I am assuming that the honourable member is referring when she says 'the government's program' to the implementation by the Queensland government. I know that there have been some discussions around that but there was widespread agreement that the eradication efforts had to continue. If they were paused for such a review, that would likely allow the pest to spread even further and potentially put further regions at risk.

KANGAROO ISLAND KOALAS

The Hon. T.A. FRANKS (14:55): I seek leave to make a brief explanation before addressing a question to the Minister for Aboriginal Affairs on behalf of the Minister for Climate, Environment and Water on the topic of the Kangaroo Island koalas.

Leave granted.

The Hon. T.A. FRANKS: I am sure most South Australians have been horrified by the horrific images that we have seen this week of koalas in blue gum plantations on Kangaroo Island being injured as a result of timber harvesting operations by the plantation managers. It is something that is not a new issue and it has been raised as a concern. Of course, the department had previously investigated and not been able to substantiate due to lack of evidence.

My question to the minister is: given the minister has encouraged people to report any suspicion of crimes of animal cruelty in this case to Crime Stoppers, is she confident that Crime Stoppers is equipped to address those complaints given previous constituents have come to me saying that when they report animal cruelty to Crime Stoppers they are asked why they have contacted Crime Stoppers?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:56): I thank the honourable member for her question. I know from my areas that I look after that Crime Stoppers is indeed a very valuable organisation in relation to its set-up and ability to receive various reports. I am sure they are capable of it, but in terms of the specific question I am happy to seek some further information and bring back the honourable member a reply.

KANGAROO ISLAND KOALAS

The Hon. T.A. FRANKS (14:56): Supplementary: given Crime Stoppers doesn't have a category for animal cruelty reports, will it create a category for animal cruelty reports?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:56): Once again, I am happy to seek an answer in relation to the question the honourable member has put.

BAIL

The Hon. J.M.A. LENSINK (14:57): I seek leave to make a brief explanation before directing questions to the Attorney-General regarding bail.

Leave granted.

The Hon. J.M.A. LENSINK: It was reported recently that an alleged drug dealer was found to be in possession of methamphetamine and prohibited weapons after being pulled over by police for driving erratically on the wrong side of the road. The driver, who allegedly tested positive for methamphetamine, was charged with numerous offences, including reckless and dangerous driving, drug trafficking and possessing a prohibited weapon. The accused was subsequently granted bail in the Port Adelaide Magistrates Court. My questions for the minister are:

1. What is the Attorney-General's response to the fact that an alleged criminal who tested positive to methamphetamine use and allegedly placed other road users at significant risk was promptly allowed back into the community?

2. How often does the Attorney-General discuss bail and its outcomes with the Chief Justice and other judicial officers?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:58): I thank the honourable member for her question. As I have said in this chamber quite a number of times, there are often quite legitimate questions from the Hon. Dennis Hood concerned about community safety. What we do as a parliament is we set down the parameters in which the judiciary make decisions about sentencing and about things like bail. It is up to the court then to decide, based on what we have written down as a parliament, what to apply.

Certainly, if a decision either about sentencing or about the granting of bail is something that is that far outside what ought to be expected either in terms of the potential severity or the potential leniency of it, it is generally open to either party to appeal that decision, whether it be about sentencing or whether it be about granting bail or not.

Although I have been invited a number of times by a number of members to make commentary on specific decisions, I have not accepted those invitations and I don't propose to do so now. Certainly, it's not something I raise with the Chief Justice, the Chief Judge or the Chief Magistrate, let alone any individual judges, about their decisions.

Occasionally, if there are matters that need to be discussed, I have regular meetings with the Director of Public Prosecutions and with the Commissioner of Police, and we occasionally talk about the specific issues. In terms of raising it with the judiciary, I don't think that is the proper function, but raising it with the authorities who prosecute certainly is.

BAIL

The Hon. J.M.A. LENSINK (14:59): Supplementary question: does the Attorney review cases that are ventilated in the media and look at root cause analysis?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:59): I thank the honourable member for her question. Certainly, myself, I don't make the decisions and I don't review cases with a look at determining what further course of action or whether an appeal should be taken or not. I will certainly on occasions discuss it with people like the Director of Public Prosecutions, who are well-versed, well-qualified and do these sorts of things on a daily basis.

FIRST NATIONS VOICE ELECTIONS

The Hon. J.E. HANSON (15:00): My question is to the Minister for Aboriginal Affairs. Will the minister inform the council about the inaugural elections underway for South Australia's First Nations Voice?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:00): I thank the honourable member for his question. I would be more than happy to do so. Most members would be aware that Saturday 16 March is a big day for the South Australian Aboriginal and Torres Strait Islander community. It is the day that the inaugural elections for the First Nations Voice will be held. I am delighted to inform the chamber, at the prompting of the member, about the processes that are already underway.

Nominations closed on 12 February, with the declarations taking place on Monday 26 February. That saw 113 nominations announced, who will be vying to fill the 46 positions across the six regions. The nominations in the various regions were as follows: for Central region, the Adelaide region, there are 41 nominations in total for 11 positions. For region 2, Far North, there are 13 nominations for seven positions. In region 3, Flinders and Upper North, there are 13 nominations for seven positions. In region 4, Riverland and the South-East, there are 14 nominations for seven positions. In region 5, West and West Coast, there are 19 nominations for seven positions. In region 6, Yorke and Mid North, there are 13 nominations for seven positions.

I am very pleased to see the large number of nominations. Even more pleasing is the number of nominations by Aboriginal and Torres Strait Islander women, which make up more than half of the nominations in total. I think about 54 per cent of nominations are from Aboriginal and Torres Strait Islander women. For every region, there are more nominees than positions available, and for most

of the regions there are approximately double, if not more, nominations than positions that are available.

Early voting at early voting centres commenced yesterday, and mobile voting at remote communities around South Australia commenced earlier this week. Early voting has already started this week via mobile voting at places like Amata, Bordertown, Clare, Copley, Davenport, Hawker, Jamestown, Kalka, Kingston, Koonibba, Loxton, Marree, Meningie, Moonta, Naracoorte, Narrung, Nepabunna, Oak Valley, Pipalyatjara, Point Pearce, Scotdesco, Umuwa, Waikerie and Yalata.

Early voting centres and mobile voting will continue for the rest of this week and into next week in the Adelaide CBD, Berri, Ceduna, Christie Downs, Coober Pedy, Elizabeth, Iwantja, Kingscote, Maitland, Marla, Mimili, Mount Gambier, Murray Bridge, Parndana, Penneshaw, Port Augusta, Port Adelaide, Port Lincoln, Quorn, Victor Harbor, Whyalla and Yankalilla.

On election day on Saturday 16 March, Aboriginal and Torres Strait Islander people can vote at the Adelaide CBD, Aldinga, Barmera, Berri, Ceduna, Christie Downs, Coober Pedy, Elizabeth, Gawler, Goolwa, Kadina, Mount Gambier, Murray Bridge, Nuriootpa, Peterborough, Port Adelaide, Port Augusta, Port Lincoln, Port Pirie, Port Victoria, Renmark, Roxby Downs, Strathalbyn, Two Wells and Whyalla.

All the details of the addresses, the voting times and the voting days for all polling booths, the remote booths, the mobile booths, the early voting, and voting on the day are available at the SA Electoral Commission's website. I would like to thank all the people from the Electoral Commission who have been involved, and also the Commissioner for First Nations Voice, Dale Agius, and his team for the work that they have done so far in the preparations for these elections.

FIRST NATIONS VOICE ELECTIONS

The Hon. T.A. FRANKS (15:04): Supplementary: how do the nominations turn out compared to, say, council or other elections that are similarly run in this state?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:04): I thank the honourable member for her question. It's a question that has been asked. I know the Liberal spokesperson on Aboriginal affairs made commentary about the disappointing turnout, with 113 nominations, and I have certainly done media interviews about it.

In terms of local council elections, I can't remember the exact number but it might have been three local councils that had no-one nominate for the mayor at the November 2022 elections. This is certainly a large step-up on having vacancies for mayorships. But also, when the opposition spokesperson came out and denigrated the level of interest from Aboriginal people in their own Voice, it did get me to thinking about the level of nominations per capita, given the different populations.

Aboriginal people account for about 2½ per cent of the South Australian population—one-quarter of one-tenth, so one-fortieth of the SA population—and had 113 nominations for 46 positions. For the 47 seats in the House of Assembly, a very comparable number of positions available, at the 2022 state election there were 240 nominations. So for the state election there were about double the amount of nominations, but with the Aboriginal population being only one-fortieth. So Aboriginal people, on those very in-my-head mathematics, nominated at about 20 times the rate that South Australians nominated for the state election.

That doesn't account for the fact that Aboriginal people's life span is significantly shorter and birthrates are significantly higher, so I did have a look to see what the voting age population was for Aboriginal people compared to non-Aboriginal people. In South Australia the general population of Aboriginal and Torres Strait Islander people is 2.4 per cent but of over 18s it is 1.8 per cent—less than that as a percentage.

For the just over 26,000 Aboriginal and Torres Strait Islander people aged over 18 in South Australia and potentially eligible to nominate because they may be on the electoral roll, for 113 positions that is one nomination for every 231 over-18 Aboriginal and Torres Strait Islander people in South Australia. There are 1,418,397 South Australians over the age of 18, according to

the late 2021 Census, and for the 47 House of Assembly seats, for example, with 240 nominations, that is one nomination per 5,910 general South Australians.

For South Australians to have nominated at the same rate as Aboriginal people nominated to the Voice there would have to be a 2,456 per cent increase in the rate of nominations for people at the state election compared to how Aboriginal people nominated for the Voice. So it was a very well nominated Voice. Twenty-five times more people, per capita, nominated for the Voice than they did for the 47 seats for the state election.

FIRST NATIONS VOICE ELECTIONS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:07): Supplementary: will the minister be casting his vote in the State Voice elections?

The PRESIDENT: I am not sure how we touched on that at all in the original answer.

RIVERLAND WINE GRAPEGROWERS

The Hon. F. PANGALLO (15:08): I seek leave to make a brief explanation before asking the Minister for Primary Industries a question about the future of Riverland grapegrowers.

Leave granted.

The Hon. F. PANGALLO: There is a lot of speculation in the Riverland at the moment regarding the termination of the agreements between the CCW Co-op, which represents more than 500 growers, and the large wine companies, including Accolade. There are growing fears Accolade is manoeuvring to sign up about 100 of the largest growers as well as growers across the border in the Riverina to supply wine grapes and, therefore, eliminating their obligations under existing contracts with CCW growers. That would mean more than 500 growers being forced out of the industry, creating hardship, which many growers believe is the hidden agenda in the Riverland wine industry's blueprint, released late last year.

There are also concerns Accolade is in merger talks with other large wine companies, which if successful would make it the biggest wine company in Australia, with the ability to dictate the spot price for wine grapes. My questions to the minister are:

1. Are you aware of such merger talks and has the government been involved in any discussions with these companies?
2. Has PIRSA been contacted by representatives of the New South Wales government and/or Accolade regarding increased grape supplies coming from interstate?
3. Have discussions been held between PIRSA, the wine companies and the New South Wales government about providing a freight subsidy for grapes being transported from New South Wales?

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. There are quite a few questions in there and I will attempt to remember each of them to be able to provide a response. First of all, I expect that probably members are aware of recent changes in ownership arrangements of Accolade. An announcement from the company was in the media probably about three to four weeks ago, if I recall correctly.

In terms of contractual arrangements for private businesses, I am aware of a great deal of discontent—to put it mildly—between the CCW members and Accolade. I have certainly met with members of CCW on a number of occasions, and I have arranged for the Commissioner of Consumer Affairs to meet with members. I think it will be in two weeks' time. I know that it is after the time that I am in China.

Obviously, arrangements between private businesses is something that is often confidential between those businesses. Sorry, it is the Small Business Commissioner who I have arranged a meeting with for some of the growers and industry members in the Riverland. In terms of interstate, I am not aware of any conversations of the type to which the member alludes, and I haven't heard of any discussions of a freight subsidy.

RIVERLAND WINE GRAPEGROWERS

The Hon. F. PANGALLO (15:11): Supplementary: does the minister have powers under the South Australian Wine Grapes Industry Act to recommend a price for wine grapes and intervene where there are issues with terms and conditions of payment?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:12): I thank the member for his supplementary question. I do have a little bit of background about the Wine Grapes Industry Act 1991. My advice is that when the act was introduced, it was framed as an attempt to come to a basic form of pricing and contract arrangement between grapegrowers and winemakers.

As government policies evolved over the years, I think it is fairly broadly recognised that government generally does not intervene in the marketplace for agricultural commodities and that it is considered more appropriate for industry to have things such as codes of conduct and similar mechanisms. I am advised that essentially the act is not particularly intrusive on modern business practice, but it is largely adhered to and is considered to have the support of winemakers and grapegrowers.

I am also advised that the act provides no powers of compliance to set wine grape prices. Indicative prices, according to my advice, were only published under the act on one occasion, which was for the Langhorne Creek region in 1999. Releasing indicative prices has been continued by the industry without specific reliance on the act.

INKLINGS AUTISM PROGRAM

The Hon. H.M. GIROLAMO (15:13): I seek leave to make a brief explanation before asking a question of the parliamentary secretary and Assistant Minister for Autism regarding the Inklings program.

Leave granted.

The Hon. H.M. GIROLAMO: Recommendation 6 of the Royal Commission into Early Childhood Education and Care was to partner with the commonwealth to trial the Inklings program, an early intervention program for children at risk of being diagnosed with autism, and the government has proceeded to allocate \$6.4 million in funding towards a program.

However, I believe, in response to concerns raised about the program by the Australian Neurodivergent Parents Association and others, the Department of the Premier and Cabinet has indicated that it will establish an expert review panel to undertake an assessment of the Inklings manual to ensure that it meets required standards. My questions are:

1. Why did the government fund the program to start enrolling families in this program before conducting assessments as to whether it met required standards?
2. What additional due diligence did the assistant minister and the government do before funding the \$6.4 million towards the Inklings program other than the recommendation by the commissioner?
3. What consultation did the government undertake?
4. Is the assistant minister aware of the concerns raised by a number of parents and the Australian Neurodivergent Parents Association about this program?

The Hon. E.S. BOURKE (15:14): I thank the member for her question. This is a significant program that we are implementing in South Australia. It is a first for the joint funding commitment from both the federal and state governments, which is totalling just over \$14 million, and an exciting first step in addressing one of the points you were making about families calling for this and where is the consultation.

It came from one of the largest consultations we have had in South Australia, actually through the strategy consultation that we held last year. Over 1,200 people, I believe, participated in that consultation. From there, I don't know how many times I heard in the 25-plus forums I held over three

weeks that, 'I wish we had known earlier. I wish that there was a way of having this knowledge earlier about either a diagnosis or how I can get an assessment in autism.'

The Inklings program has been around for quite some time, I have been advised. It is a program that has been undertaken by Telethon Kids, an organisation that is led by Julie Bishop. This is a really significant program because it is about giving knowledge back to parents; it is not about changing a child. This is not being implemented in any way yet; it is being developed as we speak.

I think within the first two weeks of us announcing that this program would be available in South Australia we held a community forum and anyone could come and join who was able to register. We discussed there and then why the importance of this is about giving the knowledge back to parents and training up our CaFHS nurses and our family day-care centres and children centre staff and workforce because they are often the first people who come into contact with our children who are aged between six and 18 months.

This is where this program is seeking to support really little ones, but it's not even about what we can do for the child, it's about giving that knowledge to new parents or to parents about how to best support and communicate with their child. I believe the honourable member asked something about why do we even start enrolling families; is that correct?

The Hon. H.M. Girolamo: Yes, why is it being enrolled at the moment?

The Hon. E.S. BOURKE: Families are not being enrolled in this program yet. As I have said during these comments, this is a program that we have just been successful in getting that funding through the federal government. It was in the federal budget. We are now scaling that up to how we will be able to train those staff and those workforces that I have just detailed: children's centres, family day-care services and also CaFHS nurses because they are our first, quite often, either allied health support or government educational support staff who are coming into contact with our little ones.

There is a lot that has to happen in this year about training up that workforce, but we haven't rolled out this program in South Australia yet; we have just been successful in getting that funding. Now we have a lot to do to get out there and make sure that we can get that knowledge to our parents and to our carers when that program is ready to do so.

Personal Explanation

ACCOLADE WINES

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:18): I seek leave to make a personal explanation.

Leave granted.

The Hon. C.M. SCRIVEN: I just wanted to clarify an answer that I gave in question time in regard to Accolade Wines. I am advised that, from media reports in January, Accolade Wines announced that Australian Wine Holdco Limited (AWL), a consortium comprised of international investors, plans to take full equity ownership of the company. However—and this is the clarification—my understanding is that this arrangement is still subject to regulatory approvals.

Bills

BAIL (CONDITIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 31 August 2023.)

The Hon. J.M.A. LENSINK (15:19): I rise to indicate the Liberal Party's support for this particular bill, which has been some time in its gestation and which I think I will just talk a little bit about to begin with. I also note there is a very significant number of Labor members who are going to be speaking on this legislation today, so I look forward to lengthy and technical contributions to this bill.

Clearly, the matter of domestic violence and the scourge in Australia is one that we all despair at. We need to look at every measure possible to stamp out domestic violence in our community, and I think that is something that enjoys universal support across all political parties. I certainly recall in years past when we would have the domestic violence vigils on the steps of parliament that there would be a few members there, but we all attend what has become now the Pay Our Respects event, and I would like to acknowledge everybody's support for that event and commitment to stamping out domestic violence in our community.

The origins of this particular bill were from a piece of legislation introduced by the now Minister for Women, the Hon. Katrine Hildyard, member for Reynell, in 2021. The honourable member's bill at that stage proposed mandatory electronic monitoring of, firstly, a person accused of a serious domestic violence offence; secondly, on bail; and, thirdly, subject to prescribed intervention orders. That particular piece of legislation had a broad application, and it was referred by the then government to a cross-government working group, which was already considering increased usage of electronic monitoring of alleged domestic violence offenders.

I will speak to that bill in a little bit more detail. It was the Statutes Amendment (Electronic Monitoring of Domestic Violence Offenders) Bill 2021, and it was introduced on 23 June 2021 to the House of Assembly. That bill imposed mandatory electronic monitoring requirements on accused domestic violence perpetrators on bail or intervention orders.

Secondly, in relation to bail, the mandatory imposition of electronic monitoring applies to any person charged with an offence listed in the bill as a serious domestic violence offender and in a prior relationship with the victim. Thirdly, in relation to intervention orders, mandatory electronic monitoring is applied to all prescribed intervention orders, which included any intervention order against a person who is alleged to have committed a domestic violence offence, even if they were never charged, or any intervention order that contains any non-contact terms, such as the defendant not call, text or approach in public.

That then culminated in the Labor Party having as part of their election policy that they would reintroduce a bill. This bill is quite significant to the 2021 version in the following way: it is much less tough on those who breach intervention orders in that it limits it to, and I am referring now to the Intervention Orders (Prevention of Abuse) Act 2009 section 31(2aa)(b), which provides:

the act or omission alleged to constitute the contravention involved physical violence or a threat of physical violence,

This piece of legislation before it is quite contained in who it applies to. I wish to speak to my amendment briefly, and I appreciate that it probably does not have the support of this chamber, but I wish to make a point that the amendment filed in my name is much broader in that it applies to section 31(2), as well as the whole of subsection (2aa). That would mean that any person who contravenes any other term, which is what is in the subsection, of an intervention order is guilty of an offence, and also in (2aa) would include the second and subsequent breaches of an intervention order.

We would appreciate a response from the government as to why it has limited these particular bail requirements to just violence or threats of violence rather than a broader set of offences that exist under the existing Intervention Orders (Prevention of Abuse) Act. We think there are grounds for the scope of this legislation to be broadened, and we will be interested in the government's response as to why it does not agree.

The Hon. R.A. SIMMS (15:26): I rise very briefly to speak on the Bail (Conditions) Amendment Bill 2023 and to indicate that the Greens will support this bill. Domestic and family violence is a very serious matter, as we know. In Australia, one in six women and 11 per cent of all adults experience violence from a partner. Since the first national plan to reduce violence against women and their children was adopted 13 years ago, I understand that over 700 women have been murdered. First Nations women, women from culturally diverse backgrounds, women in regional areas, older women, LGBTIQ+ women and women with disabilities are even more likely to experience this violence.

It is clear that what has been done to date is not working and has not gone far enough. We need to continue introducing measures to protect people from this terrible abuse. This bill ensures

that survivors have an extra level of protection in what are deemed high-risk cases. When a perpetrator has been found to have contravened an intervention order through physical violence or threat of physical violence in a domestic or family violence case, they will be subject to bail conditions that impose electronic monitoring devices.

This bill reduces the threat of further violence to people who have experienced family or domestic violence and will give them one more assurance that their safety will be protected. The Greens therefore support this measure. I note the opposition will be moving some amendments, and the Hon. Michelle Lensink has spoken to those. I have some concerns and have flagged these with the honourable member around the potential resourcing implications of those amendments, and I will explore some of those concerns with the Attorney-General during the committee stage to get some clear advice from the government around the implications of what the honourable member has proposed. With that, I conclude my remarks.

The Hon. M. EL DANNAWI (15:28): I rise to speak in proud support of the bail amendment bill 2023. This bill will require high-risk domestic violence defendants who are not on remand to be on electronically monitored home detention as a condition of their bail. The bill will make this condition mandatory for those charged with violently breaching a domestic violence related intervention order.

Under the Bail Act these defendants must already demonstrate special circumstances to be granted bail in the first place. However, court data shows that approximately half of the defendants charged with this crime are granted some form of bail—approximately 150 defendants each year. This bill will result in defendants being on electronically monitored home detention bail when they would otherwise have been on less strict forms of bail. Electronic monitoring combined with geographical bail restrictions will mean that the device can provide real-time alerts if the defendant breaches the conditions of their bail.

It is appropriate that we should speak to this bill on the eve of International Women's Day. We know that both men and women can be victims of domestic violence; however, research clearly indicates that the overwhelming majority of violence is perpetrated on women by men. The Australian Institute of Health and Welfare reported that one in four women and one in 14 men have experienced violence from an intimate partner by the age of 15.

In 2021-22, nine in 10 hospitalisations for assault injury by a partner were for women. The overall rate of family and domestic violence hospitalisation was almost three times higher for women when compared to men. The single biggest risk factor in being a victim of domestic and family violence is being a woman. The reality is that women are most likely to face violence or even death at the hands of a man they know. There are far too many instances in Australia of women who have been murdered by known perpetrators of domestic violence while these men have been released on bail.

Data from the AIHW shows that the vast majority of women who have experienced violence and assault from a previous partner experienced it more than once. Domestic violence is rarely a one-off. There is also data to demonstrate that when women temporarily separate from a violent partner, the violence can continue or even escalate. Bail is an important part of our justice system; however, it is common sense that we take reasonable steps to monitor those who pose a significant threat.

This is not a new idea. Mandatory home detention bail is not even novel under the Bail Act. Serious and organised crime suspects on bail are subject to mandatory home detention conditions in order to protect witnesses who have reasonable fears for their safety. Given what the data clearly shows, the experiences and the stories we have heard from domestic violence survivors, I think it is fair to conclude that women also have reasonable fears for their safety.

Ultimately, we must be looking towards preventing violence against women in the first place. We must also look towards making sure women are empowered to safely leave dangerous situations. As a third layer, we must provide all reasonable protections to the women who desperately need them as they embark on the often difficult experience of charging their abuser. I commend the bill to the chamber.

The Hon. T.T. NGO (15:32): I rise to speak in support of this bill that requires high-risk domestic violence defendants who are not on remand to be put on electronically monitored home detention bail. This fulfils Labor's election commitment to introduce legislation requiring individuals who are charged with a serious domestic violence offence to be electronically monitored as a mandatory condition of bail.

Electronic monitoring combined with geographical bail restrictions means that the device will give real-time alerts if an individual breaches these conditions. Approximately 150 defendants each year are charged with a violent intervention order (IO) breach and receive bail and around 120 defendants each year are charged with violent IO breaches who have receive non home detention bail. Keep in mind that an intervention order is a court order made by a magistrate that aims to protect us and our families from anyone who is violent or makes us feel unsafe.

The Labor Malinauskas government is continuing to progress a suite of reforms in relation to family and domestic violence, including conducting a royal commission. This now has its terms of reference published and, as recently announced, will be expertly led by former SA Senator Natasha Stott Despoja AO, who has been appointed commissioner. Ms Stott Despoja was reported as being confident about her prospects of delivering meaningful, practical recommendations within a short time frame. As Ms Stott Despoja said:

The good thing about working in this space is that violence against women and children is preventable.

Although she recognises that eradicating DV completely is not something that can be achieved overnight, especially when you are changing attitudes and behaviours, Ms Stott Despoja believes eradication of DV is what we need to work towards.

In a multicultural society such as ours, we have additional challenges when addressing family and domestic violence within culturally diverse backgrounds and with individuals with disabilities or other intersectional factors who are at a greater risk of domestic violence. In fact, our Indigenous and Torres Strait Islander women are three times more likely to experience this type of violence than non-Indigenous women.

It was reported in recent media that Adelaide-born actor Hugh Sheridan, currently based in Los Angeles, flew to Australia after the shocking killing of his friend Luke Davies and Luke's boyfriend, Jesse Baird. This tragedy inspired Hugh to share his own terrifying abuse at the hands of a knife-wielding former partner. SA's royal commission will meet with stakeholders, ministers, police and those in society who, like Mr Hugh Sheridan, have a place to contribute to eliminating all forms of domestic violence regardless of how long that may take.

In the interim, the amendments will provide a pathway to help maintain greater community confidence in the justice system by providing better protections to victim survivors of domestic and family violence. Firstly, the Bail (Conditions) Amendment Bill 2023 aims to address a charging error in relation to offences under section 31 of the Intervention Orders (Prevention of Abuse) Act 2009. Secondly, section 31 relates to offences for breaches of intervention orders under the act.

Section 31(1) is a less serious offence of violating an intervention order which requires participation by the defendant in an intervention program, whereas section 31(2) is a more serious offence of violating any of the terms of an intervention order. This offence carries a maximum penalty of three years' imprisonment for a basic offence and five years for an aggravated offence.

As Attorney-General the Hon. Kyam Maher outlined, it was identified last year that defendants had been charged with and found guilty of a less serious offence under section 31(1) of the act when they should have actually been charged with and found guilty of an offence of breaching section 31(2) of the act. This bill came about after advice received from the Solicitor-General, the Crown Solicitor and the Attorney-General's Department on the best way of addressing the issues surrounding section 31(1) and 31(2). This bill will address the risk factors associated with a violent breach of an intervention order offence, which the current act does not adequately do.

Mandatory home detention bail is not novel under the Bail Act. As we know, serious criminal suspects on bail are subject to mandatory home detention conditions in order to protect witnesses who have reasonable fears for their safety. Given this bill applies to defendants charged with violently breaching a domestic abuse related intervention order and approximately 150 defendants each year

are charged with this offence and receive bail, this bill could impact around 150 people. Further to this, as already mentioned, around 120 defendants are charged each year with violent intervention orders breaches that receive non home detention bail.

The Labor Malinauskas government has a proactive record when it comes to addressing family and domestic violence and we are a government committed to long-term action in this area. I therefore commend the bill to the chamber.

The Hon. S.L. GAME (15:40): I rise in support of the Bail (Conditions) Amendment Bill 2023. Domestic violence remains one of our most pressing societal concerns, affecting both men and women. The very notion of introducing mandatory electronic monitoring for high-risk domestic violence offenders stands as a sobering testament to the challenges we face. Protecting our most vulnerable does not come without its costs.

In an ideal society, the freedoms of no individual should be curtailed. Everyone should have the right to move freely and live without restraint, but it was alarming to learn that 150 individuals, having demonstrated special circumstances, are currently out on bail. These individuals have contravened domestic abuse related intervention orders where their breaches involved violence or threats of violence. This presents us with difficult decisions. We must balance individual freedom against the collective safety of our society.

The comparisons made between this bill and the measures taken for serious and organised crime suspects are both illuminating and disheartening. When victims of domestic violence find themselves living in perpetual fear, the issue becomes glaringly urgent and cries out for protective measures. This bill serves as a stark reminder that our journey to address and eradicate domestic violence is far from over and, furthermore, the bill emphasises the need for broader societal change.

We must strive for a society where respect, understanding and nonviolence are standard. The significance of education, community outreach and cultural transformations cannot be overstated. Genuine change will not arise from monitoring devices or stringent laws. It will stem from grassroots movements, education and enduring efforts to reshape perceptions about domestic violence, where both men and women are victims. Ultimately, our goal should be to create a society where bills of this nature are of the past, indicative of challenges once faced but overcome through collective effort and societal evolution.

The Hon. C. BONAROS (15:42): I rise to speak in support of the Bail (Conditions) Amendment Bill 2023 and note that this was one of the current government's election commitments, which I think follow on from some of the good reforms the former Attorney-General also had flagged and started to put in train prior to this government being elected. As outlined and mentioned by members, the bill seeks to amend the Bail Act, ensuring individuals charged with prescribed offences are subject to mandatory bail conditions upon release from custody.

While it is reassuring that the presumption against bail already extends to defendants charged with violent breaches, I think we all agree it is important to bolster existing measures. The bill mandates home detention conditions for those granted bail, particularly focusing on electronic monitoring. Under the provisions, alleged perpetrators would be fitted with electronic monitoring devices restricting their movements outside their residence except for essential activities such as employment or medical treatment. The inclusion of electronic monitoring builds on existing frameworks, which have already been mentioned.

Real-time monitoring overseen by the Intensive Compliance Unit of the Department for Correctional Services ensures immediate detection of any breaches, and that certainly was the subject of some discussion when my office had a briefing on this bill. I understand there are approximately 7,000 individuals out of the 10,000 serving terms of imprisonment in South Australia already subject to home detention conditions. I am interested to hear from the Attorney regarding the anticipated number of offenders likely to be impacted by these changes, and the corresponding budget allocation.

Because I referred to it at the outset, I will make mention that one of the issues I was working on prior to the last state election was the GPS tracking trial, which the former Attorney-General did support by way of a trial. We have not had a lot of updates since then as to the success or otherwise,

or implementation, of that particular scheme. If the Attorney has that available to him, I would ask: what, if anything, is happening on that front in terms of the GPS tracking?

The only other issue that I would ask we turn our minds to is: recognising that not all threats are physical, how will this interact with our coercive control laws as well? Will the scope be expanded at some stage? I note that they are due to come in, and I again note the work that has already been done previously on this issue. Overwhelmingly, I think we have been in the position where we have supported the good measures that both the former and the current Attorney-General have worked on on this front.

The only other question for the Attorney is in terms of that real-life monitoring, about how quickly a victim is notified of the things that will happen. In terms of the budget allocation there is obviously a cost in terms of monitoring perpetrators, and I have some questions around that issue. With those words, I indicate my support for the bill.

The Hon. R.P. WORTLEY (15:46): I rise to speak in support of the Bail (Conditions) Amendment Bill 2023 to introduce electronically monitored home detention bail for serious domestic violence defendants. This bill would require high-risk domestic violence defendants who are not on remand to be electronically monitored in home detention. It fulfils an election promise and a commitment to introduce legislation requiring persons who have been charged with a serious domestic violence offence to be electronically monitored as a condition of bail.

The bill will mandate that anyone applying for bail whilst charged with violently breaching a domestic abuse related intervention order would only be granted bail if they are subject to home detention and electronic monitoring. Defendants to whom this bill would apply are already prescribed applicants—meaning that to be granted bail they must already demonstrate special circumstances.

Court data shows that approximately half of such defendants meet this criterion and are granted some form of bail. These defendants would have been pre-assessed as posing a risk to the victim. This bill will add further protections for victims of domestic violence and will protect community safety across the board.

The combined utilisation of electronic monitoring and geographical bail conditions means that the devices will be able to provide real-time alerts to the relevant authorities if the defendant breaches the conditions of their bail. As per usual home detention requirements, under this bill defendants will only be allowed to leave their approved residence for employment, medical treatment, if there is a risk of danger or if approval is granted by a community corrections officer. Additional restrictions can also be imposed to prevent the defendant from interacting with their alleged victim, such as visiting their place of work or their house.

Why is this bill explicitly necessary? We know that approximately 150 defendants each year are charged with violently breaching an intervention order. That is around 150 people each year who will be impacted by this bill, and it is not just the defendants but the alleged victims as well. That is around 150 people's lives that can be made safer. These proposed changes are not entirely without precedent, with serious and organised crime suspects on bail already subject to mandatory home detention conditions to best protect witnesses or alleged victims who have reasonable fears for their safety.

This bill is just another much-needed policy outcome that builds on the Malinauskas Labor government's record on preventing and eradicating family and domestic violence. I will get to the most recent announcement in a moment, but we should not forget that we as a government have done the following.

We have made the experience of domestic violence a ground of discrimination in the Equal Opportunity Act; we have enshrined 15 days' paid domestic violence leave for public sector workers; we have committed \$1 million to establish two domestic violence prevention and recovery hubs, one in the southern suburbs, which opened just last week, and the other in the northern suburbs, which is currently in development; we provided \$800,000 to restore funding to the Women's Domestic Violence Court Assistance Service for the next four years; and we have reinstated funding to Catherine House, a service that provides much-needed social assistance for women experiencing

homelessness. This funding was shamefully cut by the Marshall Liberal government, by the minister, by the previous minister herself, sitting over the road.

All of this is important work and will make a significant difference to those in our community who have experienced family or domestic violence. As I alluded to earlier, in recent days the state government has announced that former South Australian senator and former Australian Ambassador for Women and Girls will head our government's Royal Commission into Domestic, Family and Sexual Violence. This royal commission will have a 12-month time frame and will provide policy, administrative and structural recommendations on how to best resolve the scourge of domestic violence in South Australia.

The royal commission will examine five key themes: prevention, early intervention, response, recovery and healing, and coordination. All of these themes are vital to South Australia eradicating what is sometimes referred to as a shadow pandemic. The stories we hear from the royal commission will be harrowing, and it will be difficult, but it is important that we listen to victim survivors and do all we can to ensure their voices are heard and respected.

It should also be noted that tomorrow is International Women's Day, with a theme of Inspire Inclusion to emphasise a sense of belonging, relevance and empowerment amongst the community. The overarching message is that we need to forge a more inclusive world for women, and that includes eliminating domestic violence from our society and doing all we can to protect victim survivors of domestic violence, which is at the very heart of this bill.

The Hon. E.S. BOURKE (15:52): Taking steps to seriously address domestic violence with the intent to bring about genuine and lasting change towards eradicating domestic violence is a goal that I am sure all in this chamber support. Labor took a commitment to the election that we would introduce legislation that will require persons who have been charged with serious domestic violence offences to be electronically monitored as a condition of bail.

The Bail (Conditions) Amendment Bill 2023 fulfills that commitment by proposing to require high-risk domestic violence defendants who are not on remand to be on electronically monitored home detention bail. We are not seeking to implement these changes because we think it is important, we are doing it because we know it is important and we know it is necessary.

Last year, we saw a shocking number of domestic violence deaths in a short period of time. Not that the number makes it any worse—one death is one too many, as all in this place can agree—but seeing so many South Australian women die at the hands of their abusers in such a short period of time was a deeply alarming experience for all.

The Malinauskas Labor government is committed to taking significant steps to address our state's domestic violence problems, many of them being outlined today. I will just include some of them: we are making the experience of domestic violence a ground of discrimination in the Equal Opportunity Act; we are putting in place 15 days' paid domestic violence leave for workers within the state industrial system; we have strengthened support within our tenancy laws for South Australians experiencing and escaping domestic violence with things like being able to give the flexibility of changing your own locks when you are a renter; and we are engaging with the finance and real estate sectors towards ensuring that women do not bear undue responsibility for mortgages, loans and rent that may go unpaid in a domestic violence situation.

Very importantly, the Royal Commission into Domestic, Family and Sexual Violence will soon commence. Natasha Stott Despoja AO, who I am sure everyone in our chamber and in parliament are aware of, is tremendously experienced and has the expertise to take on the role of a royal commissioner. The royal commissioner will focus on five central themes that align with the national plan to end violence against women and children in 2022-2023, and they are: prevention, early intervention, response, recovery and healing, and coordination.

Our aim is that the outcomes and the recommendations of the royal commission will help advance community understanding of domestic, family and sexual violence. The process will place a significant focus on empowering the voices of survivors so that these outcomes can be strongly informed by stories of lived experience. Our efforts in this crucial area of policy will help to change South Australian lives and will help to save South Australian lives.

The bill before us today is another measure that supports the Malinauskas Labor government's efforts to combat and prevent domestic violence. The bill strengthens protections for victims by providing that offenders who are granted bail are subject to electronic monitoring, combined with where they are located. This means that the monitoring device can provide real-time alerts if the defendant breaches the imposed conditions.

The reforms in this bill offer meaningful protections to improve the safety of many in our community. It is a very responsible bill to be putting forward to our parliament and one that I am pleased to be supporting today.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:56): I thank members for their contributions on this matter. I know that most members who made a contribution raised questions about the merits of the amendment that has been put forward, and I will address those in a moment. I know the Hon. Connie Bonaros had questions about a GPS tracking trial in real-time monitoring. I do not have the answers to those questions but I will refer a copy of the *Hansard* to my colleague the Minister for Corrections to bring back a reply for the member on those questions.

In relation to the amendment that has been filed, I think it is a commendable amendment and I completely understand the Hon. Michelle Lensink's intention in moving that amendment. I think we all have the aim of keeping women who are victim survivors of family and domestic violence as safe as possible. I do not think any one of us here does not want to see that as the aim of what we are doing.

In relation to the practical effect of the amendment, there were a number of questions asked, such as, 'What would the numbers be and what would the cost be in relation to trying to manage that?' My advice is that according to the government's bill for the violent breaches there would be somewhere in the order of about 120 people a year who would be captured by that. My advice is that the cost of the compliance, that is the home detention electronic monitoring, would be somewhere close to \$2 million. If it was broadened out, as the Hon. Michelle Lensink's amendment suggests, that would be almost 10 times the amount of people that it would apply to, and the commensurate cost.

There is no cost you can put on keeping people safe. I am just not sure that there would be the number of people physically that Corrections could employ to monitor the amount of monitoring that would be needed. The mechanics or the cost of it are one issue, and although I can completely understand the commendable intentions behind the amendment there are issues about the types of people who would be captured by any breaches whatsoever, according to section 31(2).

I asked and very helpfully was supplied with a couple of examples of some of the breaches that would be captured and then have someone subject to home detention bail and electronic monitoring. A couple of the examples that were given to me were of recent cases. There was the case of Jones v Police in 2020, where the protected person attended the defendant's house unannounced and distraught about a child protection matter.

The defendant knew of the intervention order but had a concern about the protected person's mental state and allowed her to stay, in technical breach of the intervention order. It was common ground that the contact was initiated and with the consent of the protected person, but it was, in fact, a breach and that person would be captured.

I am informed that is not a wholly uncommon occurrence, where someone to whom the intervention order to protect them makes contact themselves with the person for whom the intervention order is directed against. In circumstances like that it would seem difficult to justify not necessarily the expense or the organisational need for home detention monitoring but whether the resources are better directed at keeping someone safe in other forms rather than directed at home detention monitoring.

Another example that I was provided with is Joseph v Police in 2020, where the defendant was prohibited as part of the intervention order from being within 100 metres of the protected person's residence. However, he drove down the street within approximately 20 metres of the residence on his way to his hairdresser. The breach was said to be incidental and there was no suggestion the

defendant had any other intent than to go to the hairdresser. However, if it was broadened out to cover every single breach something like that would be covered and have a person subjected to home detention bail, effectively, and electronic monitoring.

As I said, whilst I completely understand the intent of the Hon. Michelle Lensink's amendments and our common desire to keep people as safe as possible, in the government's view we would be better directing those resources to where someone is potentially in physical harm rather than technical breaches. So whilst I completely appreciate the honourable member's intent behind the amendment, we as a government will not be supporting those amendments but admire it being brought forward to keep people as safe as possible.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. R.A. SIMMS: I know we are going to get to the amendment from the Hon. Michelle Lensink shortly but I might ask a few questions around the implications of the amendment just to give the Attorney the opportunity to elaborate a little bit further on some of the comments he made in his summing-up remarks. I should indicate, of course, the Greens are sympathetic to the amendment of the opposition. We understand the intention. One of the elements I am concerned about is the potential implications maybe in some remote communities in South Australia. Is the minister able to talk a little bit about that in terms of what some of the implications might be if an amendment like this were to be incorporated into the bill?

The Hon. K.J. MAHER: I thank the honourable member for his question. Unfortunately, the statistics are startling, not just in remote communities but particularly in terms of First Nations peoples' interactions with the intervention order regime. I am informed that about 40 per cent of people charged with intervention order breaches are First Nations people. Under the regime that this proposes, in terms of home detention bail, if you did not have a home that was suitable for home detention and/or able to be electronically monitored, you would face ending up in jail instead.

One of the unfortunate consequences will be, for very remote communities on the APY lands on the Far West Coast and in other areas, for nonviolent breaches—and I have given a couple of examples of ones where there are nonviolent breaches that do occur—you might find yourself in, for example, Port Augusta Prison because of the lack of a suitable home or a home that has the ability to have that electronic monitoring as part of it.

That would be a perverse outcome for what we are trying to do to keep people safe, to have people enter the prison system in circumstances where it was the lower end, the nonviolent breaches that would see someone not being able to be monitored. Again, we understand the motivation behind the amendments, but it could have quite serious consequences for what could be a breach that does not involve a risk of harm or any violence for not having an ability to have a home address that is suitable for that home detention, not having an ability for electronic monitoring to work in that location for a remote community, and to end up in jail instead.

The Hon. C. BONAROS: In relation to the questions that I asked at the outset, I think the only other question that I asked was in relation to the coercive control laws and any interaction that we might see with those, noting that in some instances you have physical harm, in others it does not necessarily involve physical harm, and that we are waiting for those laws to come in. What will be the interaction there, firstly, to begin with?

The Hon. K.J. MAHER: My advice is, and of course we do not have the final version of the coercive control legislation yet, that is being worked upon, and there is the potential for overlap between the systems, but coercive control is intended to be a standalone separate offence.

The Hon. C. BONAROS: In terms of reading the room, I think everyone who has spoken on the amendment that the Hon. Michelle Lensink has moved is on the same page: the Attorney, certainly the Hon. Rob Simms and myself. I share the concerns of the Attorney, but I also am supportive in principle of what the opposition is trying to achieve.

I just wonder, in terms of a way forward if the amendment were not to be successful, if the Attorney would be willing and prepared to further consider the notion that has been put in that proposal, outside of this debate, so that we can deal with this today, but give some reassurance to the rest of us that the notion the honourable member has put could be looked at, bearing in mind the problems that exist but also that overarching need to keep people safe.

The Hon. K.J. MAHER: I thank the honourable member for her suggestion. We will always be keen to look at ways that we can better protect people who are victim survivors of domestic and family violence. As I said, the amendment, as it is currently drafted, would increase exceptionally substantially for people all breaches of section 31(2), which would include the couple of examples that I gave of cases from the last five years of breaches that were not violent and have not resulted in harm. You probably would not want to see someone under home detention electronic monitoring for those and diverting resources, but we are always open—if there are specific classes of breaches that are warranted further than what we have done—to consider those.

Clause passed.

Clause 2 passed.

Clause 3.

The Hon. J.M.A. LENSINK: I move:

Amendment No 1 [Lensink–1]—

Page 2, line 11 [clause 3, inserted subsection (2ae)]—Delete '(2aa)(b)' and substitute '(2) or (2aa)'

I appreciate that we have canvassed probably most of the issues that relate to this amendment. I appreciate the Attorney-General providing some examples of where this amendment, which might be a bit of a blunt instrument and a bit broad, may capture what was not intended. I can see where the numbers lie, so I am moving it for the sake of moving it.

I would also like to add my voice to the Hon. Connie Bonaros in requesting that the Attorney, as part of his duties, consider further amendments because I think the key point in all of this is risk. As we move forward and we know more and more about domestic violence in all its forms, including in terms of coercive control, which is very much an emergent piece of law across the globe—and we have organisations like ANROWS and the like that do extensive bodies of empirical research, that do root cause analysis—I think the key issue is risk.

The Liberal Party's intent was that we thought the existing clause possibly did not capture enough of that risk. I appreciate that this amendment I am moving may be too broad, but I think we always need to be ever vigilant, in terms of working out by whatever means we can, to capture behaviours and those things into future.

Amendment negatived; clause passed.

Schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:11): I move:

That this bill be now read a third time.

Bill read a third time and passed.

SECOND-HAND VEHICLE DEALERS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:11): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

I am pleased to introduce the Second-Hand Vehicle Dealers (Miscellaneous) Amendment Bill 2023.

This Bill proposes to amend the *Second-Hand Vehicle Dealers Act 1995* to streamline purchases, reduce red tape for second-hand vehicle dealers and strengthen protections for consumers.

For many, the purchase of a motor vehicle can be one of the most expensive undertakings in a lifetime. There are more than a million licensed drivers in South Australia who may purchase multiple vehicles to suit different stages in life, from a first car to retirement.

Many of these consumers prefer to purchase a second-hand vehicle from a licensed dealer rather than through a private sale, knowing that there are greater consumer protections in place and they are covered by applicable warranties.

The *Second-Hand Vehicle Dealers Act 1995* (the Act) oversees the licensing of motor vehicle dealers to ensure an informed and reputable industry, and strong consumer protections.

Despite minor amendments over the years, the Act and the Second-Hand Vehicle Dealers Regulations have not been comprehensively reviewed since 2009. Since this time, the *Australian Consumer Law* has been introduced and there have been changes to technology that have impacted vehicle standards, the way that dealers operate their businesses and the expectations of consumers.

This Bill will modernise and improve parts of the Act relating to the duty to repair vehicles, cooling-off periods, disclosure of information about previous vehicle owners, electric and hybrid vehicles, contracts of sale and penalties for non-compliance by dealers.

These changes have been subject to consultation with key industry groups, including the Motor Trades Association and the Royal Automobile Association of South Australia, and have strong support.

A key reform in the Bill will allow second-hand vehicle dealers to disclose defects which will not be subject to the duty to repair, provided that the vehicle remains roadworthy. Under current provisions in the Act, dealers have a duty to repair a defect that arises during or after the sale of a vehicle. There are a number of exemptions to this requirement, including vehicles that are over 15 years old or have been driven more than 200,000 kilometres before the sale.

It is proposed that this duty will not apply where a dealer provides clear written notice to the consumer identifying a defect, and the consumer acknowledges receipt of the information. This reflects arrangements in a majority of jurisdictions and is consistent with the duty to repair under the *Australian Consumer Law*. The Second-hand Vehicle Dealers Regulations will also be amended to include a prescribed form that must be used when providing notice about a defect.

As an added protection for consumers, the Bill will also remove current provisions that allow a purchaser to waive their general right to have a vehicle repaired by the dealer, under duty to repair obligations. This approach is consistent with *Australian Consumer Law* requirements that purchased goods must be of acceptable quality and fit for purpose.

To accommodate new vehicle technologies, the Bill will expand the duty to repair to cover the main propulsion battery for hybrid and electric vehicles within the statutory warranty period specified in the Act. This change will support continued interest in electric and hybrid vehicles by South Australians and ensure that access to repair rights is consistent for owners of second-hand vehicles.

A transitional provision has also been included in the Amendment Bill in to cover hybrid and electric vehicle batteries in vehicles purchased either prior to or following commencement. This provision will begin when clause 9 of the Amendment Bill comes into operation and will allow electric and hybrid vehicles that are still under the statutory warranty period to receive the new protections.

The Bill also makes changes to reduce red tape for consumers and dealers where a consumer exercises their right to waive the cooling-off period after buying a vehicle.

Currently, consumers have two clear business days to consider the purchase of a second-hand vehicle from a dealer. A consumer may cancel the sales contract by written notification before the end of the cooling-off period, unless they have chosen to waive this right. To waive the right to a two day cooling-off period, a separate form must be signed by the purchaser and a person independent of the sale. This requirement imposes an extra burden on consumers to obtain a witness who will sign the form.

Amendments to the Act will now specify that a consumer does not require an independent witness to sign the form waiving the cooling-off period. In these circumstances, the cooling-off period will expire when the form is signed by the consumer.

Consumers and dealers will also benefit from changes to disclosure requirements about previous owners of a vehicle. Currently, when a vehicle is being offered for sale, it must include a public notice with the name and address of the last owner. While this requirement provides some transparency for purchasers, it raises privacy and safety concerns for previous owners and imposes an administrative burden on dealers.

The Bill removes the requirement to display the name and address of a previous owner on a notice, and replaces it with a statement that the details of the last owner of the vehicle are available from the dealer on request.

The Bill makes similar amendments to disclosure requirements where a vehicle has been previously used as a taxi or hire car. Notices must currently display the name and address of the person to whom the vehicle was previously leased. However, this information can be misleading for consumers as dealers may not receive accurate information from previous owners about the history of a vehicle. Accordingly, the Bill removes the requirement to disclose personal details and replaces it with a statement that these details are available on request.

Both of these changes to disclosure requirements will also apply where vehicles are sold at auction.

The Bill also seeks to increase the maximum penalties for unlicensed dealing and tampering with vehicle odometers. Recent prosecutions for odometer tampering have resulted in fines far less than the maximum amount, and existing fines are often a small portion of the profit made from tampering with an odometer.

Penalties for odometer tampering will increase from \$10,000 to \$150,000 or imprisonment for two years, making South Australia the jurisdiction with the toughest penalties in Australia for this harmful activity. Changes to the Act will also allow purchasers to apply to the court for compensation from a private seller where the private seller has been convicted of odometer tampering. Previously, purchasers could only seek compensation from dealers for any disadvantage they had suffered after buying a vehicle with a tampered odometer.

For unlicensed dealing offences, the penalty for a first or second offence will increase from \$100,000 to \$150,000. The penalty for third and subsequent offences will increase from \$100,000 or 12 months imprisonment, to \$250,000 or two years imprisonment. The maximum penalty for body corporates that engage in unlicensed dealing will also increase from \$250,000 to \$500,000.

Increasing these penalties will act as a deterrent for those who seek to profit from unsuspecting purchasers, and better protect the community and licensed dealers from the adverse impacts of these activities.

Additionally, a new offence will be created for false and misleading statements in relation to odometers. Further to this, the Commissioner for Consumer Affairs will be able to direct a person to rectify an odometer that has been altered, and stop a person from selling or disposing of a vehicle with a tampered odometer. These decisions will be reviewable with the South Australian Civil and Administrative Tribunal (SACAT) and failure to comply with a direction will attract a maximum fine of \$20,000.

The Commissioner will also have the option of paying to rectify an odometer where these costs are not recoverable by other means, such as compensation following a prosecution. It is expected that these new enforcement powers will reduce the risk of unsafe vehicles being driven on South Australian roads.

To accommodate changes in the industry, the Bill will also allow dealers to add additional information to a contract of sale. The Act currently sets out specific information that must be included in a contract, such as details of the contract parties, the vehicle, an agreed purchase price and cooling off period provisions. Dealers are required to use specific forms prescribed by the Second-hand Motor Vehicle Dealers Regulations to meet these requirements.

Dealers will now be able to include new information in the contract of sale form, provided that information in the prescribed form is retained. This change will provide greater flexibility for dealers to include details such as the names of salespersons, vehicle stock numbers and other identifiers that are used in sales management systems.

These changes are expected to streamline vehicle sales whilst retaining important information for consumers about their rights and obligations under contracts of sale.

This Bill also makes minor changes to the Second-hand Vehicle Dealers Compensation Fund. Currently, dealers provide financial contributions to this fund and it is primarily used to compensate consumers where there is no reasonable way of recovering the money they are owed by a dealer. This Bill broadens the use of the fund to include programs relating to education, research or reforms that benefit dealers, salespersons or members of the public.

Finally, subject to passage of this Bill through Parliament, there will be further amendments to the Regulations to support the changes in the proposed Bill. This will include minor stylistic and formatting changes to forms relating to the sale of vehicles and motorcycles, as requested by industry. There will also be a reasonable transition period to ensure that existing printed forms can be phased out and new forms introduced with minimal cost or financial loss to dealers.

I commend this Bill to the House and I seek leave to insert the Explanation of Clauses in Hansard without my reading it.

Explanation of Clauses

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of Second-hand Vehicle Dealers Act 1995

3—Amendment of section 3—Interpretation

This clause amends section 3 of the principal Act to set out what a reference to repairing a defect is taken to mean in relation to a defect in the battery of a prescribed electric vehicle or prescribed hybrid vehicle.

4—Amendment of section 7—Dealers to be licensed

This clause amends section 7 to increase the maximum penalty for the offence of carrying on a business, or holding out, as a dealer without a licence. The maximum penalty for an offence committed by an individual is \$150,000 for a first or second offence and \$250,000 or 2 years imprisonment or both for a third or subsequent offence. The maximum penalty for an offence committed by a body corporate is \$500,000.

5—Amendment of section 16—Notices to be displayed

This clause amends section 16 to require a notice attached to a vehicle for sale to include a statement that the name and address of the last owner of the vehicle or last person who hired the vehicle under a leasing agreement is available on request from the dealer rather than requiring that information to be in the notice. It also makes it an offence for the dealer to fail to disclose, before a purchase contract is made, the name and address of the last owner or lessee of the vehicle to a potential purchaser who requests that information.

6—Amendment of section 17—Form of contract

This clause amends section 17 to clarify that a dealer may include such other information as the dealer thinks fit in a contract for the sale of a second-hand vehicle by the dealer.

7—Amendment of section 18B—Cooling-off

This clause amends section 18B to delete references to faxes.

8—Amendment of section 20—Notices to be displayed in case of auction

This clause requires a notice attached to a vehicle for sale by auction to include a statement that the name and address of the last owner of the vehicle or last person who hired the vehicle under a leasing agreement is available on request from the auctioneer rather than requiring that information to be in the notice. It also makes it an offence for the auctioneer to fail to disclose, before a purchase contract is made, the name and address of the last owner or lessee of the vehicle to a potential purchaser who requests that information.

9—Amendment of section 23—Duty to repair

This clause amends section 23 to provide that the duty of the dealer to repair a defect that is present in the vehicle at the time of sale or that appears in the vehicle after the sale applies to a defect in the battery of a prescribed electric vehicle or prescribed hybrid vehicle (except in certain circumstances already provided for in that section).

10—Insertion of section 23A

This clause inserts a new section 23A:

23A—No duty to repair where defect disclosed prior to sale

This section sets out that there is no duty on a dealer or auctioneer to repair a defect that is present in a vehicle prior to the sale of the vehicle if that defect does not, or could not reasonably be expected to, affect the ability of the vehicle to be driven safely on a road and if the dealer or auctioneer discloses the defect to the purchaser and the purchaser acknowledges receipt of that information.

11—Amendment of section 33—No waiver of rights

This clause amends section 33 to disallow a person proposing to purchase a second-hand vehicle from being able to waive, in accordance with the regulations, a right to have a defect repaired that is present in the vehicle at the time of sale. It also removes the requirement for a waiver of cooling-off rights to be witnessed by a third party.

12—Amendment of section 34—Interference with odometers prohibited

This clause amends section 34 to increase the maximum penalty for the offence of interfering with the odometer on a second-hand vehicle to \$150,000 for a first or second offence and \$150,000 or 2 years imprisonment or both for a third or subsequent offence. It also allows the court to order that a person (rather than just a dealer) compensate a purchaser for any disadvantage suffered as a result of the purchase of a vehicle in which an odometer has been interfered with, deletes the requirement for the purchaser to apply for such an order and clarifies that disadvantage suffered by the purchaser includes any costs reasonably incurred, or likely to be incurred, in rectifying the odometer.

13—Insertion of sections 34A and 34B

This clause inserts new sections 34A and 34B:

34A—False or misleading statements in relation to odometers

This section makes it an offence to knowingly make a statement that is false or misleading in a material particular in information provided to a purchaser or prospective purchaser of a second-hand vehicle, or to a dealer to whom a second-hand vehicle has been or is to be sold, relating to the accuracy of the odometer reading of the second-hand vehicle.

34B—Commissioner may direct owner of second-hand vehicle to correct odometer and refrain from selling vehicle etc

This section allows the Commissioner for Consumer Affairs to give directions to the owner of a second-hand vehicle of which the Commissioner believes on reasonable grounds the odometer has been interfered with or is otherwise substantially inaccurate. It also allows the person to whom such a direction is given to seek a review by SACAT of the decision to give the direction.

14—Amendment of section 51—Service of documents

This clause amends section 51 to delete references to facsimiles.

15—Amendment of Schedule 3—Second-hand Vehicles Compensation Fund

This clause amends Schedule 3 to allow the Minister to approve amounts to be paid out of the Second-hand Vehicles Compensation Fund to fund programs relating to education, research or reform for the benefit of dealers, salespersons or members of the public.

Schedule 1—Transitional provision

1—Duty to repair

This clause provides that the duty to repair the battery of a prescribed electric vehicle or prescribed hybrid vehicle applies regardless of whether the sale of the vehicle occurred before or after the commencement of the clause of this measure that amends section 23 of the principal Act.

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

CONSTITUTION (COUNTERSIGNING) AMENDMENT BILL*Second Reading*

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:12): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

I rise to introduce the *Constitution (Countersigning) Amendment Bill 2023*.

This Bill amends section 71 of the *Constitution Act 1934* to remove the requirement that certain decisions of the Governor be countersigned.

Section 71 provides that a government official does not need to obey an order of the Governor that involves the expenditure of public money, and that an appointment to or dismissal from office is not valid, unless the order, appointment or dismissal is signed by the Governor and countersigned by a Minister of the Crown.

I wish to make it clear that this Bill does not change any powers the Governor has to approve the expenditure of public money, or to make or revoke appointments, or otherwise.

Currently, three signatures are obtained in a meeting of Executive Council: a recommendation signature by a Minister of the Crown on behalf of the Executive Council, the Governor's signature, and the countersignature of second Minister of the Crown.

While the *Legislation Interpretation Act 2021* allows for meetings that would otherwise be required to be held in person, to be held via audio or audio-visual means, this does not apply when a person must be physically present to witness the signing of documents. This is the case for meetings of Executive Council. The second Minister must be physically present to witness the Governor sign the instruments before countersigning.

The proposed Bill removes this requirement that a Minister countersign instruments signed by the Governor.

The purpose of this change is to allow for flexibility in decision-making.

The COVID-19 pandemic has shown us that meeting in person is not always practical or safe and has highlighted the importance of having appropriate continuity of government measures in place.

The changes proposed by this Bill will ensure that the decisions of the Governor will not be deemed invalid simply because a meeting is held virtually.

Providing the option for Executive Council meetings to be held virtually is an important measure to have available in the future to ensure executive decisions can be made as a usual course of business.

To be clear, holding Executive Council meetings virtually will be for extenuating circumstances, approved by Her Excellency as Chair. It will be the exception, not the norm.

Administrative amendments are consequently proposed to the heading of section 71 to accurately reflect the content of the provision.

I commend the Bill to members and seek leave to insert the explanation of clauses in Hansard without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

Part 2—Amendment of *Constitution Act 1934*

2—Amendment of section 71—Signature and counter-signature of certain orders, warrants etc

This clause amends section 71 to remove the requirement for certain orders and appointments to and dismissals from office to be counter-signed by a Minister and amends the heading to reflect the content of the section.

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

Motions

INTERNATIONAL WOMEN'S DAY

The Hon. M. EL DANNAWI (16:13): I move:

That this council—

1. Acknowledges that 8 March is International Women's Day celebrating the social, economic, cultural and political achievements of women;
2. Notes this year's theme 'Inspire Inclusion' recognises the need to ensure that all women and girls are included to equally and actively participate in our economy and in every aspect of community life;
3. Acknowledges the need to continue to tackle gender stereotypes, call out discrimination and draw attention to bias; and
4. Commits to doing whatever it can to work towards preventing and ending sexism, harassment, violence and abuse of women in all its forms and to advancing the status of women and girls everywhere.

International Women's Day is celebrated on 8 March every year. As we celebrate this Friday, we acknowledge not only the strength of women who came before us in the fight for gender equality but the work we still have in front of us. We must not shy away from the realities in our own backyard if we want to achieve better outcomes for women and meaningful change.

Every person in this chamber must stand firm in their commitment to eradicating violence against women: challenging harmful gender stereotypes, calling out discrimination and dismantling the barriers to women's full and equal participation. Women are the backbone of society. As the saying goes: if you educate a man you educate an individual, if you educate a woman you educate a nation. We know that when you invest in women the whole community experiences the benefit.

International NGOs have recognised this fact and have begun shifting their economic strategies for developing countries towards investment in women. However, the role of women as the foundation of community is not exclusive to developing countries. It is also true here in Australia, where we know that women still take on the vast majority of care work for families, domestic work

and volunteer community work. They will often manage all this while working a job. The value of unpaid care work in Australia has been estimated by the Workplace Gender Equality Agency to be \$650.1 billion. This would be equivalent to 50 per cent of GDP.

The latest result of the gender pay gap from the Workplace Gender Equality Agency shows that women's lack of equal participation in the economy is still a massive issue. Every single industry surveyed had a gender pay gap that skewed towards men. In addition, there was a trend across every industry where, as the pay bracket increased, the percentage of women in that quartile decreased. This was true of both male and female-dominated industries. The results also showed that female-dominated industries tended to attract lower salaries than male-dominated industries.

I do not think it is a coincidence that some of our most underpaid, under-resourced jobs are in highly feminised industries that emphasise so-called 'soft skills' traditionally seen as feminine. According to the WGEA, the two most heavily feminised industries are health care and social assistance, and education and training. In these sectors you will find your nurses, your teachers, your social care workers, your disability care workers, your aged-care workers and, of course, your early childhood educators.

These jobs are absolutely essential to the healthy functioning of society; however, there is a significant overlap between many of them and the unpaid care work that many women take on. A lot of these jobs require skills that we take for granted in women, and there is an expectation that women will perform these roles for free; after all, they are jobs that need to be done, and when work needs to be done we know that women step up and do it. In 2017, my colleagues in early childhood education and I celebrated International Women's Day by walking off the job in response to a sector-wide wage crisis. Paying women in these feminised industries what they are worth is essential to closing the gender pay gap.

The gender pay gap is one way that we see misogyny in Australia, but it is not the only way. The threat of violence that many women live under is the most heinous example of misogyny and sexism in our country. Last year, our state experienced a spike in violence against women when four women were murdered within the span of a week by men who were known to them. We were not alone in seeing this spike. Sadly, an increase in violence against women could be seen nationally.

In 2023, 71 women lost their lives due to violence. This number had increased by nine from the year before. This is a shame we all must carry. Moreover, there was an increase in the number of sexual assaults recorded by SA Police in 2022 compared with 2021. This fact is even more frightening when we consider the fact that most women who face sexual assault do not report the incident at all.

When times get tough, women often feel it first. During the pandemic, women were the first to lose their jobs, and unemployment statistics indicated that the jobs most at risk were in feminised industries. Too often, a negative change in circumstance is taken out on women. The Australian Institute of Criminology researched economic insecurity and intimate partner violence in 2020 and 2021. The report concluded that economic insecurity was associated with an increased likelihood of intimate partner violence. This is a well-known fact among those who work in domestic violence prevention.

Domestic violence is also a leading cause of homelessness and is one of the main reasons that women and children are put at risk of losing their home. This is all without mentioning the numerous detrimental impacts of domestic and family violence on children, the details of which deserve their own speech. Full participation for women and girls in every aspect of society can only happen when basic material conditions are met. One of those conditions is safety. Ensuring that women in our society are safe is literally the bare minimum.

The royal commission into domestic and family violence is urgently needed, and I was proud to see this government commit to it. I know there will be much for us to do in this place when it is complete. There is a systematic, persistent undervaluing of women in our society that expresses itself both loudly and quietly. It is a responsibility of all of us to end it in the workplace and in the home.

I would like to end my speech today with a personal reflection. Since joining the parliament, I have been inspired by the many extraordinary women I have met. I have been blessed to meet women who are doing incredible work volunteering for their communities, celebrating their cultures, advocating for those in need and contributing to better conditions for the next generation. These women possess strength, kindness, passion, integrity and intelligence. It is these remarkable women in our South Australian community who I will be celebrating this International Women's Day. I commend the motion to the chamber.

Debate adjourned on motion of Hon. J.S. Lee.

RAMADAN

The Hon. M. EL DANNAWI (16:21): I move:

That this council—

1. Acknowledges that Ramadan, the Islamic Holy Month, begins on 10 March 2024 or as nominated by the sighting of the crescent moon;
2. Notes that Ramadan is a month of fasting from sunrise through to sunset and a month of spiritual reflection, forgiveness and compassion; and
3. Conveys its good wishes to the South Australian Muslim community on the advent of this blessed month.

This month, millions of Muslims around the world will be commencing the holiest period of the year, Ramadan, and I want to convey my good wishes to the South Australian Muslim community on the advent of this blessed month.

I am sure that many members in this parliament have attended a Ramadan iftar dinner at least once and are aware of the significance of this annual occurrence to our South Australian Muslim community. Ramadan is the ninth month of the Islamic lunar calendar and it holds a special place in the hearts of Muslims worldwide. It is a time of spiritual reflection, self-discipline and heightened community connection.

If you did not know, Ramadan begins and ends with the appearance and sighting of the crescent moon. Because of this, the exact start date of Ramadan varies in different countries according to their own sightings, and since the Islamic lunar calendar follows phases of the moon and is shorter than the Gregorian calendar, Ramadan will always begin 10 to 12 days earlier than it did the previous year. This year, Ramadan is predicted to fall on either Monday 11 March or Tuesday 12 March.

For those Muslims who are fit, healthy and able to do so, the month is observed as a period of fasting from dawn until sunset. It is also time for increased devotion to prayer and reflection, with the aim of deepening our connection to faith. These acts of worship provide opportunities for spiritual growth and renewal, but beyond its religious significance Ramadan also serves as a period of personal growth and introspection.

Fasting during Ramadan is not only about abstaining from food and drinks, it is a practice in self-discipline, empathy and compassion. By experiencing hunger and thirst, Muslims gain a deeper appreciation for the blessings of food and a duty to help those less fortunate. The pre-dawn meal, known as suhoor, provides nourishment for the day ahead, while the sunset meal, iftar, is an opportunity for communal gatherings and shared meals. These gatherings strengthen the bonds of friendship and solidarity within Muslim communities, fostering a sense of unity and support.

Growing up, I have fond memories of getting together with extended family, swapping home-cooked dishes with the neighbours and sharing food with others during Ramadan. I also have memories of the banging drums in the early morning signalling that it was time to wake up for suhoor. Of course, I learned to appreciate these wake-up calls, as it was better than accidentally sleeping in and missing the pre-dawn meal, knowing you would not be able to eat or drink until after the sun set again.

Another important aspect of Ramadan is charity, known as zakat, where Muslims are encouraged to give to those in need both within their communities and beyond. During this month especially, the spirit of shared responsibility, compassion and humanity is highlighted.

As Muslims around the world prepare for Ramadan celebrations, the plight of those in Palestine is not forgotten. In recent years, we have witnessed increased violence against Palestinians and Muslims during the holy month in Palestine, and this year that threat is more significant than ever.

This year, at the height of Israel's occupation, Muslims worldwide and especially those in our South Australian communities are mourning the violence and loss in Palestine. They are fearful for those under Israel's occupation during this holy month, knowing that, as we gather around tables to break our fasts, many in Palestine are enduring unimaginable hardships.

The scarcity of aid and the deliberate deprivation of basic necessities imposed by the Israeli occupation means that the existing famine, which is already affecting over half a million people in the Gaza Strip, will only be amplified. As we reflect on the blessings of sustenance, it is impossible to ignore the fact that our Palestinian brothers and sisters are starving. This has impacted our South Australian Muslim community so significantly that many have decided to cancel their Ramadan celebrations this year.

This Ramadan, my only hope is that the international community and their leaders will pull together to put an end to the suffering of Palestinians. May this Ramadan bring peace, aid and liberation to the people of Palestine and all other suffering countries. I commend the motion to the chamber.

Debate adjourned on motion of Hon. J.S. Lee.

ST VINCENT DE PAUL SOCIETY

The Hon. R.B. MARTIN (16:27): I move:

That this council—

1. Recognises that 2024 marks the 140th year of the St Vincent de Paul Society;
2. Acknowledges the significant role that the St Vincent de Paul Society plays in assisting South Australia's most marginalised and vulnerable people; and
3. Gives thanks to all past and present St Vincent de Paul employees, members and volunteers for their service.

This year, 2024, marks the 140th year of St Vincent de Paul in South Australia. Fondly referred to as Vinnies by most, the organisation was established in our state in 1884. Its global beginnings extend back to 1833 in Paris, when six university students met to discuss ways in which they could live their Catholic faith in their community by serving people in need. They formed the first Conference of Charity, which evolved into the Society of St Vincent de Paul. Its namesake, Vincent de Paul, is the patron saint of charitable societies.

The St Vincent de Paul Society today is a lay Catholic organisation that aspires to live their faith through service and to bring about a more just and compassionate society. Vinnies is about putting faith and belief into action, the idea being that one of the best ways to demonstrate, to honour and to live one's faith is by doing good works. Service gives meaning, authenticity and purpose to belief.

While this is a tenet that we see across the Catholic faith, I think it is quite fair to say that all people of conviction, regardless of their faith or lack thereof, can equally get behind the idea that one of the best and most honourable ways to live one's values and beliefs is by putting them into action. I imagine the universality of this principle is part of why Vinnies is recognised and respected so broadly across our state.

Vinnies in South Australia now comprises over 2,500 members and volunteers within 61 local networks. There are 34 Vinnies shops around South Australia, along with a range of important services that offer crucial support to some of our community's most marginalised people. Each year, Vinnies assists more than 100,000 South Australians. The support they provide includes material goods, food and shelter, spiritual support, relief from loneliness, and encouragement for people to help themselves.

Just some of the services that Vinnies offers are non-judgemental support for people struggling with day-to-day expenses, in the form of food parcels, grocery gift cards, clothing and other everyday necessities; referrals to relevant support services; assistance with completing forms and housing applications; assistance with bills; and resources, information and, of course, advocacy.

Vinnies also offers homelessness services. Currently, they operate two crisis accommodation centres. One, in the centre of Adelaide, caters for men aged 18 and over, and another, in the inner northern suburbs, accommodates women, children and their pets. The Men's Crisis Centre assists guests with referrals to case management services and other agencies to support them to secure long-term housing while also seeking to provide support to address other factors that may be contributing to homelessness.

The Women's Crisis Centre provides serviced rooms and meals, together with kitchen, laundry and computer facilities for guests to use. A children's playroom and landscaped gardens aim to provide a comfortable and appealing environment for women and children amid their incredibly difficult personal circumstances. Assistance with transport, childminding and other practical services is provided where possible, along with in-house access to St Vincent de Paul Society services.

Vinnies also offers a range of assistance to refugees and asylum seekers. From Vinnies House of Welcome, the Vinnies Refugee and Asylum Seeker Service supports asylum seekers and refugees in a range of ways and at various stages of their journey in South Australia. Services at the House of Welcome are provided by one paid coordinator and around 40 dedicated volunteers.

A service I have always admired is Fred's Van Meal Service. There are 10 across South Australia, located in the Adelaide CBD, Christie Downs, Elizabeth, Gawler, Kilburn, Aldinga, Port Lincoln, Port Pirie, Salisbury and Semaphore. Fred's Van provides meals, blankets, toiletries, snacks, hot beverages and, quite importantly, companionship, community and a sense that someone is looking out for you in a time of hardship and need. Sometimes, for a very complex range of reasons, that time of hardship and need can last for quite a while in some people's lives. Fred's Van is a steadfast presence for those who have need of its services, and each of those people receive the dignity, kindness and humanity they deserve.

Vinnies are also strong advocates in the public discourse for better outcomes for our community, particularly the most marginalised and vulnerable people within it. All the various ways in which Vinnies serves and advocates for marginalised South Australians are recognised and appreciated by the Malinauskas Labor government and also by me on a personal level.

I would like to recognise three people in my life who have inspired me with the work they do as Vinnies volunteers, delivering goods to people in need: Sonia Romeo, Lucas Fragnito and Peter Geytenbeek. I have been out with them, delivering Christmas hampers to those who may otherwise not have anything for the Christmas tree or table, and it was a positive and humbling experience. I also convey my particular recognition to Sister Catherine Seward of Vinnies Croydon, who organises everything meticulously and does an amazing job.

A great many South Australians recognise and respect charitable organisations that put into practice the values they espouse, and it is hard to name a better known or more reputable one than Vinnies. I commend this motion with the confidence that members will support it, reflecting our recognition of the very significant contribution that Vinnies has made to our community and our state over its 140 years of operation.

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

SA UNIONS

Adjourned debate on motion of Hon. R.B. Martin:

That this council—

1. Recognises that 2024 marks the 140th 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.

(Continued from 21 February 2024.)

The Hon. T.A. FRANKS (16:33): I rise briefly as one of, I believe, two Greens speakers to support this motion. I thank the Hon. Reggie Martin for drawing the attention of this council and this parliament to the fact that 2024 marks the 140th anniversary of SA Unions, formerly known as the United Trades and Labour Council of South Australia. I also acknowledge the significant impact that unions have had on shaping our economy, our society and the life of our state. I commend SA Unions and all that they have achieved on behalf of working South Australians over their 140 years of dedicated service.

As a member of this place and of the Greens, it would come as little surprise, I believe, to our membership that we would support such a motion. Indeed, the Greens were formed in part in Australia out of the green bans of the 1970s. I know that many of our members respect the work of the green bans, and when Jack Munday passed on I believe he was an active Greens member by that stage. The work done there to preserve our heritage, to preserve our green space and to defend and protect workers' rights is inherent in the Greens' holistic and intersectional approach when it comes to ensuring not just democracy in our workplaces but equal rights and advancement of working people.

I want to touch on an event that I attended recently which to me proves just how relevant unions are right to this day, 140 years on. That was just two weeks ago, the United Workers Union event Bread and Roses that was held at the Semaphore Workers Club. It was an event held to support and fundraise for 12 incredibly brave women who are taking on Perfection Fresh through the Federal Court of Australia on a case of sexual harassment.

That event celebrated the Vanuatu workers, 12 women particularly, who have experienced horrific treatment, horrific sexual harassment in that workplace, who were there picking the fruit that goes to our tables to feed our families and who deserve better at work than they have received so far. It was called Bread and Roses, which is a reprise well-known to those of the union movement. Also, Bread and Roses brought to my mind the wonderful work particularly of Michelle Hogan. I want to reflect that it will be a year tomorrow since we lost Michelle Hogan.

I know the union movement and the women's movement are intent on establishing and continuing her legacy, so I look forward to those programs, but I want to also reflect not just on the fine work that Michelle Hogan did but that she was part of an Art and Working Life resurgence back in the eighties and nineties and to remind the Malinauskas government just what great value that Art and Working Life federal project was for working people so as to, in this month of Mad March when we enjoy our festivals and fringes, ensure that the arts is not only enjoyed by working people but reflects the lives, the struggles and the ambitions of working people. So I urge the Malinauskas government to take a look and work with their federal colleagues to bring back the Art and Working Life program for a new generation.

That new generation, certainly down at Semaphore Workers Club two weeks ago, enjoyed a night of song, dance, performance, struggle and solidarity, and it was incredibly inspiring. I am sure it will take those particularly brave women and lift their spirits through the struggle they have ahead of them in the Federal Court as well as raise a bit of money so that they can seek the justice they deserve. With that, I commend the motion.

The Hon. R.A. SIMMS (16:38): I rise to speak in support of this motion. I think it reflects the support the Greens have for the union movement and the principles of unionism that both of our members of parliament want to speak on this, because we recognise just how vital it has been to the progress of our state. I want to commend the Hon. Reggie Martin for putting this on the council's agenda.

As he has stated, this motion recognises the 140th anniversary of SA Unions, formerly the United Trades and Labour Council of South Australia. Workers' rights have been fought for as early as 1791 in Australia, when early convicts took strike action to demand that their rations be distributed on a weekly basis. In the 1830s, workers started to form their own societies and associations. South Australian industrial action was being taken as early as 1836, when people were threatening to strike

for extra wages, and South Australia became the first territory of the British Empire outside of Britain to legalise trade unions.

On 31 January 1884, at the Bristol Tavern, a group of trade and labour societies met to come together and form the United Trades and Labor Council, the peak body for trade unions. It represents more than 160,000 members of unions, and SA Unions coordinates political, social, economic and industrial campaigns between its affiliate members.

As my colleague the Hon. Tammy Franks has recognised, the Greens have a long association with the union movement. Indeed, the formation of the Greens as a political party came off the back of the green ban movement, which was led by the Builders Labourers Federation. It was from the green ban, where workers boycotted the destruction of key heritage projects and environmental projects, that the Greens political party takes its name, so the union movement is important to us.

I might remark a little bit on my own personal journey with unionism. I have always been a member of a union during my working life. I became very actively involved with the student union movement during my time at university, and I recognise the good work of the student movement in terms of driving social and political change. More recently, I was proud to be a member of the NTEU during my time working in the university sector and, of course, the ASU during my time in the community sector as well.

I really take my hat off to the union movement for the great work they do and have continued to do over many years. Fundamental to their work, in terms of advocating for the rights of individual workers who are in trouble, is also advocating for the social changes and progress that benefit us all as part of the collective.

Indeed, I recognise the important role they played in the campaign for yes here in South Australia recently in the referendum and also the leadership of the union movement—many in that movement—in advocating for marriage equality and being out there on the streets campaigning for that and also campaigning against apartheid. They take up a range of really important social issues, recognising that in order for us to progress as a society we need to work together collectively. It is through that collective process that the rights of workers have been won and, indeed, the rights of all groups that are often excluded from political power. It is through working together that we are able to advance the change that we need.

I join with my colleague the Hon. Tammy Franks in congratulating the union movement on this significant achievement. It was a real pleasure to get along to the event at The Franklin Hotel recently, hosted by Dale Beasley of SA Unions. It was a great event and a really good way to celebrate this milestone. I look forward to seeing the union movement in our state continue to grow and celebrate further milestones in the years ahead.

The Hon. R.B. MARTIN (16:43): I would like to start by thanking the Hon. Tammy Franks and the Hon. Robert Simms for their contributions today and, more than that, their long-term contribution to the workers of South Australia, the policies which go towards making their lives that little bit easier, and the trade union movement. I very much hope that it is not a surprise to you both that I personally know that the trade union movement holds you both in very high regard and esteem, so thank you for everything that you have done.

One hundred and forty years is a significant anniversary for the trade union movement in South Australia. Looking back at its history, there have been so many achievements. I did mention some of them in my opening speech, but I think a lot of people who are starting their first-ever job today would probably take for granted some of the things that were hard fought for by the union movement, such as the four weeks of annual leave that we all enjoy today. It only started as one week of annual leave and it took a long fight to get it to two weeks of annual leave, and we are very fortunate now to have four weeks of annual leave here, something that is not enjoyed by many other countries in the world.

Then there are penalty rates. If you are working unsocial hours, then you deserve your penalty rates to be compensated for those unsocial hours that you are working. There is also maternity leave. It took us a long time to get there and even longer to get paid maternity leave but

they are some pretty significant achievements of the union movement that many now take for granted.

Superannuation is another enormous change to Australian society and one of the best systems in the world for ensuring people do not live in poverty in their retirement. With International Women's Day tomorrow, there is the fight for equal pay for women. In World War II, men went off to war, women took over the jobs that men did and they started getting paid the same rates as the men did. Then the men came back and there was an opportunity to leave that parity in place but, of course, society did not do that, and women's pays dropped back down again. It has taken us a long, long time to start closing that gap and we are still not there yet, as we have seen in some of the reports in recent weeks.

The other ones I will leave with are sick leave and long service leave, two other really important changes introduced by the trade union movement in its long and proud history. It is a very important role that the trade unions have played in weaving this fabric that we all enjoy in the South Australian community today. I commend the motion to the chamber.

Motion carried.

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

Adjourned debate on motion of Hon. T.A. Franks:

That this council calls on the Malinauskas government to establish a royal commission into domestic, family and sexual violence in South Australia.

(Continued from 29 November 2023.)

The Hon. L.A. HENDERSON (16:45): I rise today to support this motion. At the time the honourable member moved this motion, we had tragically seen four South Australian women murdered in one week. In November, we saw reports that six women had been killed across Australia in just 10 days. In the landscape of a national family and domestic violence crisis, this royal commission is being established at a crucial time.

Ultimately, the true figures around family and domestic violence really do remain unknown. The very nature of family and domestic violence is that it often goes on behind closed doors. Some violence may go on for years before family and friends suspect. Some may never know what their loved ones go through behind closed doors. Indeed, some in our community may not necessarily realise that they themselves are victims of family and domestic violence.

We know that domestic violence occurs and could entail physical abuse but it also could include intimidation, isolation, emotional abuse, verbal abuse, sexual abuse, financial abuse, spiritual abuse or coercive control. It could be attempting to isolate someone from their family and friends, controlling their finances, monitoring what they say, what they wear, even what they eat or when they sleep.

I was recently approached by a male victim of family and domestic violence who sought to highlight—and rightly so—that this is not just an issue that solely impacts women. We know, and statistics show, that it impacts males too. It is vital that, in the process of this royal commission, a broad lens is used and that the sons, the brothers, the husbands who are also impacted by family and domestic violence are not lost in this discussion and that these victims, too, are given a voice.

It is reported that on average in Australia, a woman is killed by an intimate partner every 10 days, while one in three women has experienced physical violence since the age of 15. We should never let the victims of family and domestic violence be reduced to just a number. Each number represents a person who will never reach their full potential, who will never have the opportunity to see their hopes or their dreams become a reality, a life that was cut too short and ripped away through no fault of their own, a mother who will never hold their child again, a child who will never graduate from school, or a baby who will never take their first steps.

It was reported that more than 60 women were killed in violent attacks in 2023, a number that is not entirely clear. That is over 60 women who, sadly, were not sitting around the dinner table at Christmas time, leaving a hole in the hearts of their loved ones, a hole that can never be filled.

The ability to collect data and report it in a timely and accurate way is vital in eliminating family and domestic violence in this country.

I think many will be waiting and watching for the federal government's commitment to roll out and to implement their promise to establish an online tracker that will provide quarterly updates on intimate partner homicides. In saying that, this will only capture a part of the story. We will never really know the true figures of family and domestic violence as so many in our community struggle behind closed doors in the privacy of their own homes.

We have all seen and heard the campaigns. We know that violence against women starts with disrespect, which is why we have to stop it at the start. We know that not all disrespect to women results in violence, but all violence against women, and indeed all violence, starts with disrespect.

We have seen the powerful campaign around seeing the signs of coercive control and the social media materials on seeing red flags. Coercive control is an under-reported type of domestic violence where an abuser seeks to control a victim's behaviour. This is incredibly important work in seeing a shift in our community, but at what point will we really see the dial shift? The statistics show that the system is not working, and I truly hope that we do not see a repeat of last year.

So now is the time to listen to the experts. Now is the time to identify the gaps and how we best fix them. Now is the time to listen to those with lived experience. I welcome the appointment of Natasha Stott Despoja to lead South Australia's domestic violence royal commission. I acknowledge her work in this space as the founding chair of Our Watch, a national foundation to prevent family violence, and her work in several international roles promoting the rights of women and children.

The royal commission is expected to take around 12 months and will formally commence on 1 July, around four months from now. I note the final report is due around 1 July 2025. This is roughly around 19 months since the Hon. Tammy Franks, the Hon. Connie Bonaros and the Hon. Michelle Lensink stood in this place to call on this government to establish a royal commission. This is around 19 months during which the community is left waiting.

Importantly, when the royal commission delivers this report, this is only the first step. The important step will be what this government then chooses to do with those recommendations once this report is finally handed down. In the meantime, until then, women and families are left with the status quo. Every death to family and domestic violence is a death that was preventable. It is with this reminder that we must continue to strive for the eradication of family and domestic violence.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (16:51): I move:

Leave out all words after 'council' and insert:

'acknowledges the announcement by the Malinauskas government establishing the Royal Commission into Domestic, Family and Sexual Violence and the appointment of Natasha Stott Despoja AO to the role of royal commissioner'.

The prevalence of domestic, family and sexual violence in our community is utterly unacceptable. Our hearts go out to all those who are impacted by what is a terrible scourge. In late 2023, the Malinauskas government committed to establishing a royal commission inquiring into domestic, family and sexual violence in South Australia.

On Monday 4 March, the state government appointed Natasha Stott Despoja AO as the royal commissioner and released the terms of reference. Natasha Stott Despoja AO is known as a proven leader and a proud and enduring advocate in the struggle to prevent domestic, family and sexual violence. In July 2013, she was named the founding chair of Our Watch, the national foundation to prevent violence against women and children. She was appointed life patron of Our Watch in August 2022.

Ms Stott Despoja served as national Ambassador for Women and Girls from 2013 to 2016. She was a member of the World Bank's Gender Advisory Council from 2015 to 2017 and is currently a member of the United Nations Committee on the Elimination of Discrimination Against Women, and served on the 2017 UN High Level Working Group on the Health and Human Rights of Women,

Children and Adolescents. Our government is very pleased that South Australian Natasha Stott Despoja is willing to take on this incredibly important role.

The royal commission will focus on prevention, early intervention, South Australia's response, recovery and healing, and how these efforts can be better integrated and coordinated. Preventing and responding to family, domestic and sexual violence is a complex and shared responsibility that will require coordination across government and the community, including courts, police and correctional services, legal services, housing, child protection and family services, schools, health, non-government organisations, media, families and individuals.

The additional issues that occur in regional settings should also be a part of this commission. It is important that this royal commission will look across these areas at what policy, legislative, administrative or structural reforms are required to build a longer term blueprint for ending family, domestic and sexual violence. The royal commission adds to the considerable suite of policies and reforms already in train by the Malinauskas Labor government, which include:

- a commitment to legislate to criminalise coercive control, with extensive consultation with community and the sector undertaken;
- making the experience of domestic violence a ground of discrimination in the Equal Opportunity Act;
- enshrining 15 days' paid domestic violence leave for workers engaged in the state industrial system;
- committing \$1 million to establish southern and northern DV prevention and recovery hubs;
- providing \$800,000 to restore funding to the Women's Domestic Violence Court Assistance Service for the next four years;
- reinstating funding to Catherine House that was cut by the former government;
- establishing the Housing Security for Older Women Taskforce, knowing that domestic violence is a key factor in housing insecurity;
- ring-fencing a proportion of public housing for women escaping violence; and
- engaging with the finance and real estate industries to ensure that women do not bear the brunt of mortgages, loans and rent that go unpaid in a domestic violence situation.

Our government is proud of the strong focus on this issue and of the innovative work we have done so far in prevention, intervention, response, recovery and healing, but we know there is more to do. The royal commission will also have a strong focus on empowering the voices of survivors and will help shift community understanding and discourse about domestic, family and sexual violence. We know this royal commission will generate important conversations in families and communities across South Australia about the role they can play to prevent violence.

The Hon. R.A. SIMMS (16:56): I rise very briefly in support of this motion. In so doing I want to acknowledge the leadership of my colleague the Hon. Tammy Franks who, along with the Hon. Michelle Lensink and the Hon. Connie Bonaros, called for this royal commission last year. I also recognise the government's leadership in taking this up and making this happen and also in appointing Natasha Stott Despoja, who I think everyone in this place would agree is a fine appointment to that role and, as has been observed by other speakers, brings a wealth of experience in terms of advocacy for women and girls.

As has been observed, this is a terrible scourge for our state and this royal commission will play a really important role in finding solutions. Some statistics are important to put on the public record. According to the 'In Australia' report, one in six women and 11 per cent of all adults have experienced violence from a partner, and since the first National Plan to Reduce Violence against Women and their Children was adopted 13 years ago over 700 women have been murdered in Australia.

First Nations women, women from culturally diverse backgrounds, women in regional areas, older women, LGBTIQ+ women and women with a disability are much more likely to experience this violence. I think all members of the South Australian community were deeply saddened and shocked to see a number of deaths in the latter half of last year. This royal commission comes at an important time, and I look forward to seeing the outcomes of the commission. Again, I praise my colleague for her leadership in pushing for action on this really important issue.

The Hon. T.A. FRANKS (16:58): I would like to start by thanking those members of this council who have made a contribution to this motion: the Hon. Connie Bonaros, the Hon. Michelle Lensink, the Hon. Laura Henderson, the Hon. Clare Scriven and the Hon. Rob Simms. I thank them for their words and support, and I know that this motion potentially is unanimously supported in this place, which is as it should be.

Last November, the call for a royal commission from those working in this sector, dealing with domestic, family and sexual violence on a daily basis, was heard by this parliament, and I am happy today that we are coming to this debate with action already taken and an announcement already made by the Premier. I certainly support the amendment moved by the government today to this motion. In fact, I can think of very few people more suitable than Natasha Stott Despoja to take on the role of the royal commissioner into domestic, family and sexual violence in this state.

Natasha Stott Despoja AO is not only someone I call a friend but is somebody I believe is an extraordinary South Australian. As Minister Scriven outlined, her background as the founding chair of Our Watch and work that she has done through the Committee on the Elimination of Discrimination Against Women (CEDAW) through the UN, as well as her role as Ambassador for Women and Girls in our region, equip her to hit the ground running.

Of course, she will be working alongside many who are at the really pointy end of the scourge of domestic, family and sexual violence in our state. Some of those include Our Watch as well as Women's Safety Services South Australia, the Zahra Foundation, Catherine House, the Working Women's Centre South Australia, White Ribbon Australia, SA Unions, the National Council of Women South Australia and Zonta. The work of those organisations is well known to many in this council and applauded. I am glad to see that their work will hopefully be amplified and supported through the processes of a royal commission.

To quote Embolden, another organisation that I would like to pay tribute to, which is an alliance for women's freedom, equality and respect in South Australia, and in particular Maria Hagias and Susie Smith of that organisation, what a royal commission will do is that those women, children and other people experiencing violence should be able to easily access the support that they need when they need it, no matter who they are or where they live in South Australia, and this is currently not the case.

We must ensure that every door is the right door for people experiencing violence seeking services. The power of a royal commission to consider data and information from across our systems is required to understand barriers, gaps and opportunities that will keep South Australian women and children safer. It can strategically target much-needed investment where it will have the most impact and, over the longer term, across prevention, early intervention, crisis response, recovery and healing.

They wrote to members of this place that a royal commission will also provide a critical opportunity to understand the experience of women and children experiencing violence, many of whom are not in contact with police and services. I reflect on that because this call for a royal commission and the vigils that happen on the steps of this place were spurred by what is thought to be in recorded history the worst week of violence against women in our state's history in one week. In fact, we know that those women were not necessarily in contact with police or services. So not only was it a systems error but it was currently completely invisible to our systems and services that these women were at risk.

With that, I obviously commend the motion to the council, and I thank all who have played their part in establishing this royal commission. I commend the Malinauskas government and Minister Hildyard for their leadership here, and I look forward to that commission on 1 July. I know the work is already underway for hitting the ground running, so to speak.

While a year is a short time and while \$3 million is a small amount of money, I know they will build on the expertise not just within our state but of the royal commission that was held in Victoria some decade or so ago now. Hopefully, in this place, we will be attending fewer vigils and the statistics will start to trend in a more positive place as women and children in particular are safer and we all play our role to create safer homes, communities, families and lives for all South Australians.

Amendment carried; motion as amended carried.

CO.AS.IT. (SA)

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Congratulates Co.As.It. (SA) for its important support services to the aged Italian community and for achieving a special milestone of its 20th anniversary in 2023;
2. Recognises that Co.As.It. (SA) is a leading provider of social community welfare and aged-care support for ageing Italian Australians in South Australia, and that their valuable services, advocacy and programs help seniors to live a fulfilling life; and
3. Acknowledges the important work of founding members, current and past presidents, committee members, professionals and volunteers of Co.As.It. (SA) and thanks them for their outstanding hard work over the past 20 years for delivering culturally and linguistically appropriate services by applying a quality of life framework to look after the vulnerable ageing Italo-Australian community in South Australia.

(Continued from 7 February 2024.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:04): I rise today in support of my honourable colleague's motion on Co.As.It. (SA). I am proud to speak today in celebration of the 20th anniversary of Co.As.It. (SA). Two decades of dedicated service, compassion and community support have transformed Co.As.It. into an invaluable institution that has left an indelible mark on the lives of many.

Today, as we reflect on those humble beginnings of postwar Italian migrants who came to Adelaide, we acknowledge the strength and resilience of the migrant founders who laid the foundation for what would become an enduring symbol of care and compassion towards family and community.

Over the years, Co.As.It. has evolved to meet the changing needs of the community it serves. The focus is towards elderly care and welfare services, recognising the importance of supporting the ageing first and the second-generation Italian migrant population. It is a testament to Co.As.It.'s commitment to adapting and growing to provide crucial services to those who need them the most and this is always done in a culturally and linguistically appropriate way.

One of the hallmarks of Co.As.It.'s success is its dedication to holistic wellbeing. In addition to essential care services, Co.As.It. has developed a range of social programs tailored to the needs of Italian seniors. These programs encompass physical and mental wellbeing, fostering a sense of community and social connection that is invaluable in combating the isolation that can sometimes accompany ageing.

None of this would be possible without the incredible support from the community and the countless volunteers who have dedicated their time and efforts to Co.As.It.'s mission. It is heartening to witness the power of unity and shared purpose as people from diverse backgrounds come together to make a positive impact on the lives of others.

As we celebrate this 20th anniversary, let us not only reflect on the past but also look to the future with both optimism and determination. Co.As.It.'s journey is far from over and with the continued support of the Italian and extended community it will undoubtedly go on to achieve even greater heights in the years to come.

Congratulations to Co.As.It. (SA) on 20 years of unwavering commitment and service and may the next chapter be as inspiring and impactful as the ones that have come before. I commend the motion to the chamber.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (17:07): I would like to thank the Hon. Dr Nicola Centofanti for her wonderful contribution. As we know, along with Dr Centofanti's name, she also has a proud Italian heritage through marriage, and I am really grateful that she has made a personal recognition of this particular motion to congratulate Co.As.It. on its 20th anniversary.

Earlier this afternoon, I received a personal message from Franca Antonello OAM. She mentioned in her email to me that on Wednesday she was invited to lunch at Parliament House by the Hon. Mario Feleppa to thank her for her involvement in establishing Co.As.It. The Hon. Mario Feleppa gave her my speech from *Hansard* from 6 February, and in her email she wrote:

Jing...[he] pointed out your excellent acknowledgment to Parliament re services provided by Co.As.It....I value the support you give to the Italian community and to multiculturalism.

You are bella e bravissima.

[With best wishes]

Franca Antonello OAM JP

It is really important that we are able to use this opportunity to recognise the great work of community organisations like Co.As.It. With those remarks, I thank again the honourable members for their support and commend the motion.

Motion carried.

CEYLON TAMIL ASSOCIATION OF SOUTH AUSTRALIA

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Congratulates Ceylon Tamil Association of South Australia (CTA-SA) for achieving a special milestone of 40th anniversary in 2023;
2. Recognises that the CTA-SA is one of the oldest culturally and linguistically diverse community organisations in Adelaide and is a leading community organisation that serves migrants and refugees from the Sri Lankan and Tamil community of South Australia; and
3. Acknowledges the important work of founding members, current and past presidents, committee members and volunteers of CTA-SA, and thanks them for their hard work, dedication and contributions in preserving the Tamil language and culture by delivering 40 years of outstanding community service in South Australia.

(Continued from 7 February 2024.)

The Hon. T.T. NGO (17:09): I rise to speak on the Hon. Jing Lee's motion and express the government's position of support for this motion. South Australia's Ceylon Tamil migrants have made significant contributions to our community in many different ways. They have contributed to the economy through businesses that promote employment and enrich South Australia's cultural fabric.

The Ceylon Tamil South Australians are active, often hosting events to share their traditions and culture with the wider community and providing opportunities for various social activities. All of this plays an integral part in helping to maintain the social and emotional wellbeing of newly arrived migrants. While these new migrants find their feet in a new country with a new language, the Ceylon Tamil Association does an amazing job in helping them find rental accommodation and source furniture.

The Labor Malinauskas government recognises the valuable impact the association has had on the lives of our newly arrived Tamil migrants. We are pleased to have recently provided a Multicultural Expand Together Grant to the Ceylon Tamil Association. This will allow the association to continue to make a difference to the challenges and diverse needs of individuals as they settle in a new country, often without the support of family and friends. A team of dedicated volunteers carry out the work needing to be done.

Apart from providing practical help to members and newly arrived migrants setting up a home, the association is also contributing to the language school movement in our state. It is pleasing to know that the Ceylon Tamil Community Language school has been supported by Labor's new \$4 million funding commitment aimed at keeping our community languages alive. This is \$1 million

of extra funding every year for the next four years. This additional funding is due to the commitment from our Minister for Multicultural Affairs, the Hon. Zoe Bettison MP. I thank her for her work in facilitating and campaigning for this extra funding to ensure our community languages are passed on from one generation to the next.

The Tamil language has a rich tradition of ancient texts dating back thousands of years. It is a language known for its poetic elements and complex grammar, so it is a great thing for our South Australian community that the association is able to continue passing on Tamil literature and language to our younger generations.

The Ceylon Tamil Association would not function without its numerous dedicated volunteers who support in a variety of ways our Ceylon Tamil community as well as the wider community. The work they do is really improving lives and I thank them all for making a difference. The South Australian wider community is certainly richer because of all they do.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (17:14): I would like to thank the Hon. Tung Ngo for his contribution towards recognising the Ceylon Tamil Association on their special anniversary of 40 years. I commend the motion.

Motion carried.

Citizen's Right of Reply

CITIZEN'S RIGHT OF REPLY

The PRESIDENT (17:14): I have to advise that I have received a letter from the Hon. Ann Vanstone KC, Commissioner of the Independent Commission Against Corruption, requesting a right of reply in accordance with standing order 455A. In her letter dated 28 February 2024, the commissioner considers that she has been adversely affected in her office of Commissioner of the Independent Commission Against Corruption by statements made in the Legislative Council by the Hon. F. Pangallo on Thursday 8 February 2024.

Following the procedures set out in the standing order, I have given consideration to this matter and believe that it complies with the requirements of the standing order. Therefore, I grant the request and direct that the commissioner's reply be incorporated in *Hansard*.

Dear President

Proceedings of the Legislative Council on Thursday, 8 February 2024

I write pursuant to Standing Order 455A of the Standing Orders of the Legislative Council, in relation to statements made in the Legislative Council by Mr Frank Pangallo MLC on Thursday 8 February 2024.

Pursuant to Standing Order 455A, I submit that I have been adversely affected in my office of Commissioner of the Independent Commission Against Corruption, and I request that this response be incorporated into *Hansard*.

Mr Pangallo made an allegation (1) to the effect that an article appearing in *The Advertiser* on 8 February 2024 regarding the investigation and prosecution of Mr John Hanlon and Ms Georgina Vasilevski was published at the behest of the Commission, the Director of Public Prosecutions or staff of the Attorney-General's Department, and that it was done in an effort to damage Mr Hanlon and Ms Vasilevski and, ultimately, to influence the outcome of legal proceedings.

This is a serious allegation to level against statutory office holders and senior public officers utilising the shield of parliamentary privilege. To my knowledge, it is not an allegation that Mr Pangallo has repeated outside of Parliament.

Moreover, the allegation is untrue, certainly insofar as it concerns me or my staff. The article in *The Advertiser* was published wholly independently of anything done by any person associated with the Commission.

Mr Pangallo went on to make wholly unfounded claims about, in effect, the inequitable treatment of two persons before the courts for the commission of offences against the *Independent Commissioner Against Corruption Act 2012* (SA) (the ICAC Act).

Mr Pangallo contrasted the penalty imposed on Ms Stephanie Hardy for one count of breaching s 54(3) of the ICAC Act—namely, a \$1000 fine—with the penalty imposed on Mr Nick Fletcher for what Mr Pangallo suggested was similar conduct in 2013. Mr Pangallo claimed that Mr Fletcher was 'shown no mercy' by the Commission, fined \$500,000 and that, in fact, Mr Fletcher was only charged and found guilty due to changes made to the ICAC Act which resulted in 'capturing Mr Fletcher's offending retrospectively'.

Much of what Mr Pangallo said about the matter involving Mr Fletcher is patently false. First, Mr Pangallo has overlooked the fact that Mr Fletcher was not a public officer and was not investigated by the Commission, and nor did it play any role in his prosecution. Accordingly, the Commission was in no position to show mercy or otherwise to Mr Fletcher.

Secondly, Mr Fletcher was convicted of 22 counts of breaching the provisions of the ICAC Act which prohibit *publication* rather than simply *dissemination* of information. This is a more serious offence than that to which Ms Hardy pleaded guilty.

Thirdly, the penalty Mr Fletcher received was in the nature of a community service order and the imposition of prosecution costs, court fees and the victims of crime levy, all of which amounted to less than \$3,500—a far cry from the \$500,000 fine that Mr Pangallo would have the public and Parliament believe was imposed.

Finally, the amendments made to the definition of 'publish' in the ICAC Act by the *Independent Commissioner Against Corruption (Miscellaneous) Amendment Act 2014* to which Mr Pangallo referred had the effect of *narrowing* rather than *broadening* the concept of publication. The then Attorney-General, the Hon. John Rau described the effect of the amendments as follows in his second-reading speech (2):

First, the Bill amends the definition of 'publish' because upon a broad interpretation of that definition, information could not be communicated person to person. The intention, which is to prevent information becoming public, will be clarified by the new definition of 'publish', consistent with the definition of 'publish' in the *Evidence Act 1929* where the emphasis is on communication to the public.

Mr Fletcher published information relating to an investigation on a public blog. His conduct amounted to unauthorised publication of information *both before and after* the amendment to the definition of 'publish'.

In my submission, Mr Pangallo's statements regarding the cases involving Ms Hardy and Mr Fletcher amount to a breach of Standing Order 193, being injurious reflections on the Parliament of South Australia and on the courts of law in this State. They have the capacity to damage the public perception of the operation of the legal system and of the Parliament and ought to be corrected.

Yours sincerely,

Hon. Ann Vanstone KC

COMMISSIONER

(1) South Australia, *Parliamentary Debates*, Legislative Council, 8 February 2024, 4739 (Frank Pangallo MLC).

(2) South Australia, *Parliamentary Debates*, House of Assembly, 29 October 2014, 2489 (John Rau MP).

At 17:15 the council adjourned until Tuesday 19 March 2024 at 14:15.