

**LEGISLATIVE COUNCIL****Wednesday, 19 June 2024**

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

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

*Parliamentary Committees*

**LEGISLATIVE REVIEW COMMITTEE**

**The Hon. R.B. MARTIN (14:17):** I bring up the 47<sup>th</sup> report of the committee.

Report received.

*Parliamentary Procedure*

**PAPERS**

The following papers were laid on the table:

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

SACE Board of South Australia 2023  
South Australian Abortion Reporting Committee 2023

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

State Autism Strategy 2024-29

*Ministerial Statement*

**AUTISM STRATEGY**

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:18):** I table a copy of a ministerial statement made by the Minister for Human Services in the other place on South Australia's autism strategy.

*Parliamentary Procedure*

**ANSWERS TABLED**

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

*Question Time*

**AMBULANCE RAMPING**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:22):** I seek leave to make a brief explanation prior to addressing a question to the Leader of the Government in this place regarding broken election promises.

Leave granted.

**The Hon. N.J. CENTOFANTI:** Whilst there has been some easing of elective surgery restrictions in regional areas, a Code Yellow remains in place across Adelaide, while category 2 and 3 elective surgeries remain cancelled in urban and peri-urban hospitals. I call upon the example of Chris Temple, an Aldinga Beach resident, who had his elective surgery to remove a stoma bag cancelled twice. The surgery is elective but is life-altering. He was one of almost 500 patients who had surgeries cancelled.

I understand the surgery has been rescheduled for later this week, yet Mr Temple remains hesitant that it will actually take place after waiting since October last year—nine months. Many commentators are speculating that ramping figures will look, and I quote, 'horrendous' by the end of June. The South Australian Salaried Medical Officers Association (SASMOA) has told *The Advertiser* a direction is being made from management verbally mandating SA Ambulance Service offload at 180 minutes, and that SAAS patients were to be preferentially offloaded over patients in the waiting room. I remind the chamber again about the comments made by the Leader of the Government in this place on 27 February 2022, when he said to the people of South Australia, 'We will fix the ramping crisis.'

My question to the Leader of the Government in this place is: what does he say to Mr Temple and the 500 other patients on the elective surgery list when his government, in which the Attorney holds a key leadership position, promised they would fix ramping and the health crisis?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:24):** I will happily refer the honourable member to *Hansard*—

*Members interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Wortley, I am not sure I need your help. Attorney, would you care to answer the question?

**The Hon. K.J. MAHER:** I have answered, sir.

#### MAJOR INFRASTRUCTURE PROJECTS

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:25):** I seek leave to make a brief explanation prior to addressing a question to the Minister for Industrial Relations regarding the CFMEU.

Leave granted.

**The Hon. N.J. CENTOFANTI:** Industry sources have suggested to the opposition that the government could and should mandate the use of BIRST (Building Industry Redundancy Scheme Trust) for any contracts that the government enters into relating to major infrastructure projects funded by taxpayer dollars, such as the north-south corridor and the new Women's and Children's Hospital. My question to the Minister for Industrial Relations is: will the Minister for Industrial Relations use relevant procurement policy and mandates to prevent the CFMEU and Victorian-based Incolink from having involvement in South Australia's major infrastructure projects?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:26):** I thank the honourable member for her question. I note the honourable Leader of the Opposition regularly asks questions that I fail to appreciate in terms of portfolio responsibilities. The honourable member has asked a question pertaining to procurement policy, which sits with the Treasurer and pertains to major infrastructure projects. Strangely, a major infrastructure project sits with the infrastructure minister.

However, as Minister for Industrial Relations, I do have responsibility for matters that fall within the state's industrial relations system, which private sector enterprise bargaining is certainly not part of. Since much earlier this century, with the referral of powers, private sector enterprise bargaining is wholly a creature and responsibility of the federal sphere of industrial relations.

#### MAJOR INFRASTRUCTURE PROJECTS

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:27):** Supplementary: what state industrial powers will the Minister for Industrial Relations use to oppose any delays caused by the CFMEU on key infrastructure projects?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:27):** I am happy to repeat again what I have said, if

the honourable member didn't hear it: private sector industrial matters are governed, since the referral of powers (I think it was back in about 2007) to the commonwealth, by the commonwealth.

#### AVIAN INFLUENZA

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:27):** I seek leave to make a brief explanation prior to addressing a question to the Minister for Primary Industries regarding avian influenza. We will see if she answers.

Leave granted.

**The Hon. N.J. CENTOFANTI:** It's understood that the H7N3 strain of avian influenza is continuing to spread across poultry farms in regional Victoria. It is already affecting egg supply and egg pricing, which has a knock-on effect on food manufacturing and supermarket trolley inflation. I was on the public record last year, talking about the increased risks of disease, particularly viral infections such as avian influenza, in the free-range setting and the risk that a rapid phase-out of caged eggs into free range could have impacts on the production of eggs and their cost at the supermarket. According to the RSPCA's own website, they state, and I quote:

As consumer demand increases for free-range eggs and poultry including layer hens, meat chickens and turkeys, there is the potential for free-ranging birds to come into contact, either directly or indirectly, with wild waterfowl. These wild waterfowl can act as a constant source of avian influenza, carrying the virus in their nasal and eye discharge and faeces.

It's important to note that barn-laid eggs are laid by hens that are housed in large climate-controlled sheds without cages. The hens are able to roam freely within the shed, socialising and perching without the threat of outdoor predators and exposure to the elements. My questions to the Minister are:

1. Does the minister concede that an increase in free-range supply leads to an increased risk in the vulnerability of free-range flocks from disease incursions via wild birds potentially carrying diseases such as avian influenza?
2. Will the minister advocate for barn-laid eggs over free range, which allows for increased movement and more natural behaviour compared to caged but does not have the degree of exotic disease risk that is seen with free range and, if not, why not?

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hunter, are you going to answer the question?

*The Hon. I.K. Hunter interjecting:*

**The PRESIDENT:** Between you, one of you can answer the question.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:30):** I thank the honourable member for her question. I think I did speak recently in this place about the detection so far and, concerningly, of course, they are continuing. The situation does, however, remain dynamic and is changing all the time, so it is not unexpected to see further detections in areas known to be affected. It is important to say that there have been no HPAI detections in South Australian poultry.

Avian influenza is a highly infectious disease caused by influenza A viruses capable of infecting birds and mammals, including humans. Strains are described as low pathogenicity (LPAI), or high pathogenicity (HPAI). HPAI infections can result in severe symptoms and up to 100 per cent mortality in domestic poultry. It is very important that we are all aware, however, that eggs and poultry products from the supermarket are safe to consume, provided they are handled and cooked according to standard food handling practices.

Agriculture Victoria is responding to the outbreaks in Victoria with the aim of eradicating the disease by depopulation. Controls are in place within restricted areas and broader control area buffer zones established around the infected farms which have been quarantined. A housing requirement for all birds within restricted areas and controlled areas has been issued, with movement permits required for all poultry premises within these areas.

The Department of Primary Industries and Regions maintains ongoing communications with the key poultry industry representatives and notification of poultry producers and veterinarians regarding the current situation and the importance of enhanced biosecurity and early reporting. I am glad to say that the \$6.8 million in funding announced by this state government in December 2022, to enhance the preparedness for emergency animal disease outbreaks, is assisting the department to support industry, the government and the community to prepare for potential impacts to both domestic and wild bird populations.

I am advised that consumers can be assured that there are still hundreds of egg farms around the country collecting, packing and shipping eggs every day to maintain supply while the impacted farms recover. While some supermarkets have introduced product limits to help maintain the availability of eggs, there are, I am advised, many eggs on the shelves but they may not be the usual brand. In terms of the particular styles of poultry raising, there is a mixture here in South Australia, and there are pros and cons to the various types, and business decisions are made by those businesses as to which type of farm eggs to use.

### **ACTU ABORIGINAL AND TORRES STRAIT ISLANDER CONGRESS FORUM**

**The Hon. M. EL DANNAWI (14:32):** My question is to the Minister for Industrial Relations and Public Sector. Will the minister inform the council about the inaugural ACTU Aboriginal and Torres Strait Islander Congress Forum?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:33):** I thank the honourable member for her question and her interest in this area, and her role in trade unions. I am delighted to answer this question that touches upon a couple of my portfolio areas.

The ACTU Congress is the highest decision-making body in the Australian trade union movement. This year's congress was the first to be held in person since 2018 and was convened in Adelaide between 4 and 6 June. This year's congress included the inaugural Aboriginal and Torres Strait Islander forum, which was the very first forum held at the congress. I was very proud to attend and speak to the many Aboriginal and Torres Strait Islander members across many unions at this forum.

I have spoken in this place about the instrumental role that the trade union movement in Australia has played in advancing the rights of Aboriginal and Torres Strait Islander people and the strong history of unions providing a platform for collective action and solidarity, which has been crucial in the fight against racism and for self-determination for Aboriginal and Torres Strait Islander communities. It is a testament to the importance and value of Aboriginal and Torres Strait Islander members to the broader union movement. Both the president of the ACTU, Michele O'Neil, and the secretary, Sally McManus, were in attendance at the forum and spoke to members.

Ms O'Neil and Ms McManus spoke of the long history of the ACTU Congress and its unwavering commitment to Aboriginal and Torres Strait Islander people. I had the opportunity to speak to Aboriginal and Torres Strait Islander union members about matters in South Australia, including the South Australian First Nations Voice. I am pleased to see that the Aboriginal and Torres Strait Islander forum has been established at the ACTU Congress to enable Aboriginal and Torres Strait Islander unionists to come together and collectively talk about their views and concerns, shape policies and ensure their perspectives are represented at the highest decision-making body, the union movement.

I particularly acknowledge and congratulate the organisers of the forum, in particular Jo Kerr, the chair of the Aboriginal and Torres Strait Islander committee, on the role she has played over many years. I thank all members who participated and look forward to the positive outcomes that will come as a result of First Nations people being so involved in the trade union movement, and the continued support and solidarity of the trade union movement in advancing the interests of Aboriginal and Torres Strait Islander people in Australia.

### CANCER VACCINE TRIALS

**The Hon. S.L. GAME (14:35):** I seek leave to make a brief explanation before directing a question to the Attorney-General, representing the Minister for Health and the Premier, regarding cancer vaccine trials.

Leave granted.

**The Hon. S.L. GAME:** *The Advertiser* published a double-page spread on the weekend, titled 'Cancer vax is our only hope'. In the article it states:

Terminally ill Australians pinning their hopes on a cancer vaccine that uses a sample of their tumour to fight disease are terrified the cutting edge trial is about to be shut down.

Men, women and children with various stage 4 cancers are pleading with authorities to allow Adelaide Professor Nikolai Petrovsky and his medical team to continue producing and trialing the tailor-made vaccines out of his lab.

One participant, who has been told three times to prepare to die, has seen the regression of tumours on his lungs, hips, pelvis, shoulder and brain since being in Professor Petrovsky's vaccine trial. He has gained weight and is no longer in a wheelchair.

Professor Petrovsky developed the first 2009 pandemic swine flu vaccine in the world and the world's first vaccine developed with artificial intelligence. He developed SpikoGen, a successful protein-based COVID-19 vaccine, with eight million doses sold in Iran. Professor Petrovsky has more than 250 published peer-reviewed papers and is now a professor with the Australian Respiratory and Sleep Medicine Institute, as well as a professor with the Institute of Molecular Medicine in California.

This cancer vaccine trial is a well-advanced phase 1 trial. In the research world getting an idea out of the lab and into a phase 1 human trial is like passing through the eye of a needle. It is estimated that less than 0.1 per cent of medical research projects progress to a human phase 1 trial. So far, the vaccine has shown promising benefits and no side effects in these advanced cancer patients, who have no other treatment alternatives left. This cancer vaccine could be fast-tracked to the market in the next couple of years if human trial success continues. My questions to the Attorney-General are:

1. Have the Premier and the Minister for Health, Chris Picton, been briefed on the plight of the cancer trial and, if so, what steps have they undertaken to support and retain this world-leading research in this state?

2. What obligation does the Premier and the Minister for Health believe South Australia has to ensure these patients with late-stage cancer can continue to access their personalised vaccine treatment and to ensure there is no delay in making such potential life-saving cancer vaccines available to South Australians, retaining for South Australia the credit for this world-leading vaccine advance when it is successful?

3. Can the minister and the Premier explain why the cancer vaccine trial is being forced to suddenly relocate, despite there being plenty of empty labs, given the shifting of 350 researchers out of Flinders Medical Centre into the new Flinders University research building, visited by the Premier just last week, and despite the fact that the medical centre continues to receive commercial rents from Vaxine for its small lab space, in which the cancer work is undertaken?

4. Can the minister and the Premier reassure the public that this is not part of a witch-hunt against Professor Nikolai Petrovsky, prompted by his having exercised his rights of academic freedom to publicly express his expert views on COVID-19, his having acted as an expert witness in the South Australian judicial review and SA Health vaccine mandates case and his role in developing SpikoGen vaccine, a protein-based vaccine, wanted by many in the community, with this interest being perceived by SA Health to pose a threat to the mRNA and adenoviral vaccines they were aggressively promoting?

5. Does the minister and the Premier agree that Professor Petrovsky committed no offence in developing a successful protein-based COVID-19 vaccine to warrant harsh treatment, but instead that his team should be congratulated and rewarded for their monumental achievement

against the odds, with SpikoGen vaccine being one of the only successful new human vaccines to be developed in Australia in the last 40 years?

**The PRESIDENT:** Before you answer, Attorney: the Hon. Ms Game, you are not a serial pest in this place for overly long explanations, but that was overly long. It probably would have been a better question on notice, okay? I have given you that courtesy, but I wouldn't do it again.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:39):** I will refer the specifics of the particular vaccine development program that she referred to to the Minister for Health in another place and bring back a reply. But I do wish to thank the honourable member for her support of what is a crucial element of our medical program; that is, vaccinations. Vaccinations are very well noted as one of the greatest developments in medicine and evidence-based medicine and public health that we have seen in a very long time. I thank the honourable member for her strong support of vaccinations as a public health measure in so many areas that keep us much healthier than we would be without them.

#### CANCER VACCINE TRIALS

**The Hon. S.L. GAME (14:40):** Supplementary: does the Attorney-General believe all steps should be taken to ensure South Australia retains world-leading researchers like Professor Petrovsky, who has developed this vaccine, rather than acting to drive them out?

**The PRESIDENT:** It's not really a supplementary question, but you are on your feet, Attorney.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:41):** I don't know the researcher to which she refers, so I am not in any position at all to assess the evidence and pass judgement on the assertions that the honourable member has made.

#### ROCK LOBSTER INDUSTRY

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:41):** My question is to the Minister for Primary Industries. Did the minister meet with and advocate to the Chinese Premier, Li Qiang, during the removal of tariffs on South Australian rock lobster during his recent visit to Adelaide? If so, what outcomes has the minister achieved for the rock lobster fishing community?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:41):** I thank the honourable member for her question. No, I did not meet with the Chinese Premier at the weekend; however, in terms of rock lobster, it's certainly been something that has been consistently advocated for at many levels, certainly by myself. Just last week, I met with Minister Farrell and Minister Watt, the federal ministers for trade and for agriculture respectively, in regard to rock lobster and, indeed, had a meeting with Minister Watt I think it was in the week previously as well.

In addition to that, both the Premier, when he has been engaging with China on many different occasions, and myself when I visited China were keen to advocate for all of our industries, including rock lobster. Rock lobster is the only industry still currently affected by Chinese trade bans or trade impediments. There are still others in other states but, in terms of rock lobster, that's the only one that South Australia is still enduring. I am very optimistic that the excellent work and the consistent work of stabilising the relationship with China will result in some positive news and I hope that that will be in the near future.

#### ROCK LOBSTER INDUSTRY

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:43):** Supplementary: given the rock lobster industry has lost somewhere in the vicinity of \$1.5 million to \$1.8 million over the life of the sanctions, and the minister has been advocating for this issue—

**The PRESIDENT:** The honourable deputy leader, it is a supplementary question. It has to be phrased as a question. There is not a preamble. What's the question?

**The Hon. J.S. LEE:** Can the minister further elaborate on her answer in terms of what actual advocacy she has done?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43):** I refer the honourable member to my previous answer.

#### **KANGAROO ISLAND WORKER ACCOMMODATION**

**The Hon. R.P. WORTLEY (14:43):** My question is to the Minister for Primary Industries and Regional Development regarding the Thriving Regions Fund Enabling Infrastructure Program. Will the minister update the chamber on the major boost to Kangaroo Island's worker accommodation in Parndana?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:44):** I thank the honourable member for his question. It is with great pleasure that I can convey that funding from the state government's Enabling Infrastructure program of \$230,000 is going towards the fit-out of new worker accommodation in Kangaroo Island's Parndana.

The project, run by the Kangaroo Island Community Club, is supplementary to an existing commonwealth-funded 24-bed seasonal workers' accommodation project, and will address a major obstacle for farmers on the island, who struggle to recruit people during peak season due to the lack of available accommodation. The state government funding will contribute to the fit-out costs of the 24-bed accommodation facility, and will support Kangaroo Island producers.

The lack of workers' accommodation on Kangaroo Island has been an issue hampering agricultural economic output, recovery, growth and diversification. That, of course, has been exacerbated by the Black Summer fires of 2019/20, the lack of housing stock in general on the island, and year-round staffing demand.

Farmers are often significantly challenged when it comes to recruiting seasonal labour, not due necessarily to a lack of interest but due to lack of suitable and affordable accommodation options for workers. Farmers have often needed to provide on-farm accommodation, but the provision of independently-operated accommodation will provide security of labour availability and encourage investment and expansion to increase job numbers and expertise on the island.

This project will significantly support growing regional population, employment opportunities, growth in local agribusiness, and reduced operating costs, and will contribute to recovery and revitalisation in the wake of both the bushfires and COVID-19. The town of Parndana will directly benefit from the consolidated workers' accommodation, where local businesses will no doubt see an economic boost with the influx of workers spending money at local businesses and social facilities.

Consolidation of accommodation in the township will address the isolation issues experienced through the old, widely-dispersed on-farm accommodation, and will provide an improved work-life balance, greater mental health, and increased personal security, with access to sporting and recreational facilities also within walking distance.

Key worker accommodation in regional communities is crucial for the Malinauskas Labor government's agenda to strengthen regional economies. Addressing the critical lack of workers' accommodation on Kangaroo Island has long been a priority for the community, especially with more intensive high-value crops now being grown on the island. The Enabling Infrastructure program will give the community the opportunity to realise this important goal.

#### **PAID PERIOD LEAVE**

**The Hon. C. BONAROS (14:46):** I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Health, or himself, a question about paid leave.

*An honourable member interjecting:*

**The Hon. C. BONAROS:** As industrial relations officer, I think the Attorney can handle this.  
Leave granted.

**The Hon. C. BONAROS:** According to a recent report, Victoria could soon have access to paid period leave after the union representing public sector workers negotiated a new deal with the Victorian state government. That agreement would give public servants access to an extra five days

of leave for menstruation, menopause and other reproductive health issues. The Victorian public sector includes anyone employed by government bodies like the Department for Education and so forth.

Part of the agreement reached between Victoria's Community and Public Sector Union and the state government focuses on ways to improve gender equality outcomes within the public sector. This includes extending leave entitlements to recognise women's health and reproductive rights, menstruation and menopause. My questions to the Attorney, or Minister for Industrial Relations, are:

1. Is he aware of the Victorian precedent that is being set, and has any consideration been given to doing the same here in South Australia?
2. Have any similar representations been made to the minister by any of the unions, or anybody else, including members of parliament?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:48):** I thank the honourable member for her question. I do not have a lot of detail, but it is a matter I am loosely aware of, and which has been raised by others in the wake of Victorian negotiations.

As I have said before, we are absolutely open to discussions about any matters in terms of bargaining with public sector unions—which I understand gave rise to this entitlement in parts of the Victorian public sector as a result of negotiations. We have taken a very different attitude and view to the last government, in terms of negotiations with public sector unions, where we would genuinely, and in a bona fide way, conduct negotiations without putting bounds on things like refusing from the outset to even consider backpay when agreements have long passed their expiry. We are more than happy for this to be discussed.

Paid parental leave has become part of industrial agreements in the South Australian public sector as a result of strong advocacy from unions who represent public sector workers. As matters are raised, we will, with an open mind, enter into good faith discussions and negotiations.

#### PAID PERIOD LEAVE

**The Hon. T.A. FRANKS (14:50):** Supplementary: will the minister also further consider the impact on workers of not being able to access this leave on withdrawal from the public sector workforce in this state?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:50):** I thank the honourable member for her supplementary question. As I said, we will absolutely negotiate and bargain in good faith and I have no doubt that the unions, who are very, very strong advocates, will put forward what the consequences are of some of the entitlements that we do or don't have in South Australia, so we look forward to examining those as public sector agreements come up over the next couple of years.

#### PAID PERIOD LEAVE

**The Hon. C. BONAROS (14:50):** Does the minister in his capacity as minister and Attorney-General agree with the principle that this is something that progresses gender equality outcomes?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:51):** I wouldn't disagree with that characterisation and certainly, as we negotiate these agreements, no doubt there will be issues like that and many other issues that will come up. I do acknowledge that much of the work that unions do as part of not just their negotiations but their advocacy outside negotiations does a huge amount for social justice for equality, including gender equality.

#### AUTISM FUNDING

**The Hon. H.M. GIROLAMO (14:51):** My questions are to the parliamentary secretary regarding advocacy. Is the parliamentary secretary concerned with the number of South Australian organisations that have had their Information Linkages and Capacity Building (ILC) program funding non-renewed? This includes JFA Purple Orange's Enabled Youth Disability Network program. Has she raised concerns with her federal counterparts? When did the parliamentary secretary last meet



with her federal counterparts Minister Rishworth and Minister Shorten? What issues did she advocate for in the recent federal budget?

**The Hon. E.S. BOURKE (14:52):** I thank the member—

*Members interjecting:*

**The PRESIDENT:** Order! Parliamentary secretary, you are welcome to answer if you wish.

**The Hon. E.S. BOURKE:** I thank the member for her question—

*Members interjecting:*

**The PRESIDENT:** Order! Sit down. Order! There is not a conversation between the Hon. Ms Girolamo and the Hon. Mr Hunter. Enough!

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Hunter, your ship will be rudderless without you today and the way you are going you will be having a day off. The parliamentary secretary will answer the question.

**The Hon. E.S. BOURKE:** Apologies, Mr President, I thought you said something else then.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. E.S. BOURKE:** I am happy to answer this question. I talk regularly with the federal government, particularly Minister Rishworth, in regard to advocacy, but in regard to what we are able to do in South Australia in supporting our community and our incredible support for the autistic and autism community it is to create new opportunities and that is what we have done.

Just recently, we opened a grant up to allow grants for up to \$50,000 to be made available to organisations in South Australia that can provide a sense of belonging, understanding and a growth in knowledge around autism in our community because we know that when we build that knowledge, we create a sense of belonging and that's why we put these grants out there valued up to \$50,000 for any organisation to apply for.

#### **AUTISM FUNDING**

**The Hon. H.M. GIROLAMO (14:53):** Supplementary: would the parliamentary secretary be willing to raise concerns with Minister Rishworth and Minister Shorten in regard to the ILC program funding not being renewed?

**The Hon. E.S. BOURKE (14:54):** I have already answered the question. I advocate with them all the time.

*Members interjecting:*

**The PRESIDENT:** Order!

#### **ENGINEERED STONE**

**The Hon. T.T. NGO (14:54):** I have a question for the Minister for Industrial Relations and Public Sector. Can the minister tell the council about SafeWork SA's campaign in relation to the upcoming ban on engineered stone?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:54):** I thank the honourable member for his question and his ongoing interest in this area. I have previously spoken in this chamber about South Australia moving rapidly towards a ban on the manufacture and use of dangerous engineered stone benches, panels and slabs. I have previously informed the chamber that that comes into effect from 1 July this year.

Engineered stone contains respirable crystalline silica dust and, when processed through cutting and grinding, small particles of that dust can be inhaled into the lungs and can cause

permanent disability and death. The lung disease these particles cause has no cure, just like breathing in asbestos.

An expert report from Safe Work Australia last year was developed following extensive stakeholder consultation, independent economic analysis and an expert review of scientific evidence. The report found that engineered stone workers are dramatically over-represented amongst workers diagnosed with silicosis. In December of last year, South Australia was proud to join every other jurisdiction across Australia in supporting a ban on the use of engineered stone slabs from 1 July 2024.

In the months since that announcement, there has been a significant education campaign to alert the community and the industry about the ban and the dangers of the engineered stone products. That communication has been led by the national health and safety regulator, Safe Work Australia, but has also involved a significant amount of work at the state level by SafeWork SA. That includes providing information about the ban to businesses and health and safety professionals, as well as participating in public forums with industry stakeholders that may be affected by the ban.

SafeWork SA has worked closely with other officials, such as the office for business, to provide information to businesses that may be affected, including, importantly, about alternative products that are already on the market and further ones that are emerging that can be used in lieu of engineered stone.

In the final run-up to the implementation of the ban on 1 July, SafeWork is now running a significant public campaign, including advertising, fact sheets, social media and educational webinars. SafeWork has published fresh guidance material, particularly for businesses, explaining the ban, including the transitional arrangements which will allow for pre-existing contracts entered into before 1 January this year to be fulfilled by no later than the end of this year. It also explains that those processes are still subject to strict requirements about the use of dust extraction systems, water suppression and personal protective equipment.

SafeWork has also published updated national guidance material for working with crystalline silica products which are not covered by the engineered stone ban but can still pose a risk to the health and safety of workers. Those products include natural stone like marble or granite, bricks, pavers, tiles, concrete and asphalt.

This education piece is an important part of keeping the community safe from the dangers of engineered stone products, and SafeWork will continue to provide education and advice on these issues once the ban has come into effect on 1 July.

### **ENGINEERED STONE**

**The Hon. D.G.E. HOOD (14:58):** Supplementary: minister, do the guidelines from SafeWork SA give any detail as to how the matter should be handled in the future, that is, for installations that have occurred in the past?

**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 the question. That is a really good question. Legacy products or in situ products are going to need to be dealt with. I know Safe Work Australia, working in conjunction with regulators like SafeWork SA, are developing those sorts of guidelines. Because of course engineered stone has been a major feature for some years right around Australia in the housing industry, there are many, many products that are already installed, so guidelines are now being prepared for particularly the removal of engineered stone but, if necessary, the working with engineered stone that is already in situ.

In addition to any guidelines that will be developed and put in place, they need to be looking at a licensing system similar to the licensing of being able to work with asbestos, but on top of all of that there is still a requirement under all states' work health and safety legislation for an employer, a person conducting a business or undertaking (PCBU), to provide a safe workplace for those who work for them.

**AFFORDABLE HOUSING**

**The Hon. R.A. SIMMS (14:59):** I seek leave to make a brief explanation before addressing a question without notice to the Leader of the Government in this place on the topic of housing affordability.

Leave granted.

**The Hon. R.A. SIMMS:** Last week, Demographia released their International Housing Affordability Report, which showed that Adelaide is now ranked amongst the least affordable housing markets in the world. Adelaide placed 86<sup>th</sup> out of 94 international housing markets and was ranked as less affordable than Brisbane, Toronto, Greater London and even New York. The report classified Adelaide as being impossibly unaffordable and demonstrates that Adelaide's middle income housing affordability has steadily declined for the past 40 years, with a steeper drop in the last two years.

Labor has been in government in South Australia for 26 of the last 40 years, and the Labor Party has made a number of planning decisions that have impacted on the current state of the housing market. My question, therefore, to the Leader of the Government in this place is: how does the government justify the decline in Adelaide's housing affordability under Labor's watch and when does it expect to see an improvement in Adelaide's ranking—or does it expect us to sink even further?

**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 don't think the affordability and supply of housing is an issue that is unique to a state that has seen more Labor governments in this century than it has Liberal governments. I think we are seeing all around the world, but particularly around Australia, the emergence of very tight housing supply, rapid increases in the price of housing and increases in rental prices paid for housing.

I know that the Premier, along with the Minister for Planning and Housing, the Hon. Nick Champion, has already outlined a number of initiatives, including some very significant land releases for new housing. I will be happy to go away and bring back a response to have input from the Minister for Housing and the Minister for Planning in much greater detail about many of the initiatives that this current Labor government is working on to tackle particularly housing supply that then feeds into the affordability of housing in the state.

**AFFORDABLE HOUSING**

**The Hon. R.A. SIMMS (15:01):** Supplementary: is the minister concerned to learn that we are less affordable than London and New York?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:01):** I am aware of the survey. I think it was published last week in terms of housing affordability, that if I am remembering correctly is a function not just of the absolute price of housing but the percentage of income that is used for housing in different jurisdictions. Of course, that is why we are concentrating our efforts so closely on housing in South Australia.

**AFFORDABLE HOUSING**

**The Hon. R.A. SIMMS (15:02):** Supplementary arising from the original answer: if this is a national matter, how can the minister account for South Australia lagging further behind other states? What is going on here in SA? We have had Labor governments for 26 of the last 40 years. What are you doing wrong?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:02):** I thank the honourable member for the question. As I said, it is an issue that is affecting and afflicting every state in the Commonwealth of Australia. The honourable member will have seen many initiatives that have already been released, and there will be more to come. I will be happy to get a response that will outline and detail a number of initiatives this Labor government has taken in relation to it.

### AFFORDABLE HOUSING

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:03):** Supplementary: what money has been set aside in the budget specifically for water infrastructure to support these housing allotment developments?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:03):** I thank the honourable member for her question. That is not a budget that is within my portfolio, but I will be more than happy to take that on notice and bring back a reply for the honourable member in relation to water infrastructure to support new housing.

### LIVE SHEEP EXPORT

**The Hon. B.R. HOOD (15:03):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development regarding live sheep exports.

Leave granted.

**The Hon. B.R. HOOD:** Despite dramatic improvements to animal welfare and adopting the highest standards in the world, the live sheep export industry—

*The Hon. R.P. Wortley interjecting:*

**The PRESIDENT:** Can you just hang on until the Hon. Mr Wortley has finished on his phone? Have you finished, the Hon. Mr Wortley?

**The Hon. R.P. Wortley:** Finished now. Go ahead.

**The PRESIDENT:** Lovely. The Hon. Ben Hood.

**The Hon. B.R. HOOD:** Good. I will start again. Despite drastic improvements to animal welfare and adopting the highest standards in the world, the live sheep export industry is being abolished by the federal Labor government. Industry groups are up in arms over the abolition of this trade, including SA grain producers saying it will hit livestock and grain producers alike, and Livestock SA saying the ban sets a dangerous precedent for decisions being driven by opinion and not fact. Science-backed improvements have helped secure voyage mortality rates on par or less than on-farm livestock.

My question to the minister is: will the minister, if she hasn't already, support primary producers and industry groups and back science-based industry improvements by signing the Keep the Sheep petition to overturn the impending federal government live export ban?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:04):** I thank the honourable member for his question. As I have said on a number of occasions here, federal Labor went to the last two elections saying that they were going to ban live sheep exports. So I think if there was to be a reflection on the changes that have been made in the industry, which I certainly acknowledge have been very positive, they needed to be communicated more strongly to the federal government before they made those commitments. But those commitments from the federal government have been in place now for quite a long time, and I think therefore it came as no surprise to anyone who has been following.

### LIVE SHEEP EXPORT

**The Hon. B.R. HOOD (15:05):** Supplementary: is the minister conceding that she is putting politics ahead of improvements in animal health welfare and the livelihoods of primary producers?

**The PRESIDENT:** Minister, you can choose to answer that.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:05):** I am not sure what that ridiculous question is supposed to mean.

*Members interjecting:*

**The PRESIDENT:** Order!

#### LIVE SHEEP EXPORT

**The Hon. D.G.E. HOOD (15:06):** Supplementary: minister, what legitimate compensation measures can be put in place in order to compensate these people for the loss of their livelihoods?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:06):** I thank the honourable member for his supplementary question. Any questions of compensation would need to be directed to the commonwealth government.

#### LIVE SHEEP EXPORT

**The Hon. B.R. HOOD (15:06):** Supplementary: does the minister concede—

*Members interjecting:*

**The PRESIDENT:** Order! I want to be able to hear it.

**The Hon. B.R. HOOD:** I want to be able to hear it too. Does the minister concede that banning live sheep exports will result in worse animal welfare outcomes and significantly disadvantage local farmers for the benefit of countries with no animal welfare practices whatsoever? You spoke about improvements in your first answer.

**The PRESIDENT:** You mentioned improvements to practices, so I am going to allow it.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:07):** I thank the honourable member for his supplementary question, which at least made some sense, which is better than the previous one, so it is good to see that he is improving.

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

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** I would always encourage any matters that will improve animal welfare whilst also supporting our producers.

#### LIVE SHEEP EXPORT

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:07):** Supplementary: if the minister supports things that support our producers, does the minister then support the commitment by the federal government to phase out live exports?

*Members interjecting:*

**The PRESIDENT:** The Hon. Reggie Martin has the call. We are moving on.

#### NARACOORTE CHILD CARE

**The Hon. R.B. MARTIN (15:08):** My question is to the Minister for Primary Industries and Regional Development.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Reggie Martin, can you ask that question again so I can hear it, please?

**The Hon. R.B. MARTIN:** Absolutely, sir. My question is to the Minister for Primary Industries and Regional Development. Will the minister please inform the chamber of the importance of the funding provided to create a new childcare facility in Naracoorte?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:08):** I thank the honourable member for his question. Accessible

child care in regional South Australia is becoming an ever-increasing issue. There is very high demand and need for childcare services that are not currently being met. Naracoorte currently only has two childcare centres, and both have long waiting lists.

Parents have been forced to drive to neighbouring towns sometimes over an hour away just to drop their children off at child care, resulting in much longer days for both the children and the parents. That is why I am so pleased to announce that through the state government's Thriving Regions—Enabling Infrastructure Program, funding of up to \$500,000 will be provided to Jrod Pty Ltd towards creating a new early learning centre in Naracoorte, providing space for 60 children.

I had the pleasure, when I was in Naracoorte recently, to meet with Jarryd Dawson of Jrod Pty Ltd, a local business in the South-East region, and also with the hardworking member for MacKillop, Nick McBride. They were both thrilled with the funding announcement, with the member for MacKillop being a strong past advocate to develop further child care in the region.

Jarryd walked us through his vision for the property and the plans for the early learning centre, which eventually may also include facilities for child health services. His vision is to see children have an excellent start in the very important years before commencing formal education, and they will be transforming an unused building in Naracoorte into an early learning childcare centre—a \$2 million facility to support local families. The centre is aiming to create a safe, nurturing and stimulating environment, addressing a significant shortfall in the region.

I have previously met with young families of the multicultural community in Naracoorte who were strongly urging assistance with child care in the area so that they could return to the paid labour market. There is a current high demand for migrants to enter South Australia, and opening 60 more spaces will greatly help with the childcare demand.

The Malinauskas Labor government sees the strong need to ensure our regional communities are places that attract and retain families and workers to live. Accessible child care is crucial for many families and supports parents' ability to be in the paid workforce.

The construction and operation of the refurbished childcare centre will lead to increased job opportunities for residents, with the construction phase creating a demand for skilled labourers, contractors and suppliers from the area. Once the centre is operational, it will also require staff, including educators, administrators and support personnel—providing valuable employment opportunities for qualified individuals within the region. The centre will increase business activity and real estate demand, stimulate local services and create long-term investment in the region and community development by attracting younger families and growing the population.

Construction is set to commence in September of this year, and I look forward to seeing the completed project. I am pleased that the Enabling Infrastructure Program is able to support in so many ways across so much of South Australia.

### REGIONAL CHILDCARE SERVICES

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:11):** Supplementary: given the benefits for country South Australia, will the minister be advocating for funding for regional community-based childcare facilities across our state more broadly?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:11):** I am always advocating for increased child care. I remember being at the Jamestown Show a couple of years ago, on a panel with the Hon. Rob Kerin, former Premier of South Australia, where child care was one of the specific issues. It's certainly something that continues to play a big part in the various regional development conversations that I have.

Whilst child care specifically of course is a responsibility of the federal government, it's certainly encouraging that there are ways in which we are nevertheless able to support. Members would also be aware that in some of our regional towns the councils are involved in providing childcare services. If other proponents put forward a project to future grant rounds, I am sure they will be considered on their merits.

### CHILDCARE SERVICES

**The Hon. D.G.E. HOOD (15:12):** Supplementary: minister, will the government provide similar funding for any childcare centres in Liberal-held seats?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:12):** If the Liberals keep losing more seats in regional areas, that will become more and more difficult. As I did mention quite recently, it's getting harder and harder to provide regional development funding in regions to non-Labor or non-Independent seats, in particular, because the Liberals keep losing so many.

As I said, proponents' projects are considered on their merits. Maybe there are going to be some proponents from other areas that are currently Liberal but are going to turn Independent. Perhaps the member opposite is aware of some of those, which he hasn't shared with us. I would certainly be keen to hear about some of those developments.

### VIOLENCE AGAINST WOMEN

**The Hon. F. PANGALLO (15:13):** I seek leave to make a brief explanation before asking a question of the Attorney-General, representing the Premier, a question about violence against women.

Leave granted.

**The Hon. F. PANGALLO:** I commend the government and the Premier for their call to conduct a royal commission into domestic violence and violence against women. The Premier's government is also drafting legislation into coercive control, which is aimed at protecting women caught in abusive and violent relationships.

Yesterday, I raised extremely serious allegations of predatory behaviour and the egregious sexual assault of a non-sworn SAPOL female police employee by then Chief Inspector Wade Burns, the head of a taskforce reporting to the police commissioner (ironically) on sexual discrimination, harassment and predatory behaviour in South Australia Police. There were several witnesses to the alleged indecent assault at a public venue in 2017 which, I am informed, included a degree of force against the alleged victim.

Following an investigation, Mr Burns pleaded guilty to a list of agreed facts and he was demoted from chief inspector to senior sergeant, a big fall from grace. Despite an objection by police commissioner Stevens on integrity grounds, Mr Burns was promoted to inspector on 6 July 2020, after an order of the Police Review Tribunal on 16 June 2020. The reason behind that decision remains a mystery, a secret.

Mr Burns recently sought promotion again to chief inspector but that was rejected on integrity grounds, and it hasn't been appealed. Mr Burns is currently deputy president of the powerful police union and a frontrunner in current elections for the presidency of the Police Association of South Australia. SAPOL has a fifty-fifty gender target. At present, around 34 per cent of about 5,000 sworn officers are female, and around 80 per cent of SAPOL's non-sworn staff are female. My questions to the Premier are:

1. Will the police commissioner now authorise the release of the full report into the matter concerning Mr Burns, from the powers he has under the Police Complaints and Discipline Act, and which he has exercised on several occasions in the past when serious police discipline matters were raised in the media?

2. Considering the serious charges levelled against Mr Burns, and his own government's strong policies to protect women in our community from sexual violence, abuse and harassment, does the Premier believe Mr Burns's current position as Deputy President of PASA is now untenable and that he should stand down?

3. Does the Premier still have confidence in the executive of PASA, and will he and his government still be able to continue to work with Mr Burns in light of the allegations of being a sexual predator, which have not been denied, and should he be elected as president of PASA when voting concludes early next month?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:17):** I thank the honourable member for his question. In relation to the elements of the question that talk about this government's very strong stance against family and domestic violence, that is, of course, the case. We have established a royal commission that will commence in a matter of weeks, with Natasha Stott Despoja as the royal commissioner looking into family and domestic violence.

We have instituted, and this chamber has supported, a range of new laws to support victim survivors of family and domestic violence, to increase penalties to make victim survivors safer for things like a presumption against bail for violent breaches of intervention orders. In relation to the specifics as they relate to the police, I am happy to refer them to the minister responsible, the police minister, and add to the questions that were asked by the honourable member yesterday. As I said yesterday, if there is anything that can reasonably and appropriately be brought back, I will bring it back from the police minister.

#### **POLICE INTEGRITY**

**The Hon. T.A. FRANKS (15:18):** Supplementary: was this issue raised with the equal opportunity commissioner, given her work into this particular part of SAPOL's culture?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:18):** I thank the honourable member for her question. I don't have any knowledge of that. I think most of the very specific matters involving individuals that are looked at by the equal opportunity commissioner are not made public for very good reason: many, if not most, of the complainants in that forum wish to remain private.

#### **POLICE INTEGRITY**

**The Hon. F. PANGALLO (15:18):** Supplementary, in relation to the original answer: I just wish to clarify that my questions were specifically asked of the Premier, not the police minister.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:18):** I appreciate that that is who was mentioned by the honourable member; however, the matters relate to the police so I am happy to pass them on to the minister responsible for police, and that is the police minister.

#### **VOLUNTARY ASSISTED DYING**

**The Hon. L.A. HENDERSON (15:19):** I seek leave to make a brief explanation before asking a question of the Attorney-General regarding voluntary assisted dying.

Leave granted.

**The Hon. L.A. HENDERSON:** It has been reported that Kym Allen Parsons, who has now pleaded guilty to armed robbery charges and admitted to being the bicycle bandit, has been approved for voluntary assisted dying and has the means to end his life. It was reported that this would have been around eight months before his trial. It has also been reported that he had a voluntary assisted dying kit and had approval to make use of it. One source has said, 'I think if he uses the voluntary assisted dying, it won't be fair...where is the justice?' Late last year it was reported that repeat paedophile Malcolm Winston Day died days just after being accepted into the voluntary assisted dying program. At the time, one of Mr Day's victims said:

All I asked was that he served his sentence...for the government to allow him to choose his own destiny is another blow. I hope this is the case that changes the legislation so that the next victim of the next offender does not have to experience this.

My questions of the minister are:

1. Does the minister support individuals facing charges being granted access to voluntary assisted dying before trial?
2. Does the minister support individuals convicted of offences being granted access to voluntary assisted dying, whilst serving out their term of imprisonment?



3. Does the Attorney-General believe the legislation should be amended to ensure those convicted and serving a term of imprisonment, or those who are charged and awaiting trial, are not able to access voluntary assisted dying?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:21):** I thank the honourable member for her question. I certainly will not be commenting on an individual matter or on whether someone has applied for or has been granted access to voluntary assisted dying. I don't know—nor should I, nor should anyone else—what medical treatment anyone has applied for or is undergoing. It wouldn't be appropriate for me to talk about a particular individual circumstance.

However, I can say that, in relation to the voluntary assisted dying scheme that this parliament passed during the last term, we see, consistent with what former health minister Stephen Wade called the model that was developing and is now in effect in every jurisdiction now, apart from the Northern Territory, with the passing of legislation in the Australian Capital Territory only in recent weeks, the Australian model of voluntary assisted dying that incorporates some of the most stringent conditions of both the North American and European models.

I think the voluntary assisted dying model that has developed in Australia, with some variations in different jurisdictions, is recognised as the most conservative approach to voluntary assisted dying anywhere in the world. I am trying to remember the Victorian model, which was the first in 2017 in Australia and which had something in the mid to high sixties in terms of protections in place.

The South Australian model added to that and there were something like 72 different protections in place throughout the operation of the scheme and, importantly, for a person to gain access to voluntary assisted dying they have to be assessed under the model in South Australia, which is reasonably consistent with most other states, to having an incurable disease or affliction that will end their life within six months, or for neurodegenerative conditions within 12 months, and they have to be assessed by two different medical practitioners to make that assessment.

#### *Condolence*

#### **HALL, MR RAYMOND STEELE**

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:23):** With leave of the council, I move:

That the Legislative Council express its deep regret at the death of Mr Raymond Steele Hall, former Premier and member of the House of Assembly, Senator for South Australia and member of the House of Representatives, and places on record its appreciation of his distinguished public service and that, as a mark of respect to his memory, the sitting of the council be suspended until the ringing of the bells.

I rise today on behalf of the government to mark our respect and appreciation for Mr Raymond Steele Hall, former Premier of this state, and to offer our sincere condolences to his family. Raymond Steele Hall, who we knew better as Steele, was born in November 1928 to a farming family in Balaklava. After completing his schooling at Balaklava High School, he went on to work at the family's wheat and sheep farm. Mr Hall married schoolteacher Anne Fletcher in 1956, and together they welcomed four children: a son and three daughters.

His political career began in 1959 when, after defeating eight other candidates to win preselection, Mr Hall was elected as a member for the now abolished seat of Gouger. His tenacity and confidence caught the eye of then Premier Thomas Playford after introducing a private member's bill, I am informed, against the explicit instructions of the Premier at the time. Despite his defiance, Premier Playford rewarded Mr Hall's resolve by appointing him as opposition whip after the Liberal and Country League lost government in 1965.

Mr Hall, as Mr Playford's anointed successor, comfortably won the LCL leadership in a ballot in mid-1966. He served as opposition leader until his party won the 1968 election as a result of MP Tom Stott providing his support to Mr Hall and the Liberal and Country League and agreeing to be appointed as Speaker. On 17 April 1968, Mr Raymond Steele Hall became South Australia's 36<sup>th</sup> and youngest ever Premier. Mr Hall made the unusual decision of electing not to hold the title of 'Honourable', which stands to this day.

During his time as Premier, Hall's government was perceived as more liberal than LCL governments before it, pursuing reforms in Aboriginal affairs, abortion law and social welfare, which led to some fractures within the conservative ranks of the party. Mr Hall was also responsible for selecting the site of the Festival Theatre, relocating the proposed spot in North Adelaide to the Riverbank location that is loved by so many South Australians today.

Notably, Mr Hall led groundbreaking reform on electoral distribution to eliminate the disproportionate electoral power of rural seats, in turn creating a more equitable electoral system. This decision was totally against Mr Hall's own party's interests, but was what he knew to be the right thing to do. The ensuing boundaries were one of the factors that resulted in the LCL's defeat at the 1970 election.

The late political journalist Dean Jaensch described this reform of Hall's era as his crowning achievement, having 'unravelling an electoral system that virtually gifted government to his party, irrespective of what voters wanted'. Mr Hall resigned as opposition leader in March 1972, after his relationship with the party had become somewhat fractured. He later attempted to create the Liberal Movement, described as a party within a party, which eventually failed when many of its members abandoned it. The Liberal Movement did, however, help the Dunstan government to introduce adult suffrage and proportional representation for the Legislative Council, building on the reforms that Hall had made in the lower house.

In 1973, Hall announced a bid for the Senate to give a national platform to the Liberal Movement and was elected at the double dissolution election in 1974. Thereafter, he shared the balance of power with other Independents and thus held great influence. He declined an invitation to rejoin the Coalition and when necessary was critical of their policies around electoral distribution, instead supporting the then Whitlam government's bill in that area. He was criticised by some for his stance, but he remained steadfast to what he believed was the right thing to do.

When reunion talks commenced between Hall's Liberal Movement and the LCL, after it became clear that this was the only viable option for both their successes, Mr Hall excluded himself from negotiations and made it clear that he would not be seeking Senate preselection. He did, however, stand for the federal seat of Hawker, which he narrowly lost at the end of 1977.

Having separated from his first wife, Mr Hall married journalist Joan Bullock, who had worked in his office while he was opposition leader. The two would go on to have two children together: a daughter and a son. Ms Joan Hall would go on to be elected herself as the equal 10<sup>th</sup> only female member of the House of Assembly. Mr Hall went on to seek Liberal preselection for the seat of Boothby, defeating, I believe, at the time one Mr Alexander Downer, going on to win the seat in a by-election in early 1981.

True to form, after his election, Mr Hall continued to have the independent streak, doing what he thought and knew to be right, and defied the Fraser government when he saw fit, at one stage accusing the transport minister of an anti South Australian bias in road funding—not an unusual refrain today—and labelling John Howard's criticism of Asian immigration as encouraging racism, which was a brave stand at the time.

Mr Hall continued to abide by his political values and to call out the Coalition when their policies strayed far from these, until his retirement at the 1996 election, bowing out while holding the title of the only state Premier to have served in three legislatures. These qualities of integrity and courage were the hallmarks of his exceptional, if not unbelievable, career. In his own words, Hall notes that he does not, 'have a record which is wimpish or weak'.

Mr Hall filled his 95 years to the brim. He leaves behind his wife Joan, six children, six grandchildren, and a very strong legacy for the benefit of the state of South Australia. On behalf of the government, we send our sincere condolences to all who knew and loved him, and mark our appreciation of his lifetime of service to the South Australian and commonwealth parliaments. Vale Steele Hall.

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:30):** I rise to speak in condolence at the passing of Raymond Steele Hall. I borrow now from a eulogy delivered by

President Richard Nixon in honour and memory of his friend Senator Everett Dirksen. To me, this summarises my thoughts and understanding of Premier Hall:

A politician knows that more important than the bill that is proposed is the law that is passed.

A politician knows that his friends are not always his allies and that his adversaries are not always his enemies.

A politician knows how to make the process of democracy work, and loves the intricate workings of the democratic system.

A politician knows not only how to count the votes, but how to make his vote count.

A politician knows that his words are his weapons, but that his word is his bond.

A politician knows that only if he leaves room for discussion and room for concession can he gain room for manoeuvre.

A politician knows the best way to be a winner is to make the other side feel it does not have to be a loser.

And a politician—

of the Steele Hall tradition—

knows both the name of the game and the rules of the game, and he seeks his ends through the time-honoured democratic means.

Raymond Steele Hall was born in the regional town of Balaklava in 1928. After attending school in Owen, he graduated from Balaklava High School and then worked on his family's sheep and wheat farm.

His early life in farming country in regional South Australia clearly instilled a no-nonsense work ethic and a solid foundation of ethics that would serve him in later life. Anyone who has done agricultural studies knows that success is as much about hard work and giving something a go as it is about knowledge and book smarts. I understand Steele had both sides of the coin well balanced from an early age.

During his three-decade-long career in politics he served as the state member for Gouger, the state member for Goyder, the leader of the Liberal and Country League, the leader of the state opposition, the Treasurer of South Australia, the federal member for Boothby, a senator, and the 36<sup>th</sup> Premier of South Australia.

When elected to the office of Premier in 1968 he was at the time the youngest Premier of this state. While he is credited with many decisions that have had a long-lasting impact on the state, such as selecting the site of the Festival Centre, the introduction of fluoridated water, advancing social reforms, and his leadership in securing South Australia's water resources by ratifying the agreement reached with other states and the commonwealth to construct a dam at Dartmouth in Victoria, he is best remembered for the reforms to the South Australian electoral process.

Since his unfortunate passing on 10 June there have been many heartfelt comments about his contribution to public life, his unwavering adherence to his principles, and his commitment to the true meaning of public service. Fellow former Premier John Olsen is quoted as saying that Steele Hall was:

...a politician that had courage of his convictions and followed through on them, even though he put at risk his government and his premiership. That was the hallmark in the way in which he operated—always of principle, applying integrity and certainly courage in politics...

And that:

His principles were always unimpeachable.

That unwavering integrity and conviction is one of the reasons why I believe Raymond Steele Hall is one of the finest politicians to ever serve the people of South Australia.

The electoral boundaries at the time strongly favoured the ruling Liberal and Country League, and at that time did not accurately reflect the principle of one vote, one value. For over 27 years the Liberal and Country League had controlled parliament, despite regularly polling less than 50 per cent of the total vote.

Despite knowing that the ensuing electoral reform would disadvantage his own government, Steele Hall was driven by principle to do the right thing, and after the reforms to electoral boundaries his party lost government to Labor in 1970 with Don Dunstan being elected as Premier. It is on the public record that:

With Adelaide now electing a majority of the legislature, conventional wisdom held that Hall pushed for electoral reform knowing that he was effectively handing the premiership to Dunstan at the next election.

After retiring from the Liberal and Country League, he was elected to the federal Senate in 1974. After unsuccessfully contesting a federal lower house seat in 1981, he was elected the member for Boothby, a position he held until he resigned in 1996.

Steele Hall will be remembered as a true servant of the people of South Australia and a politician who put the interests of the public ahead of his own. He was motivated by principle and had the courage of his convictions to act and to follow through with the course of action that he truly believed was right. I believe that this is the true definition of leadership in public office and stands as an example to all of us in this place.

Steele Hall defined hard work, resilience and a steady hand on the tiller. In 1968, he was described by *The Australian* as a 'friendly, relaxed man, who tends to play politics by ear and is frank almost to the point of naivety'. I think this speaks to his accessibility: the farmer, the neighbour and the dad to a small flock of country kids. He was the everyday man who became our Premier.

Over the years he has been a great mentor to many of us here in this place, myself included. I will never forget the first meeting I ever had with Steele as a vice-president of our party and the kindness he showed me not just in that meeting but in the years thereafter. I have appreciated the way that both Steele and Joan have always been generous with their time, ensuring that they not just equip me with the tools I need to reach my potential but that they push me, inspire me and involve me. Their advice and insights have been instrumental not just in my parliamentary growth but in my personal growth and I will be forever grateful to them both for that.

I share our party's deep condolences to Joan; to his children, Michael, Kathleen, June, Mary, Alexia and Ben; to his grandchildren and also to the wider family. I am conscious the last years have been trying. Alzheimer's is a progressive disease that destroys memory and other mental functions. It is horrible to watch a loved one succumb to its influence, to lose the person you know before they are truly gone. It is often a case of *mors certa, hora incerta*—death is certain, its hour uncertain.

I know that many members of our party have had Joan and the family in their thoughts for some time. At the start of this tribute, I mentioned a speech by President Nixon. He ended that speech with a quote from the ancient Greek dramatist Sophocles, 'One must wait until the evening to see how splendid the day has been.'

Those of us who were privileged to know Steele in his best years when he was of clear mind and clear voice, when he advocated for South Australia and the Liberal values our party holds so dear, we know that it was a splendid life indeed. Vale, Premier Raymond Steele Hall.

**The Hon. R.A. SIMMS (15:38):** I rise on behalf of the Greens to speak on this condolence motion and in so doing I would like to begin by extending our condolences to Steele Hall's wife, Joan, his six children and six grandchildren.

Raymond Steele Hall is a significant figure in the history of South Australian politics. His government's achievements were significant and other members have reflected on those, but I do just want to talk a little bit about the significance of electoral reform to our state. Premier Hall recognised the longstanding inequalities in the South Australian electoral system, colloquially known at that time as the Playmander, which was an electoral malapportionment that favoured rural areas over the city.

It was one of the bravest political moves that our state has ever seen. Premier Hall introduced legislation to reform the House of Assembly to provide a more equitable system of representation and he did so knowing it would be detrimental to himself and his own party. Surely that is the great test of political leadership: we take actions that benefit not just ourselves politically but are actually about the whole community. I think that was one of the trademarks of Premier Hall.

The esteemed political scientist the late Professor Dean Jaensch AO characterised the 'Playmander', named after Hall's predecessor, Sir Thomas Playford, as the best gerrymander the world has ever seen. Years later, Mr Hall told *The Advertiser*, and I quote:

There were some strong Labor seats with 40,000 voters and some Liberal seats with 5,000 voters. It was totally undemocratic, totally wrong. We could not continue with the boundaries the way they were. The changes we made in the electoral boundaries were immense and we knew that we were sacrificing government at the following election, but it had to be done.

In addition to electoral reform, Premier Hall introduced improvements in social welfare, Aboriginal rights and abortion. He also began the process of adding fluoride to our water in South Australia in 1968.

Steele Hall's parliamentary career spanned three decades. As has been observed, he served as Premier of our state but also led two political parties, one of which he founded, and served as a member of the South Australian House of Assembly, the federal House of Representatives and the Senate—a significant achievement, a significant career. Indeed, he is the only Australian to have served as a premier of the state as well as a member of three legislatures.

During the 1975 Australian constitutional crisis, as a Liberal Movement Senator, though he was opposed to the Whitlam government, he joined with the Labor Party and an Independent Senator at that time, Cleaver Bunton, in voting against the deferral of supply bills. This was a significant moment in our state's history and, again, Mr Hall showed the leadership that the time called for in terms of exercising and voting in favour of his conscience.

In August 1988, as the Liberal member for Boothby, after the then opposition leader, John Howard, expressed his wish to control Asian immigration, Steele Hall, along with Ian Macphee and Philip Ruddock at the time, dissented by crossing the floor of parliament and voting with the Labor government on a motion against the use of race as a criterion for selecting immigrants. When he addressed the parliament at that time, Mr Hall said:

The question has quickly descended from a discussion about the future migrant intake to one about the level of internal racial tolerance. The simple fact is that public opinion is easily led on racial issues. It is now time to unite the community on the race issue before it flares into an ugly reproach for us all.

Again, this is an example of the leadership of this man in terms of speaking out in favour of his conscience and doing what he considered to be right. He leaves behind a reputation for integrity and political courage, and as someone who has truly put his state ahead of party-political interests. So we, on the Greens side of politics, express sadness at his passing and convey also our thoughts to our Liberal colleagues, many of whom, I know, knew Steele Hall and his family.

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:43):** I rise today with great sadness to support this condolence motion. I would like to firstly convey my deepest condolences to Steele's loving wife, Joan, his six children, six grandchildren, other family members and friends on the sad occasion of the passing of Mr Raymond Steele Hall at the age of 95. Known affectionately by his middle name, Steele Hall was a giant of South Australian politics and public life.

I have had the pleasure and honour of meeting Mr Steele Hall at various Liberal events, always accompanied by his wonderful wife, Joan, by his side. I recall that Steele Hall was a panel guest speaker at one of those forums. He was already in his 80s then, but he provided clear, concise, compelling answers during the Q&A session. It demonstrated that he was a formidable figure.

I would like to take this opportunity today to pay tribute to an incredible political leader with a career that spanned 33 years. Most remarkably, Steele Hall remains the only Australian who has served as a state Premier and also in both houses of federal parliament. Steele was born on 30 November 1928 in Balaklava, South Australia, attended primary school in Owen and subsequently graduated from Balaklava High School.

After leaving school, he worked on a family farm property in Owen. As a young man, besides his growing experience as a grain and sheep farmer his main activity was becoming the President of the Gouger Young Liberals. His leadership for the Young Liberals movement, with a high level of political and social activities, was inspirational. About 10 local members of the party contested the preselection, but Steele Hall, the youngest, the boldest and the clearest speaker, won the day.

At the age of 30, Steele Hall began his political career in 1959 as the member for Gouger. He would remain a member of the House of Assembly for 15 years, where he was also the member for Goyder for a brief period. Quickly gaining a reputation for his independence and the strength of his views, Hall rose through the Liberal and Country League parliamentary ranks to assume party leadership following Premier Sir Thomas Playford's retirement in July 1966.

I was reading the book by Baden Teague, *The Liberal Story*. He describes Steele Hall as very popular, very clear in his speeches and courageous in his decisions, and good-looking as well. He was applauded like a film star by many in the public.

From 1966 to 1972, Steele Hall served as the leader of the Liberal and Country League, and in 1968 won back government from Labor after Don Dunstan's first term and became South Australia's 36<sup>th</sup> Premier. His term was marked by far-sighted achievement and constitutional reform, including modernisation of electoral laws and the removal of the 'Playmander', which were necessary for the state's future even though they damaged his own chances of re-election, as many other members have reflected on. In fact, his commitment to his principles was a consistent fixture of his time in politics. As stated by former Premier, the Hon. John Olsen, Steele Hall 'carved out a place in history'. He said:

His principles were always unimpeachable. He was a politician that had courage of his convictions and followed through on them, even though he put at risk his government and his premiership.

That was the hallmark in the way in which he operated—always of principle, applying integrity and certainly courage in politics.

I would like to touch on the significant electoral reforms in 1968. In March 1968, Steele Hall's approved election policy had been to change the House of Assembly from having 39 seats to become 45 seats. A compromise was made and eventually the House of Assembly established 47 seats, which is the same number as it is today.

In October 1968, Labor's bill to reform the Legislative Council was debated, where the two leaders, Steele Hall and Don Dunstan, agreed to another compromise. This is a very important reform for all of us who have the privilege to serve in this Legislative Council, and I therefore would like to highlight the debate that happened at the time and acknowledge Steele Hall's foresight and impeccable negotiation skills.

During the debate to reform the Legislative Council, Steele Hall offered to agree to adult franchise for the council if Labor agreed to drop its policy to abolish the council and further agreed to guarantee that any major change to the Legislative Council could only proceed if passed by a people's referendum. I would like to quote some of the exchanges between Hall and Dunstan. Hall said:

I will vote for the adult franchise on the condition that they include in their Bill... a provision similar to the New South Wales provision, that the Legislative Council cannot be abolished unless such abolition is agreed at a referendum of the people of South Australia. Let members opposite indicate their decision on that.

Dunstan said, 'We'll accept that.' Hall then said, 'Right, I will accept. I am not bluffing,' just to show the character of the man. Dunstan said, 'Right, let's get together on it.' Hall remarked, 'If members opposite will accept this, then I will support this.'

His term in office also saw significant progress in other areas, including women's health, Aboriginal affairs and the fluoridation of South Australia's water supply, a measure controversial at the time but which has led to significant dental health improvements for generations of South Australians.

Notably, it was Steele Hall who determined the site of the Adelaide Festival Centre and negotiated financial support from the commonwealth and enabled its construction to begin. The site is now widely regarded as a superb choice. Five decades later, while his successors may have secured naming rights and public recognition, the achievements of this iconic artistic institution must now be included as part of Steele Hall's legacy, given the pivotal role that he played in its creation.

After his time in state politics, Steele Hall continued on at the federal level, first as a senator from 1974 to 1977 and then in the House of Representatives as the member for Boothby from 1981

to 1996. In my opening remarks, I mentioned that he is the only Australian who has actually achieved that remarkable political life.

I join all members of parliament and the people of South Australia to thank Mr Steele Hall for his significant contribution to South Australia and to this nation. Steele Hall will remain in our hearts and minds as a true legend of South Australian politics. He will be remembered forever by all sides of politics, as has been demonstrated today, for his legacy of principle, conviction and wisdom. Our sincere thoughts and sympathy are with Joan, their family and loved ones during this sad time. Vale, Mr Raymond Steele Hall.

**The Hon. D.G.E. HOOD (15:52):** One of the difficulties in being one of the latter speakers on this motion, of course, is that most of what I will say has already been said, but I just wanted to perhaps summarise things before I commence the formal part of my speech by saying I genuinely believe that Steele Hall was one of the giants of South Australian politics. The things he did have had a permanent impact on our parliament, our democracy and therefore the state of South Australia.

The fact that he was prepared to amend the voting system, the so-called Playmander, that was in existence to what was clearly the detriment of his own political ambition and that of his party I think should be held in the highest esteem. I hope, but I wonder if, our political leaders of today would be capable of such self-sacrifice, if I can put it that way. I certainly hope they would be. I am not saying they would not be, but in his case we have a man who actually was prepared to do it and did do it. I think that in itself is quite extraordinary.

I think that will be regarded as his greatest achievement, certainly in my book. There were other achievements of which we have heard today—for example, the location of the Festival Centre and he did a lot of work on public transport. His record is significant, and we have heard a lot about it today, but to have a situation where a leader of a major political party in any state or the Commonwealth of Australia is prepared to enact a system of voting that is to their clear detriment, to me, stands above and beyond that of many other achievements that we have seen in this place.

Further, we have heard that he was the only Australian member of parliament to be a Premier and also serve in both houses of our federal parliament. His record is indeed very impressive. It is unequalled, in fact, certainly in that regard and, as I say, unequalled in other regards with respect to electoral reforms that he put in place. I would like to quote him. He made a very famous quote. We were regarding that reform, and he said:

The changes we made in the electoral boundaries were immense and we knew that we were sacrificing government at the following election, but it had to be done.

This was a man driven by principle who acted on those principles. As I said, it was to the betterment of the state and, I think, to the betterment of all of us. We now have a genuinely representative parliament. I say, somewhat tongue-in-cheek, that maybe he went too far: Labor has been in government for a lot of the time since. But, in the end, it was the right thing to do, and I applaud him for it.

I had the privilege of meeting Steele on a number of occasions, typically at Liberal Party functions, or else I met his wife, Joan. They were both wonderful people. The thing that struck me about Steele, in particular, was his humility despite his tremendous achievements and the fact that he was held in such high esteem by both those in the Liberal Party and those opposite—and indeed we heard from the crossbench today as well.

This is a man who changed South Australian politics. His impact is as significant as any there has been, in my view, and I hold him in the highest esteem. I truly offer him and his family my most sincere condolences. A truly great man has passed, and we are the worse for it.

**The Hon. F. PANGALLO (15:55):** I commend the members in this chamber for the words that they have spoken today about Raymond Steele Hall. Perhaps those words really do not express the contributions he has made to South Australia. He was a man of great integrity and humility. He lived a long and productive life, as has been mentioned in here by members. He was a very progressive politician who introduced so many innovative laws and reforms and drove modern ideas and policies, which have been outlined, in a party that was still entrenched in the dated ideology and ways of the Playford era and the LCL, the old Liberal and Country League.

On a personal level, our paths did cross on a handful of occasions while he was a member, both at state and federal level and in both houses of parliament, which was an incredible achievement. This happened when I was a young reporter on the afternoon newspaper, *The News*. Not only was Steele Hall always approachable, but he responded to tough questions in a dignified and respectful manner. I cannot recall seeing or hearing Steele Hall being easily flustered or express annoyance towards journalists for dumb questions or for their own agendas—and there were a lot of dumb questions that were thrown at Steele Hall.

He certainly fits the bill of a charismatic, articulate leader, much in the mould of his arch rival at the time, Don Dunstan, and of course the current Premier, Peter Malinauskas. In my book, this quote sums up Steele Hall: 'Only a life for others is a life worthwhile.' He never forgot his own humble, rural background and, while I do not think he suffered fools gladly, he certainly showed generous tolerance to those who were in my profession.

He was not in politics for personal gratification; he was there to do the best job he could for the state of South Australia. He proved that by getting rid of the gerrymander, or the Playmander. When I was younger, it was often referred to in the media as the gerrymander, which really irritated the Labor Party at the time. Getting rid of that, as members have pointed out in this place, has given us the fair electoral system that we enjoy today. I think that will probably be Steele Hall's greatest legacy in the state of South Australia—giving us the much fairer electoral system that we have. I am not so sure what Steele Hall would have thought of the current Premier's plans at the moment to ban political donations and whatever, but it would have been interesting to get his viewpoint on that.

I heard one of his former colleagues on radio last week say that he recalled how he shunned and rejected honours of any kind, even the title of 'honourable', which he greatly deserved, but did not want that to be on the honour roll of the Premiers outside the House of Assembly. It showed what a principled man he was, a man who believed in taking his party forward, and of course we know that the fallout of his ambitions led to the formation of the Liberal movement and probably denied the Liberals and this state of the longest serving skilled and capable Premier and leader.

To his family and his loving wife, Joan—who I also know from when she was quite a capable journalist and then became an adviser and also, again, a very effective member of parliament—my sincerest condolences, and also to his six children and grandchildren.

**The Hon. H.M. GIROLAMO (16:00):** Many here today have reflected on Steele's legacy, from a party and political perspective. His achievements were great and many. I would like to take the time to acknowledge the significant impact Steele and Joan Hall had on me personally. I am grateful that Steele, Joan and their children, Alexia and Ben, have been lifelong family friends, and for having a great impact on me, both personally and politically.

My first memory of Steele was on a family holiday to Queensland when I was nine. We had a great family holiday with the Crosbys, the Halls and my family, the Blacks, when we all travelled to Noosa. I remember driving to Noosa from Brisbane, with my mum and dad telling me all about Steele and his career as a former Premier, senator and federal MP. I was fascinated by politics from a very young age, and Steele inspired much of my interest in it.

I was so impressed by Steele's energy and engagement on that trip. Whilst Steele was somewhat older than my dad, Peter, and our dear friend Lynton Crosby, Steele could run rings around both of them with his energy and engagement. On this trip we went on a beautiful hike through a rainforest in Queensland. It was the perfect day as the three families ventured out and had a wonderful day, until my mum got bitten on her foot by a leech.

Steele came to the rescue, all prepared and organised, and managed to get the leech off my mum's foot with a lighter, but that leech quickly managed to jump onto Steele's foot. Unfortunately, after some time they could not find the leech, and I think it was probably making Joan a little nervous at that time as well, but it really highlighted me that Steele was such a gentleman, always coming to the rescue, always there for people, and such a wonderful man.

Joan and Steele have remained wonderful family friends for me over many years, especially their two children, Alexia and Ben, who have been very special friends. I know that Alexia has been



an incredible support to Joan during difficult times over the past years and, recently, after Steele's passing. They are with Joan at every turn.

Having always expressed an interest in politics, when I turned 16 Ben Hall arrived at my house with a Young Liberal application. I joined the Liberal Party some 24 years ago, thanks to the Hall family. Their influence has been a major driving force for my political journey. I joined the Morialta Young Liberals, with Joan as the local MP and Steele as her right-hand man and dedicated campaign manager. I learnt much from Steele during this time, volunteering on the 2002 and 2006 campaigns. Steele was brilliant at collating maps straight out of the street directory to make sure that we had them ready to go to letterbox. We worked hard every day during these campaigns and Steele was always dedicated, by Joan's side and a wonderful sounding-board for us.

Steele Hall's legacy is multifaceted. He was a reformer who sought to modernise the South Australian political system, a visionary who understood the importance of environmental conservation and a principled leader who championed social justice. His commitment to fairness, equality and progress has left a lasting impact on our state and serves as an enduring example of what thoughtful and courageous leadership can achieve.

Steele Hall is the only Australian member to serve as a Premier of a state, as a senator and as a member of the House of Representatives across three decades. His legacy is a reminder that meaningful change often requires courage, vision and an unwavering commitment to justice and fairness.

As we reflect on Steele Hall's contribution, let us remember the values he stood for and strive to uphold them in our own lives and in our collective political endeavours. I will always remember him as the ultimate gentleman, an incredible friend and one of the most encouraging people. Steele was especially encouraging to the Young Liberals of my vintage, who had the privilege of Steele's mentorship and friendship, taking endless time to speak with us. I remember many events that Steele and Joan would attend to support Young Liberals and the wider party.

I always loved having long chats with Steele and valued his support and counsel. Thank you, Steele, for your service to our state, our party and, most of all, from a personal perspective, thank you for your friendship. Vale, Steele Hall.

#### *Parliamentary Procedure*

#### **VISITORS**

**The PRESIDENT:** I acknowledge the presence in the gallery of Joan Hall, wife of Steele, former Senator Grant Chapman, the Hon. Legh Davis, former member of this place, and former Deputy Premier Graham Ingerson—welcome.

#### *Condolence*

#### **HALL, MR RAYMOND STEELE**

**The PRESIDENT (16:05):** I rise to support the motion and the remarks of members and to thank the members who have spoken. Former Premier Steele Hall had an amazing life and an amazing career in politics. I extend my family's sincere condolences to Joan, to her family and friends. Members, please stand in your places and carry the motion in silence.

Motion carried by members standing in their places in silence.

*Sitting suspended from 16:06 to 16:20.*

#### *Matters of Interest*

#### **AUTISM STRATEGY**

**The Hon. J.E. HANSON (16:20):** Who does not like world firsts? I like world firsts. I like delivering on election commitments too.

**The Hon. B.R. Hood:** Really?

**The Hon. J.E. HANSON:** You know what? I will come back to that, the Hon. Mr Hood. Here is a little story first. My son Hollis is quite simply the best little guy. He is an amazing kid. He is

intelligent and he is articulate. He is happy, he is a perfectionist, he is a dreamer, he has an endless hunger for new experiences and, like one in four families in Australia, Hollis brings the experience of having autism to my family.

When Hollis was quite young and started to demonstrate a couple of behaviours that gave my family a few reasons to question, his GP insisted, 'Absolutely not. He is just intelligent. He doesn't want to play with the other kids because they are boring to him. No way is this child autistic. You'll see.' Well, fast-forward a few years and because we pursued a diagnosis against that well-meaning but very incorrect advice, Hollis was diagnosed with autism early enough that he started school, albeit a year later than he otherwise might have done, with 18 months of therapy under his belt.

By the time of starting reception a few weeks after his sixth birthday, he was communicating verbally, which at the time was a pretty big deal. Now, four years on, Hollis has the command of language of someone well past his own age. Fact: early intervention works. Hollis' story, sadly, is not typical, but it really should be. It is why we need world firsts. It is why we have delivered on our election commitment today—this morning, in fact—to have South Australia's first autism strategy.

I pay tribute to our Premier, to Minister Cook and to the world-first Assistant Minister for Autism, Emily Bourke, for delivering it and so much more. The strategy builds on the tens of millions already invested by the Malinauskas government to put autism inclusion teachers into every public primary school. We created it by consulting with the autistic and autism communities. We received over 1,300 submissions to help inform it. It gives direction to the Department of Human Services to develop seven action plans that will help autistic people to succeed and to thrive.

These action plans cover things like pathways to diagnosis, education needs, workplace needs, how to access supports, how to access health and mental health services, participation in community and interactions, where needed, with the justice system. So do we need it? You bet we do. You see, Hollis is not a massive fan of school, not because he does not like learning but because he prefers to learn about things that he is interested in. Hollis likes asking huge, thoughtful questions but does not always want to wait around in the classroom to ask them.

Without diagnosis, an SSO to support him and a primary school that is on top of it—thank you, Rose Park Primary—I reckon Hollis, despite being smart and capable, would probably struggle in the classroom. And that is just it, is it not? One in four people have an autistic family member like I do. Then one in four people are probably looking at their family member like I do, wondering if we can do more.

Autistic people of every age have different needs than people who are not autistic; their brains receive, process and output information differently than neurotypical brains do, but the enormous diversity amongst autistic people, the diversity in the ways that autism affects them, the diversity of the ways in which they experience and interact with the world around them, and the diversity in just about every other aspect, means that no two autistic people have the exact same needs or experiences.

However, one very consequential thing about every autistic South Australian that they all have in common is the environment in which they live, and the institutions and systems with which they interact are not designed with their needs in mind. That is why it is so important to make South Australia inclusive for all autistic people. That is why we need a strategy, a strategy informed by the autistic community, with their future and current needs in mind.

When does it begin? Well, it already has: the Autism Works employment campaign, autism assessments on school sites, and a charter being rolled out across government are just that, a beginning—the beginning of a better South Australia so that people like Hollis do not have to be lucky to thrive.

## ROAD TRANSPORT INDUSTRY

**The Hon. F. PANGALLO (16:25):** Australia's road transport industry is the lifeblood of the nation. From the paddock to the plate, the sector is responsible for feeding the mouths of millions of Australians every day and delivering other critical goods and services. However, the industry is in crisis, with an influx of overseas and/or inexperienced truck drivers risking the lives of innocent people on Australian roads. That is why I am calling for a major nationwide police and heavy vehicle regulator

blitz to stamp out an increase in the number of rogue transport operators using inexperienced truck drivers—many from overseas—to deliver goods across the country.

In recent weeks I have had a number of the trucking industry and long-haul drivers reporting dangerous driving by inexperienced and unlicensed drivers, some of whom have been caught using the same duplicated licences. It is now the single most talked about issue and the number one safety concern of the trucking industry in Australia. So much is the concern that Austroads—the association of the Australian and New Zealand transport agencies, representing all levels of government—recently invited the heavy vehicle industry to share its views on the management of overseas licensed heavy vehicle drivers as part of a new survey.

In a statement, the organisers said that the anonymous online survey was a 'response to industry concerns and recognising the differences between driving in Australia and overseas'. Yet, in a move that beggars belief, Australia's transport ministers earlier this month agreed to the National Transport Commission's recommendations for longer and heavier trucks—seriously, if you have seen some of the roads in our state and elsewhere.

What is needed is for every state government to act on the industry's recommendations for a uniform national driver licensing scheme and a heavy vehicle licensing scheme to stamp out the cowboy operators exploiting licence loopholes by bringing in unqualified drivers from overseas countries like India to drive double and triple road trains. Drivers can work here for three months by virtue of an archaic international licence convention allowing foreigners to drive any type of vehicle on our roads.

There have also been instances where multiple drivers in trucks were caught using the same licence. What is worse is that there are drivers unable to speak or read English and with no experience on our roads who can easily get a licence to drive B-doubles in days by travelling to Queensland, where licensing requirements are quite loose. There is such inconsistent implementation of regulations around the country.

State governments have taken their eyes off our roads and are allowing rogue operators to thrive and make a quick buck. I have been told about 30 under-qualified heavy vehicle drivers in South Australia who were recently identified as going through the Queensland scheme just to get their licence. These reckless individuals are putting lives at risk, not just their own but those of innocent, law-abiding road users who are totally oblivious to the potential dangers.

They have been involved in serious accidents causing death and injury. I have seen disturbing dash cam footage of near misses, including a recent one where a B-double narrowly avoids a head-on crash with a passenger vehicle while overtaking a triple road train on a country road. Experienced long haul drivers are saying they fear travelling on the east to west routes because of the dangerous actions they have witnessed by some truck drivers.

In one recent frightening incident on the Stuart Highway near Port Augusta in the early hours, a trailer with a loaded container uncoupled from a B-triple, flipped and blocked the road. The driver allegedly failed to stop, continuing down the road, dragging along another trailer upside down before unhitching his prime mover, abandoning the remaining load in a dangerous position by the side of the road, and then fleeing the scene. I am told the driver presented himself to police a few days later. Luckily, a passing motorist raised the alarm.

There needs to a nationwide road safety and compliance blitz as a matter of urgency to catch these fly-by-nighters and put them off our roads before more people are killed or seriously injured. I fully support the push by the National Heavy Vehicle Regulator and industry groups like the South Australian Road Transport Association for greater oversight, including compulsory licensing standards and uniform road laws covering heavy vehicle operators and their drivers.

#### **CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION**

**The Hon. B.R. HOOD (16:30):** I rise today to address a matter of grave concern to the construction industry, small business and the broader South Australian community: the aggressive and overreaching unionism embodied by John Setka and the CFMEU. The CFMEU Victorian State Secretary is synonymous with tactics that defy the principles of fair industrial relations and resemble

a gangster's playbook. His approach, marked by intimidation and blatant lawlessness, has no place in our state.

While I note the reporting in *The Australian* today regarding the federal government's move to allow the CFMEU to demerge, I have no doubt we will see a response to this from John Setka similar to what we have seen in the news over the last few days. When Setka threatened sabotage against the AFL, our PM's strategy was to ask journalists not to question him about Setka, as if silence would solve the problem. Setka's reply? 'Albo should just focus on the polls and running the country, not worry about me and the AFL.'

Setka also responded to the federal industrial relations minister Tony Bourke's description of his tantrums as merely 'odd', suggesting that Bourke should 'sit down and shut up'. No matter what piecemeal response that ultimately comes from the Albanese government, it is clear who is pulling the strings in the Australian Labor Party.

Setka's threats are nothing new. In 2017, he threatened and doxed Australian Building Construction Commission inspectors and he dragged their kids into his menacing schemes. Despite clear warnings, the Malinauskas government has done nothing to curb militant unionism in South Australia. The Premier talks tough against aggressive union tactics, but his actions tell a different story. Instead of debating our state-based Construction Industry Commissioner Bill, this government has rolled out the red carpet for the CFMEU, betraying South Australian workers and businesses who deserve fair and lawful industrial environments to work in.

With the federal body maintaining law and order on construction sites now axed, we need a South Australian building construction industry commissioner. New South Wales has had a successful scheme since 2019 and it is high time South Australia followed suit to protect our industries from the CFMEU's disruptive influence.

Union memberships in Australia have steadily declined from 40 per cent in the early nineties to just 12.5 per cent in 2022, reflecting disillusionment with union tactics and a desire for constructive industrial relations, yet as union membership dwindles, their powers perversely grow.

The recently passed Work Health and Safety (Review Recommendations) Amendment Act enables union representatives to enter workplaces and film workers if they suspect safety breaches, exemplifying the intrusive power handed to unions like the CFMEU. We must not allow South Australia to become a playground for John Setka's brand of unionism. The Premier's rhetoric has been hollow. His actions non-existent. Real leadership requires real action, not just tough talk.

Just this week, the CFMEU members endorsed an above inflation 21 per cent pay rise over four years, complete with absurd conditions like mandatory union flags on all projects. Master Builders SA's Will Frogley warned the state government, saying:

If the state government doesn't act, within weeks John Setka will have won and the Victorian CFMEU will control our industry forever more, with millions of our dollars funnelled into Victoria.

I have previously spoken about these millions of dollars funnelled into Victoria via CFMEU's Incolink redundancy scheme. A year ago, on 13 June 2023 in this place, I questioned the Attorney-General about the South Australian housing construction and building sectors' growing concerns over the CFMEU plans. Setka dismissed this negative reaction from South Australia as 'nuts', claiming SA builders who raise concerns are 'whingeing'. Well, look where we are now.

I call on this government to take a stand for the South Australian construction industry against the CFMEU and their standover tactics, cost blowouts and delays that will come. The Premier and his government must support the opposition's call to establish a South Australian building construction industry commissioner. South Australians deserve better than to have their workplaces turned into battlegrounds for militant unionism.

### **AUTISM STRATEGY**

**The Hon. E.S. BOURKE (16:35):** As we have heard from the Hon. Justin Hanson, today has been an incredible day for the autistic and autism community. I have often said, as a member of this incredible building, Parliament House, that it is one of the greatest privileges to watch the power of complete strangers come together bound by a sole and uniting purpose, and there has been no

greater privilege than watching this come together with the autistic and autism community. Complete strangers have come together bound by a purpose to build knowledge, understanding and belonging in our community.

Today, we got to see the outcome of that privilege, with over 1,300 voices captured in our state strategy, our very first autism strategy that was launched this morning by the Premier. When I looked around the room this morning, at the Adelaide Zoo where we held this launch, the many people who were there were strangers to me only 18 months ago. It was a great privilege today to know that each and every one of them who were there had provided a piece of knowledge and a piece of understanding to help us become a better state.

One of the people seated near the front was Colin, and he provided a letter to me that was handwritten, which is always a concern. You never know what that is going to result in, but it was a positive handwritten letter. Colin wrote to me within the first few weeks of me becoming the Assistant Minister for Autism and said that he was diagnosed at the age of 65 and that his life had been a life of challenge and it would have been better if people in his world had known what it is to be autistic.

He wrote in great admiration for this government taking the step to help build that knowledge, and I am really proud that Colin is now on our autism advisory committee to help guide us as a government with lived experience. Colin said that having the diagnosis at the age of 65 gave him the confidence to go on and feel he can belong in our community.

Getting the feedback from people through 25 forums in three weeks, through countless post-it notes that were dotted around the rooms at our forums, and through street-corner meetings and shopping centre visits, the autistic and autism community created an incredibly powerful document, making it one of the most engaged disability-focused documents in our state's YourSAY history. It has also given us as a government the confidence to know that it is the voices of the autistic and autism community that will pave the way for how we move forward as a government. It will not be the agenda of a politician; it will be the voices of the very people it seeks to support. That is an incredible achievement that has been made possible by so very, very many in our community.

I want to quickly move on to another topic and, in doing so, give recognition to a good person and an unwavering trade unionist, because in coming weeks we will not have the opportunity as parliament is rising for the winter break. I was keen to put this on the record before the winter break. I am, of course, referring to Smithy, the retiring secretary of the Transport Workers' Union South Australia and Northern Territory branch, Mr Ian Smith. Ian has led the TWU SA/NT for the last seven years, but his roots at the union go so much deeper.

His connection began while he was working as a pickup delivery driver at TNT in 1994. He joined the TWU, beginning a journey with the union that would see him through three decades of life as he went from truck driver to TWU recruitment official to assistant secretary to branch secretary in 2017. Ian led the union, bringing it together to win some of the most significant changes to the public transport bus drivers' agreement in South Australia. He was also part of the national decision for the TWU to take on Qantas' illegal sacking of over 1,700 ground staff, leading to a spectacular win in the High Court.

He should be intensely proud, as are many in his community, of what he has been able to achieve for his members. To quote Matt Burnell, the member for Spence in the commonwealth parliament, 'Smithy does what good leaders do. They build up those around them without fear. Why? Because, ultimately, the union is bigger than any one person.'

### **BILL STRESS INDEX**

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (16:40):** I rise today to speak about the 2024 Bill Stress Index, which collects data on the stress levels of Australians when it comes to paying their bills. Cost-of-living pressures are mounting on us all, and the anxiety is building, according to the Compare Club's 2024 Bill Stress Index. The Bill Stress Index is a nationwide snapshot of not just the financial situation of millions of households but also how they feel about that situation.

I am sure honourable members will not be surprised at the findings. The index found that Australians are hurting, as they are facing enormous pressure, and the resulting stress and anxiety

is mounting on virtually all sectors of Australian society. Turn on the news and we are greeted by headlines condemning high inflation, rising interest rates, soaring power bills and the price of groceries.

Households right across the nation are under increasing financial stress, struggling to make ends meet, and it seems to be affecting all age groups. Overall, Australians as a whole are pretty worried about not being able to meet their financial obligations, with more than 80 per cent of all respondents reporting high levels of bill stress.

The Malinauskas Labor government has just handed down its third budget, and the question every South Australian has to ask themselves is: are they better off now than they were in 2022? The answer is a resounding no. The typical South Australian family is more than \$20,000 a year worse off under Labor's cost-of-living crisis, hit hard by higher mortgages and rents, skyrocketing energy bills and the increased cost of household essentials like groceries.

South Australia has record ambulance ramping, despite Peter Malinauskas' promise to fix it; some of the highest electricity prices in the world; the highest unemployment and inflation rates in the country; a housing crisis; and skyrocketing crime. Described in the media as a 'spend now, pay later budget', the recent state budget sees an eye-watering increase to our state debt but next to no relief for households and businesses facing ever-increasing costs of living and doing business.

State debt will balloon to \$44 billion over the forward estimates, which means that the interest servicing repayments alone will reach more than \$5 million a day. The average South Australian household is more than \$20,000 a year worse off under Labor and faces increasingly tough times, with higher mortgage rates and rents, skyrocketing energy bills and the highest inflation and unemployment rates in the nation.

The cost of essentials like groceries and fuel continues to climb, and the cost-of-living relief publicised in the budget is just a drop in the ocean compared to the stresses and financial strains families are facing each day. Despite a big spending and big taxing budget, Labor is not doing enough to address these very real issues facing each and every South Australian.

Small businesses are a big loser in this budget, with next to no new measures to address the current cost of doing business crisis. Businesses have also found no relief in Labor's budget, with next to no new measures to lower costs for South Australian small and family businesses.

Every day, we read a new story of hospitality and other businesses being forced to close their doors due to increasing business costs and reduced customer spending. Since Labor was elected in 2022, businesses have battled significant increases in power prices, the burden of higher interest rates, rising rents and increases in wages and the costs of goods and services.

Yet Labor has chosen to cut energy bill rebates worth \$650 for small businesses and ignored calls from the opposition and the SA Business Chamber to reform payroll tax. Payroll tax has a deep impact on a business's ability to operate and grow. That is why the South Australian Liberal Party wants to lift the current payroll tax threshold from \$1.5 million to \$2.1 million to save small businesses tens of thousands of dollars a year.

Also, exempting apprentices and trainees from payroll tax would encourage small businesses to increase much-needed skills across our workforce. The Labor government's decision to charge payroll tax for general practitioners is shameful. It will see South Australian patients pay more to see their doctors from 1 July. We call for sensible reforms that would take pressure off our small and family businesses, but these have been ignored. The Malinauskas government's failure to address tax reforms just further highlights that this government and its budget is anti-business.

### **INTERNATIONAL DAY OF THE WORLD'S INDIGENOUS PEOPLES**

**The Hon. R.P. WORTLEY (16:45):** On 9 August, we celebrate International Day of the World's Indigenous Peoples. Our Australian Aboriginal population, the New Zealand Māori, the Inuit people of Canada and Greenland, the Kikuyu of East Africa—and the list goes on—are worth more than one special day per year, but just as we dedicate International Women's Day for half the world's population, this is not about any form of tokenism. It is about taking time to reflect on the values they have and the obstacles they often meet. International days are designed to give us an opportunity to

think, wonder and learn about the subject being commemorated. They are not a fix-all; they are a stop, think and appreciate opportunity.

In the case of the world's indigenous people, there is more than can be learned in a lifetime, so it is really a matter of showing solidarity and empathy for the lives of others, opening our eyes to a world of peoples and cultures we may not even know, educating ourselves a little and, in our case, in our generally comfortable South Australia lives, having appreciation and even empathy when it is appropriate.

Perhaps the best way for the world's population to celebrate this day is to look around us and see what we can all learn from and about our own Indigenous people. When we go to many sporting events or openings, we hear the Welcome to Country, which in itself shows how far we have come in the past few years. While New Zealand has long recognised the culture of the Māori people with their time-honoured welcome to country that involves the haka, Australians, like many countries, was slow on the uptake.

The good news is that we are now beginning to recognise and respect our Aboriginal and Torres Strait Islander people. It does me proud to watch a smoking ceremony before a major event, and these Welcome to Country acknowledgements show, as I have said before, how far we have come since the middle of the 20<sup>th</sup> century, but of course we still have a long way to go.

On 9 August, I urge all of us to take the time to learn something we do not already know about our Indigenous people. With more than 500 language-based groups across the continent, there is plenty to learn for the inquisitive mind. Within South Australia alone, we have the Kurna peoples of the Adelaide Plains, the Peramangk people of the Adelaide Hills and beyond, the Ngadjuri of the Mid North, and the Wirangu and Yatala people of the West Coast of this state.

By naming these groups, I am only scratching the surface of the original Australians in this state alone. The West Coast of South Australia itself has six different cultural groups. We are not expected to know or be aware of them all. Most Indigenous Australians could not come close to naming all the peoples in Australia. This day is about understanding and inclusion. That is achieved through education and a willingness to learn and to open our minds to the rich cultures that are found in our state and in other states, territories and lands.

The greatest respect we can show our Indigenous Australians and Indigenous peoples around the world is through not being ignorant. We should at least try to educate ourselves about the rich cultures of our Indigenous peoples. Of course, we also must acknowledge and spend time, money and resources on trying to lift the Indigenous peoples around the world, in particular in our case of Australia.

It is just not acceptable that our Indigenous people have a life expectancy way below that of most South Australians. We spend a lot of money, and we have done so in the past, but we still have not tackled or conquered the issue of many of the health problems we have amongst our Indigenous people. The crime rates are unacceptable, the incarceration rates are highly unacceptable, and I think there is a lot more we can do to acknowledge the contribution of our Indigenous populations. It is just unacceptable that we live in a country so rich in resources but cannot seem to find solutions to many of the problems that were inflicted upon our Indigenous people.

With those few words, I urge all to think a little bit about our Indigenous peoples around the world, and maybe the solutions to problems, on 9 August, which is International Day of the World's Indigenous Peoples.

#### *Motions*

### **MEALS ON WHEELS**

**The Hon. R.B. MARTIN (16:51):** I move:

That this council—

1. Recognises that 2024 marks the 70<sup>th</sup> anniversary of Meals on Wheels;
2. Commemorates the work of Doris Taylor in establishing Meals on Wheels;

3. Acknowledges the importance of Meals on Wheels as a social institution that supports the wellbeing of some of South Australia's most vulnerable residents; and
4. Commends the essential work of all Meals on Wheels staff, volunteers and members.

Meals on Wheels is a not-for-profit, community-based volunteer organisation working throughout South Australia. Since 1954 they have assisted South Australians to live independently in their own homes by providing hot, delicious and nutritious three-course meals on weekdays and frozen meals for weekends and public holidays. Any South Australian who has difficulty shopping or cooking for themselves is eligible to become a Meals on Wheels client. The service is open to older people, people with a disability, people recovering from surgery and anyone who is a carer.

The service is based on need. It is not means tested and there are no waiting lists. Clients can receive a meal as often as each of the seven days of the week or on any basis that works for them. The meals provide important nutrition: a Meals on Wheels three-course meal accounts for over one-third of an older person's daily nutritional and energy requirements.

The organisation's motto, 'More than just a meal', refers to the fact that the volunteers delivering the meals ensure that each client is alright, and they do this through the personal contact that occurs with each delivery. These check-ins are a crucial part of the valued service and a crucial element in supporting clients to remain at home in an independent setting. It is a safeguard to ensure that their safety and wellbeing are being monitored, and it offers clients regular social engagement to help combat isolation.

There are 84 Meals on Wheels branches across South Australia, supported by the tireless work of many thousands of volunteers. Meals on Wheels is an independent, community-based organisation with oversight by a volunteer board. The cost of meals is primarily covered by the modest charges applied to meals, with the balance coming from government grants, public donations and legacies.

To do justice to the history of Meals on Wheels in South Australia, I must also tell the story of the exceptional person who brought the organisation into being. Members may be familiar with the work of Meals on Wheels in South Australia but may not realise that it was established by Doris Irene Taylor MBE. She is a South Australian legend, was a friend and contemporary of Don Dunstan and is the namesake for the state electorate of Taylor.

Doris was born on 25 July 1901 in Norwood, Adelaide, the eldest of the four children of Thomas Simpkin Taylor, who was a bricklayer, and his wife, Angelina. Doris spent her childhood first at Mount Gambier and then back in Norwood. A fall at the age of seven caused Doris to limp quite badly, and a second fall, several years later, truly altered the trajectory of her life. She sustained a serious spinal injury and was permanently paralysed. After several operations and years of extended stays in hospital, it was suggested that Doris should live in the Home for Incurables, which was by no means an unusual suggestion for the time, but she and her mother strongly resisted this proposal, and Doris went home. She was determined to remain independent, and she did, to the extent that she possibly could, for the rest of her life.

Her mobility only extended to her head and shoulders and, to a limited extent, her arms. The impact of her paralysis was compounded by severe rheumatoid arthritis. Using a wheelchair from a young age seems to have been formative to her values in life. While Doris was substantially dependent on others for her care needs, throughout her life she maintained a fierce desire to be independent. Although her hands were twisted and stiff and she could not raise her arms, she was determined to devise her own methods of doing things for herself.

Her character and determination led Doris to want to participate in society as much as she could. During the Depression, she became secretary of a local kindergarten mother's club, helping with fundraising and other roles. Her work in promoting a local soup kitchen heightened her awareness of social injustice. An experience that stuck with her occurred during the Depression when she witnessed a child at a local school taking sandwiches from a box next to the playground. This box was put in place by teachers for children with excess lunch, to leave food for their classmates who had little or nothing to eat. Doris noted the lack of dignity that was afforded to these children. Doris recalled:



This child, who could not get enough lunch, was like so many others, foraging for food...And there was I gadding about the countryside thinking all was fine in the universe and that sort of tragedy had been going on almost at my front door.

Not long after, therefore, Doris worked with the school to start a soup kitchen where students were charged a penny for each serve, but children who could not afford to pay did not need to pay. Every student was given a lunch ticket whether they were able to pay or not, in order to afford dignity to all children.

It was likely that her passion for social justice drove Doris to become involved with the South Australian Labor Party. As secretary of the West Norwood sub-branch, she was credited with persuading Don Dunstan to join the party and to seek preselection for the House of Assembly seat of Norwood in 1952. It was Doris who managed Dunstan's successful election campaign, and she did so despite Roy Moir, the Liberal and Country League member for Norwood, who Dunstan defeated at that election, being Doris's cousin. It is almost a Hood-worthy story.

Doris also increased the intensity of her own campaigning for improvements to social services for the elderly, the infirm and the disadvantaged—those who were most vulnerable in the community at the time. She saw that political action was essential to creating change and thought that legislation was the appropriate mechanism for advancing security and protection for all people.

While conscious that many older people required greater levels of help than they received, from personal experience she clearly understood their desire for independence and their wish to be able to remain in their own homes. As the public relations officer for the South Australian division of the Pensioners League, she championed the rights of older South Australians to live independently at home rather than in institutions. She did this during an era when many older people were being moved into psychiatric homes because they were undernourished.

Taylor saw a clear need for more services and this led her to establish Meals on Wheels. Don Dunstan, then the member for Norwood, served as the first chairperson of Meals on Wheels after assisting to draft the organisation's constitution. The first Meals on Wheels kitchen opened in Port Adelaide in August 1954. Building this kitchen was a collaborative effort, with Port Adelaide council donating the land, Le Messurier Timber at Port Adelaide putting together a Nissen hut, and the SA Gas Company installing a commercial stove with three large and three small burners.

Many local businesses opted into a bob-in collection system, where local employees would donate one bob, or one shilling, on payday. With the help of a young, newly minted local newspaper owner called Rupert Murdoch, Adelaide paper *The News* acknowledged all cash donations in print. Other Meals on Wheels kitchens soon followed in further metro suburbs. Operated by volunteers, Meals on Wheels then, as now, delivered five hot meals each week to those who were unable to cook for themselves. Taylor's vision also embraced other services: home help, hair care, laundry, library services and a hospital-based meal service.

The organisation she founded grew into a statewide body and served as a model for other states and nations to follow. Meals on Wheels began operating in Tasmania in 1955, Queensland in 1956 and New South Wales in 1957.

Doris Taylor travelled extensively in South Australia and other states, urging governments and local authorities to provide support, and she took the lead in negotiating an expansion of the service. In 1958 she became a paid organiser for Meals on Wheels, and a year later in 1959 she was appointed a Member of the Most Excellent Order of the British Empire. In 1965, an adviser to the World Health Organization remarked that Doris Taylor had built up the best, most complete and most effectively integrated system of preventative medicine for old folks operating anywhere in the world.

A decade after its founding, Meals on Wheels served its millionth meal. Today, Meals on Wheels provides well over one million meals every single year. The work of Meals on Wheels and its thousands of volunteers across the state strengthens communities. They make tremendous differences in the lives of their clients. Each meal they deliver is truly more than just a meal. Each meal is belonging, is caring and is connection, and each meal is delivered in the spirit of Doris Taylor, because extending dignity and supporting independence for all people, no matter their age, ability or background, was her core business, as it is the core business of Meals on Wheels today.

I know she would be so delighted that the organisation she founded 70 years ago has continued to go from strength to strength. I congratulate Meals on Wheels on 70 great years of delivering more than just a meal. I commend every South Australian who volunteers with Meals on Wheels, I commend its leadership and its staff, and I commend this motion to the council.

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

### **SELECT COMMITTEE ON KANGAROO MANAGEMENT**

**The Hon. T.A. FRANKS (17:01):** I move:

1. That a select committee of the Legislative Council be established to inquire into and report on kangaroo and wallaby populations in South Australia, with particular reference to:
  - (a) how they are affected by commercial and non-commercial harvesting;
  - (b) the adequacy and enforcement of the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes and the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, including methods used and their impact on animal welfare;
  - (c) the sustainability of current harvesting levels and their long-term impact on the species;
  - (d) the impact of commercial and non-commercial harvesting on the health and wellbeing of kangaroos and wallabies, including any physical and psychological stress caused to the animals, permitted wildlife rescuers and carers and First Nations Peoples;
  - (e) alternative strategies and practices that could be implemented to ensure the humane treatment and conservation of these animals; and
  - (f) any other related matters.
2. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

I bring this motion to this council today, knowing that there was a similar inquiry in New South Wales, some two years ago now, which found that jurisdictions could be doing so much better with regard to the treatment of kangaroos and wallabies in our nation. Given that there is currently work underway to look at our management of these animals through the department's own consultation, it is time that community, carer and other voices were also heard, as we have a unique opportunity.

We will have varied opinions in this council on kangaroos and wallabies. If we are reflective of the community, that is expected to be the case, but I know from previous speeches on this issue that we have a diversity of opinions. I would note, though, that we can all agree that kangaroos and wallabies are one of Australia's iconic native animals and that they are more than just our national emblems. Kangaroos and wallabies form part of our state, the extraordinary biodiversity, and contribute to the health of our landscape. They clear plants and play an important role in bushfire hazard reduction.

They contribute to the regeneration and health of our native grasslands. Their fur traps seeds and redistributes them over wide areas, and their toes can aerate compacted and nutrient-deficient soils. These creatures are really our native ecosystem engineers. Yet, despite that national affection—indeed, putting them on our national emblems—the benefits that these creatures provide are often forgotten and there are very longstanding concerns in the community about how we treat and manage these creatures.

I bring this motion to this council today in particular as, just last month, piles of dead kangaroos and thousands of kangaroo bones were found left to rot on land adjacent to the South Para Reservoir. That is one of our largest drinking reservoirs. Kangaroo bodies had been dumped in a pit, which then filled with rainwater and then turned a toxic green and, indeed, this was done on SA Water land.

The footage from this gave South Australia promotion around the world—not the sort of promotion, I imagine, that this state wishes to see, not the sort of promotion that the Premier welcomes with his major events, and not the sort of promotion that I would hope would be something

that we would see in the future. However, this is not the first time that we have seen such exposure of the way that kangaroos and wallabies are treated in our nation.

Australia-wide, these creatures are not farmed in the traditional sense; they are hunted by commercial, private and hobby shooters. They are often shot at night, often from an unstable platform, such as a moving ute, and all the while those kangaroos and wallabies, of course, are moving targets. So it comes as no surprise then that the wounding rates, rather than the kill rates, are quite high. In fact, one study found that up to 40 per cent of kangaroos were miss-shot and left with injuries. I ask: in any other industry, would a wounding rate that high be accepted?

This inquiry is needed so that we can understand how our state's kangaroo and wallaby population is being affected by the harvesting practices that we currently have in place. There have been serious questions also raised about the adequacy of the population estimates that are used to determine how many kangaroos and wallabies can actually be killed each season. Those quotas often fluctuate wildly, with population estimates that actually appear to be statistically impossible.

Hunting can take place in areas where no population data has been collected, using estimates that simply do not stack up. We need proper scrutiny of these methods and data used to decide how many of those kangaroos and wallabies can be so-called 'sustainably killed' that is scientific, verifiable and accurate.

This inquiry would also look at the consideration of how the national standards are applied here in our state. In fact, it would hopefully establish whether, firstly, the standards are being enforced, and, beyond that, consideration would be given to whether those standards are still fit for purpose.

I note that we have seen a lot of international brands take steps back from using kangaroo products. Again, I ask this council to reflect on how that reflects on our state. Both Nike and Puma have announced that they will no longer use kangaroo leather in their products. This follows others, including Gucci, Prada, Diadora and Lidl. Brands do not walk away from products for no reason. They have had concerns that were not being addressed.

I think one thing that gets lost when talking about the so-called harvesting of kangaroos and wallabies is the wellbeing of the animals, and that is why these brands are walking away. I have already mentioned that high wounding rate—as high as 40 per cent in some estimates—but we also regularly see the killing of female kangaroos and wallabies with dependent young. These young are seen as a waste product and currently joeys are disposed of with a swift blow to the head—indeed, those methods leading to broader impacts within the mob.

I also think we really need to stop and reflect on those who take care of these creatures, the wildlife carers and rescuers who spend countless hours caring for these animals. They nurse them back to health to eventually send them on their way—except that kangaroo and wallaby carers know that they are often now being forced to potentially send them back to a hunting ground. They could send them back out knowing that there is a good chance they will be shot and killed or injured.

Compassion fatigue amongst our rescuing and caring community is real. There is only so much that wildlife carers can give and, when considering this issue, their wellbeing should not be forgotten—currently, it has been.

Questions have also been raised with me by carers, in particular, on their ability to keep kangaroos in their sanctuaries long term. Some kangaroos come to the sanctuaries and are not able to be released. Carers have been able to keep these animals in the sanctuary for life, but recently concerns have been raised that in the future this will no longer be the case. I note that on the Stacey Lee program on the ABC late last year the department had to address this issue, but did not seem to give much clarity on what the future directions would be—certainly not in a way that has given much comfort to rescuers and carers.

Carers remain concerned that they will eventually be forced to either release or euthanase. That is not a choice we should be making our rescuers and wildlife carers undertake. We have heard a lot of quite worthy mentions of how the veterinary profession grapples with those issues, and we should not be forcing those same choices onto wildlife carers.

These creatures face a series of challenges: habitat loss, climate change, and human activities all pose significant threats to kangaroo and wallaby populations in our state. We must ensure that sustainable practices are put in place to allow these creatures to thrive in the land they have inhabited for thousands of years—and, indeed, to allow the land to thrive.

In bringing this motion before the council I know this will not be the end of the debate. I know that wildlife groups, particularly kangaroo and wallaby groups, will be in contact with members of this council. They have long called for such an inquiry and are hopeful that this council will see fit, at this point in time, to take a proper look at our management of these animals.

I have had conversations with other members of this place about kangaroos, and I am sure most Australians have some affinity one way or another with these animals. I have just been prompted by my mum and my Uncle Murray about 'Rooey', that used to be my grandma's stray kangaroo that we had for many, many years while I was a young child and a teenager in the Bogan Shire. 'Rooey' was sometimes replaced by another 'Rooey'; I am not sure how many 'Rooeys' we were actually up to there in my grandma's former home, now my uncle and Mum's home, but we have always loved to take in those strays.

That is not necessarily the situation for all, even in that small community. I think that *Kangaroo: A Love-Hate Story* documentary really captures the weird love-hate relationship that we have with kangaroos in this country, and that has perhaps led to laws and practices that are not fit for purpose or reflective of the sorts of standards we would wish to see in the future.

I encourage members to read the correspondence they will be receiving. I will be circulating a document in support of this inquiry that I received from one of the rescue groups, and I hope members will take a look at that. They will see that this is not a black and white issue; this is an issue that has many nuances to it, but it is an issue where I think we could all probably agree that these practices do need improvement.

I would hope that a committee inquiry of some sort, be it a select committee or a referral to an appropriate standing committee, might actually see that cross-party collaborative approach taken to really improve our practices and laws, and better support kangaroos and wallabies in this state and those who care for them. With that, I commend the motion.

Debate adjourned on motion of Hon. M. El Dannawi.

### *Bills*

## **SUMMARY OFFENCES (INVASIVE IMAGES AND DEPICTIONS) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. C. BONAROS (17:15):** Obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953. Read a first time.

### *Second Reading*

**The Hon. C. BONAROS (17:15):** I move:

That this bill be now read a second time.

I am pleased to introduce this first of its kind bill, the Summary Offences (Invasive Images and Depictions) Amendment Bill 2024. The bill seeks to create new offences for the creation, distribution and threat to distribute artificially generated invasive images, commonly known as deepfakes and more specifically as sexually oriented deepfakes.

For the unaware, a deepfake is an AI-generated image that may draw on photos or videos or the voice of a real person to create a realistic looking image, video or audio of that person. There have been well known instances of deepfakes impacting public figures, including viral images purporting to be Taylor Swift. I am in no way making light of this, because what you will hear is very serious, but I know the Hon. Tammy Franks in particular will probably understand more and appreciate the Taylor Swift references woven into my contribution today and inevitably the reason for those.

While some may dismiss this as a 'cruel summer' for celebrities, the reality is far from it. The creation, distribution and threat to distribute sexualised deepfakes presents serious problems for young people and young girls in particular. The psychological impact of cyberbullying and harassment has led to young people ending their lives in Australia and, indeed, all over the world. Of course, this is not an issue that impacts only the young. Women are also disproportionately on the receiving end.

The bill introduces new offences and seeks to increase penalties for existing filming and sexting offences to match the new deepfake penalties. The recent surge in the creation and distribution of sexualised deepfake content is the result of significant advances in artificial intelligence capabilities. The world is rapidly changing. AI has made humiliation possible at the click of a button. In the space of just a year, we are talking about territory that was only within the realm of hackers and underground use and is now available literally at the click of a button for anybody who is willing to give it a crack.

The rapidly evolving nature of deepfake technology has made it difficult for law enforcement and laws to keep up. AI has highlighted all too well just how much we need 'Taylor-made' laws. I know our 'red' Premier loves South Australia to be the first at many things and this is indeed an opportunity to be truly nation leading with our response to a contemporary problem that has significant social impacts.

The bill seeks to close the blank space in our laws concerning the creation, distribution and threat to distribute images that have been wholly generated by artificial intelligence. Currently, the Summary Offences Act 1953 addresses instances where a person's actual image has been altered and used in the creation, distribution or threat to distribute sexually explicit pictures. That is where a real person's image has been used. That is captured. This is distinct, though, from a deepfake of a person that is generated wholly by artificial intelligence but is generated in such a way as to resemble that person so closely that it can be mistaken for the actual person in question.

The bill proposes to double penalties for existing filming and sexting offences to match the new deepfake offence penalties. It would be a defence to a charge under the bill—so we are clear—only where the person has consented to the creation or distribution of the images. The consent provisions will not apply to charges involving a minor or to vulnerable persons or where consent was obtained under duress or deception. Proposed penalties are higher across the board for offences where the depicted person purports to be a real person under the age of 17, as well.

Sexually explicit or compromising videos can and are spread quickly online. Although I appreciate she is one of the world's most famous people right now, one of Taylor Swift's deepfakes—just to give you an indication of why I have used her references throughout this—was reported to have been seen over 47 million times before it was removed by X. That is extraordinary. Despite the popularity of the person in question, we should not underestimate that humiliating and denigrating impact it has even on someone as big and famous as Taylor Swift.

In an instant, deepfakes can tarnish a person's reputation, causing shame and humiliation and, of course, have long-term psychological impacts. They can seriously impact on an individual person's professional reputation, causing anxiety, depression and all the things that come with the violation of privacy and public exposure or fear of it. Deepfakes are very damaging, and our laws have to keep pace. We have seen this time and time again.

We cannot just say, 'You are on your own, kid.' We have seen how effective existing sexting laws have been, particularly amongst minors, and this parliament now has the opportunity to extend that effectiveness to combat sexualised deepfakes. Our love story with technology has reached new and frightening heights and we must be fearless in our response.

I flag that we have been working on a separate proposal for aggravated offences involving AI sexualised images used for blackmail purposes. Deepfakes can be exploited by predators to manipulate or coerce young people. In fact, we have examples of that here in Australia. So rather than begin again, on the advice of parliamentary counsel and based on what we have discussed, I am proposing and foreshadowing that I will be moving an amendment to this bill to capture it because it is the right place for it. I look forward to the swift progress of this bill through this place.

Deepfakes, as I said, represent a frightening demonstration of the power of artificial intelligence, and these proposed laws are effectively trying to catch up with a horse that has well and truly already bolted, but we are trying to rein that in as much as possible. We have seen, as I said, how effective our existing sexting laws have been, particularly amongst minors. We have seen that they form part of the education curriculum program for very good reason and that they have done what they were intended to do and that is deter minors in particular from engaging in that sort of behaviour.

But make no mistake, AI is being used to create deepfake revenge porn and deeply disturbing, sexually explicit images of minors. Schools are becoming breeding grounds for its distribution. The degree to which this is happening right now ought to be enough to put the fear of death in parents across Australia. Overwhelmingly, as I said, it is women but it is also young girls who are the targets here.

Chances are it is happening a lot more than we know, because what we have heard from experts is that, particularly in schools, kids are reluctant to actually talk about it. They are hiding the shame. They are not knowing what to do. They are responding, but they are not knowing what to do with it. There has not been a single day in recent months when the risk and harm and dangers associated with AI sexualised deepfakes have not been brought to our attention, and it is truly terrifying. According to an ABC article, one in seven adults have been threatened over sexual images and videos, and the issue is more widespread than even the experts first thought.

Just today, it was reported that Noelle Martin was 18 when she first experienced image-based abuse, with perpetrators editing her image, an image taken from social media, and posting it on pornographic websites. On one occasion, Noelle's perpetrators tried to extort her, saying they would take down the images if she sent them real nudes. That was the extortion here: 'We will take down the fake ones that look just like you if you send us real ones.'

Thankfully, and to her great credit, this young woman has spent the last 11 years speaking out against this sort of stuff, but experts are warning that deepfake porn is getting worse, but it is not just the AI tools enabling that behaviour. It is feeding misogynistic messages and degrading comments that are crushing young people's empathies.

As I said, schools are becoming the breeding ground for this sort of behaviour. According to ABC, police have said in the case of Bacchus Marsh Grammar School in Melbourne that about 50 students' faces were purportedly taken from social media sites before being manipulated and used by AI to create obscene photographs.

If you think it is hard to do, think again. I went to have a look myself. I did a quick Google search. In fact, I could go on there now and find a photo of anyone in this chamber and say, 'Convert this to an obscene, sexually explicit or nude photo,' and the results will be scary. That is what not just adults are doing but minors are doing, each and every day. It is happening in our schoolyards. It is happening across Australia. They are the words of police, not me. This is about 50 students from one school who have all had their photos used on one of these AI apps or websites. Sexually explicit, and in the words of police 'disturbing, obscene photos', have been produced of them as a result.

Make no mistake, as I said this is happening in schoolyards. These are the breeding grounds at the moment. Yes, I have said that the horse has well and truly bolted, but we do have the opportunity to catch up. Kids are not turning to adults for help, because they do not think the adults know how to deal with them, because they are scared, because they are embarrassed, because they do not want their parents finding out that this is happening at school. They are going it alone.

We have been here before. We have been in this very scenario before. We all probably have been around long enough now to know the importance of Carly's Law and why we passed that, of sexting laws and why we passed those, of banning childlike sex dolls and why we passed that. These are exploitation measures that in many cases, sadly, are targeted towards kids.

When it comes to minors and adults, the common perpetrator of sextortion is another part of this discussion. Recent surveys that have been undertaken by RMIT University with Google have shown that in many instances the most common perpetrator was actually a former intimate partner, followed by a current intimate partner.

Adolescents and LGBTIQ+ people also appear more likely to experience sextortion. The author of that report says that the explanation might also be the case of financial extortion scammers, who may be more likely to target men and boys because they assume the males are more likely to share their intimate images than girls and women would with a stranger. Young people under the age of 35 are more likely to report victimisation than those over 35, and LGBTIQ+ groups are more likely to report victimisation as well.

There are some harrowing accounts of what this sort of thing can do to young people. There is a harrowing account of the effect the release of nude pictures without consent, and indeed in instances where consent cannot be obtained, can have on young people. The ABC has reported on a young man, Mac Holdsworth, who was 16 when he was extorted via social media after exchanging photos of his body with somebody who he believed was a teenage girl. It turned out the person was not a teenage girl, and he was being blackmailed into providing money or those photos would be sent to all his contacts. It turns that in that instance the photo was sent to all of Mac's contacts.

Sadly, even though Mac finally told his dad and the matter was reported to the police, and the police were able to find and charge the perpetrator, Mac did not cope with it. He obviously suffered a lot in silence despite having a very supportive and helpful family who were trying to get through it, and, tragically, he died by suicide.

The point is that this is all because of the explosion of what is happening on social media. Mac did not send his photo thinking that it was going to go to a scammer who was then going to sextort him and send this to all his contacts online. This is something innocent that any kid of his age could have done and, tragically, it has resulted in the worst possible outcome. Using AI sexualised deepfakes does exactly the same. Whether it resembles the person so closely that you think it is them or whether it is actually using a photo of them makes no difference, and we should not draw that distinction in law.

There is a growing body of work on this. I think it is really important again to note we have a report from February this year that actually says that since the boom of generative AI in 2023 there has been a rise in diffusion model deepfakes. Diffusion model takes us beyond the realm of pasting a celebrity's face onto the body of an actor or making the mouth say new words. They allow a deepfake to be created from scratch without editing original content.

Our cybersecurity experts are warning us about the rapid changes in this landscape. It is critical that our laws keep pace. They themselves have said that just a year or so ago this technology was only accessible by skilled hackers and experts. Now anyone with a phone or a computer can make a deepfake—a sexualised deepfake. It is as easy as going to the App Store, downloading one of the many apps for free or a small subscription fee, and you are ready to go. Scarily, it is now almost just as easy to create a deepfake that targets a specific person.

I am hoping this all rings a bell, because these are the same sorts of conversations we had when we banned childlike sex dolls. Novice attackers can access a generator and create one with no prior knowledge in as little as a few seconds. I could leave here now and do that to absolutely everybody in this room. That is how accessible it is, and it is scary to think that that can be happening in our kids' bedrooms, in schoolyards and then used on social media, shared at the snap of a finger on Instagram and Snapchat with such horrifying and scary outcomes for those kids who are actually the victim of that material.

Again, this is just as much about improving our laws regarding minors as it is about the general concept of AI sexualised deepfakes. I have now given several examples of the sorts of material we are talking about, but I urge all honourable members to go online. There is a report that was completed, like I said, in February this year, entitled 'Keeping it real: How to spot a deepfake'. The ABC has a story pretty much every day showing how widespread this is and the sorts of impacts it is having. I urge honourable members to have a read of the sort of stuff that is happening, particularly when it comes to revenge porn. I urge honourable members to read about the impacts this is having on young lives.

Also, when it comes to the issue of sextorting, extorting, blackmailing or threatening somebody with these sorts of things, I again foreshadow and remind members that there will be a further change to this bill to ensure that we have looked at this from absolutely every possible angle,

because none of this is okay. None of this is okay. Like we said with childlike sex dolls, it is not just teenagers. Heaven forbid, if someone wanted to go and take a picture of our little kids—an eight year old, a 10 year old, a five year old—and put it in these sorts of depictions, they could. That scares me as a parent. It should scare absolutely everyone in here, and I am sure it horrifies parents out there. Just know how readily available, and how rampant a problem, this is. This is not me saying all this; this is what the experts are saying.

We have seen the feds move on this issue in recent days. In response to that I will say that it involves carriage, dissemination and distribution at a federal level, but this bill is creating new offences in South Australia. We are creating an offence that makes it punishable by jail if you create this with a purpose of distributing it without a person's consent. Indeed, where it involves the depiction of someone under the age of 17, there are no issues of consent at all—it just should not happen.

With those words, I look forward to the swift passage of this bill. I would say again that I use those references because it is extraordinary. If you want to know how quickly something can spread, it is extraordinary: 47 million times one person's image gets viewed, and it is a sexually explicit image that I am sure they, just like the rest of us, did not want shared with the whole world.

Debate adjourned on motion of Hon. M. El Dannawi.

#### *Motions*

### **UNMET NEEDS REPORT**

**The Hon. C. BONAROS (17:38):** I move:

That this council—

1. Recognises the final report commissioned by the Office of the Chief Psychiatrist on 'Unmet mental health service need in South Australia that could be met by the NGO sector' (Unmet Needs report), dated February 2023.
2. Acknowledges the findings and recommendations of the Unmet Needs report, including:
  - (a) 19,000 South Australians with severe mental illness require psychosocial support services each year but are not having their needs met;
  - (b) an estimated \$125 million per annum is required to address the shortfall; and
  - (c) addressing the unmet needs in the South Australian mental health system would significantly reduce the demand for hospital-based emergency services related to mental distress and lead to reduced ramping and wait times.
3. Recognises the 19,000 South Australians identified in the Unmet Needs report represent a substantial increase compared to the Productivity Commission's estimated 11,000 South Australians in 2020, highlighting the results of years of mental health policy failure from successive governments.
4. Notes the 2023-24 state budget provided no additional investment in psychosocial support, with the state government indicating it was awaiting the findings of the Unmet Needs report before making any decisions.
5. Notes the 2024-25 state budget similarly did not provide the necessary increase in funding towards psychosocial support.
6. Notes there has been no formal state government response to the findings and recommendations of the Unmet Needs report.
7. Calls on the Malinauskas Labor government to provide a formal response to the findings and recommendations of the Unmet Needs report by no later than 1 September 2024.

This motion is in response to the ongoing apathy with which this government is treating the state's mental health crisis. It speaks to the findings and recommendations of the 'Unmet mental health service need in South Australia that could be met by the NGO sector' report (Unmet Needs report), which I understand was finally provided to government in February 2023. It was commissioned by the Office of the Chief Psychiatrist and it outlines a host of damning evidence detailing the serious lack of psychosocial supports for South Australians in need.

The report was released publicly many months after the ink dried, following repeated efforts and pressure from stakeholder groups and interest groups. Many, many months later we are still



waiting for a response from the government. There are 19,000 South Australians, likely more, who are still waiting for a response. At least 19,000 South Australians with severe mental illness require psychosocial support each year, but are failing to have their needs met. An estimated \$125 million each year is required to address this unmet need. They were the findings in the report.

The follow-on effects of addressing this unmet need include reduced ambulance ramping and ED wait times. We have fleshed this out in this place a thousand times. We know that if we deal with mental health in the community through appropriate psychosocial supports and therapies and programs, people do not end up on a ramp and people do not end up in an emergency department. That is the one single factor that has absolutely crippled our health system and contributed to our health crisis.

To not even attempt to address this shortfall is, with respect, an utter disgrace, because the moral dimension is clear: these are our people who we have a duty to provide for. In the language of many decision-makers in the state, they could not fit in Cooper's (formerly Hindmarsh) Stadium. I have heard anecdotally that they would likely probably fill Adelaide Oval. It is undeniably written in black and white in the report that there is a mental health crisis in this state, one which we were warned was going to get worse in the next three to five years following COVID.

What did the government do in the 2023-24 budget to address this? Delay a response. Fast-forward another 12 months to the 2024-25 budget and what did the government do to address the need, which had undoubtedly increased? Again, provided no additional investment in psychosocial support services. We have seen delay after delay after delay.

According to the Australian College of Emergency Medicine, our state has the highest percentage of patients presenting with mental health and behavioural problems in the nation. That report was published in 2022, so it was well known before even last year's budget that the efficacy of our emergency departments was being compromised by a negligent approach to mental health. This is not a report that has been done by anybody, this is a report that was commissioned and done by the state's Chief Psychiatrist. That is whose findings and recommendations the government has not responded to, to date. The government—

*The Hon. T.T. Ngo interjecting:*

**The Hon. C. BONAROS:** My colleague interjects, sadly for him, and says that this is a federal issue, but he could not be more incorrect. In fact, given that we have had that helpful interjection, I will enlighten my colleague in that there have been discussions about sharing the load between state and federal. The NGOs themselves said, 'Hey, state government, you put up 65, the feds can put up the balance. You can share the load between you.' Even to that proposal, where we are sharing the load between state and federal, in a jurisdiction that this state does have responsibility for, the state government still has not replied to this unmet need.

I hope that no-one notices, because it is not in vogue, but I am not going to say ambulance ramping too many times. I am sure that there are others in this place who will, in due course, but I will remind those sitting next to me that a major contributor to our overflowing emergency departments are presentations requiring psychosocial supports, are presentations of mental illness that could have been prevented had those services been available in the first place.

We have heard from the president of the Mental Health Coalition of South Australia, who has said publicly, who has expressed publicly on behalf of the 30 or 40 NGOs that the coalition represents—not one or two, or three or four, or five or six, at least 30 or 40, and who hold seats federally in the same sort of roles—his disappointment with a state government that was only too happy to pass the report onto the federal government, only to then suffer collective amnesia.

The Mental Health Coalition has urged the government to get the ball rolling by investing 50 per cent of the nearly \$125 million in the 2023-24 Mid-Year Budget Review, rather than wait for the feds to do anything. The coalition's president's frustration laid out the farcical nature of the government's inaction. He said, 'While we are after leadership, what we are getting is political theatre.'

A response that points to a generational investment in something other than mental health is not a good enough response. Sending the report to the commonwealth with no agreements on

funding and time frames leaves the burden in our community, a burden which we know is faced by at least 19,000 people, not to mention the ripple effect that has on everybody around them.

Oftentimes what hits the media is the person who commits a significant crime, and the headline in the paper is 'mental illness', and that is what people think mental illness is. It is the ambulance at the bottom of the cliff; it waits until things are so critical that there is nothing to be done other than pick up the person from the bottom of the cliff. But we are talking about stopping people climbing that hill that leads to the cliff in the first place.

The Unmet Needs report is completely unambiguous in inserting that the state and commonwealth governments need to work together—this is not a federal issue—to fund the necessary reform. Needless to say, handing over to the commonwealth and neglecting to even issue a formal response is astonishingly poor form. It is disrespectful to the Chief Psychiatrist of this state, who has pulled together this work and made these recommendations and findings.

It also underscores Mr Creedon's public sentiment that, while solving this crisis does require both jurisdictions to fix the problem, we are deeply disappointed with the pass-the-buck attitude that we have seen, especially since the crisis has been known since 2019, and we still have no agreement between governments and there is no relief in sight and no date when services will hit the ground. They are comments Mr Creedon has made available publicly in addition to other comments he has made before bodies in this place.

I will conclude my remarks shortly, but I remind members that this is again 19,000 South Australians we are talking about, at least, so they do not forget, because, frankly, that is how they have been treated by this government. They have been forgotten, been left behind and been hung out to dry. Perhaps the Malinauskas Labor government should take a second to consider whether there is anything crucial they have forgotten to include in their budget before boasting about forecasted surpluses—something along the lines of a report released last year sitting around, gathering dust on a desk somewhere in this building, with no response apparently imminent.

With those words, I look forward to the support of this place in directing the government to provide a formal response to the Unmet Needs report by 1 September this year, and that gives the winter break for all concerned to consider how to meet the unequivocal needs of so many South Australians.

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

### **PAYROLL TAX RELIEF**

**The Hon. C. BONAROS (17:48):** I move:

That this council—

1. Expresses its disapproval of the absence of any genuine and meaningful payroll tax relief measures within the 2024-25 state budget.
2. Recognises South Australian businesses continue to call for payroll tax reform, including:
  - (a) an increase in the \$1.5 million threshold;
  - (b) a recalibration of payroll tax rates;
  - (c) incentives to stimulate regional employment and investment;
  - (d) sector-specific incentives to fill critical gaps; and
  - (e) the return of incentives for the hiring of apprentices and trainees.
3. Notes the current \$1.5 million payroll tax threshold has remained stagnant for five years despite escalating wage and superannuation costs.
4. Recognises the current payroll tax system disincentivises businesses from employing additional staff, including in the critical allied health sector.
5. Recognises the impact of recent payroll tax decisions on the allied health sector will ultimately lead to increased pressure on emergency departments, thereby exacerbating wait times and ambulance ramping.

6. Calls on the Malinauskas Labor government to provide meaningful payroll tax relief to South Australian businesses.

I rise once again in this place to talk about payroll tax. This motion calls on the Malinauskas government to provide meaningful payroll tax relief to South Australian businesses. In the 2024-25 State Budget Overview, the relief for businesses page barely filled a page, and that includes a photo of a seemingly cheerful barista taking up practically half the space.

The only mention of payroll tax was the previously announced bulk-billed exemption for general practitioners, which is hardly a comprehensive plan for supporting our businesses and, frankly, one that has divided general practitioners themselves. It is increasingly evident that the government does not prioritise business.

Let us look at where its focus has shone through. We saw lots about golf and car races and all things sport. We saw things about preschool for kids—fantastic. We saw things about building bigger presence—fantastic. We did not see so much about rehabilitation services for the people who are going to prison—not so fantastic. Creating jobs? Nothing. Supporting business? Nothing. Stimulating regional investment? Nothing. Reducing pressure on emergency departments? Nothing.

This government has failed to recognise the struggles many businesses face, or perhaps they are simply unwilling to relinquish some of the almost \$5 million a day—that is what we are talking about here: \$5 million a day—they collect in payroll taxes, the penalty businesses pay just for employing people, regardless of whether they are making a profit, regardless of whether they are breaking even, regardless of whether they are operating at a loss. The one thing they will be guaranteed is that they will pay their payroll tax bill.

Businesses with payrolls exceeding \$1.5 million are burdened with what the Premier has so aptly termed 'a tax on jobs'. The South Australian Business Chamber has described the latest budget as safe and criticised it for not addressing the needs of South Australian businesses, many of which are subject to payroll tax. The South Australian Business Chamber has suggested raising the \$1.5 million threshold to \$2.1 million and implementing a payroll tax scale.

There have been repeated calls for a 50 per cent discount for businesses operating in regional South Australia, particularly near the border where businesses face the choice of relocating for a lower rate. I will say I was really genuinely hopeful that that was one of the measures that this government would actually seriously contemplate this time around, given the success that it has had in Victoria and the precedent that has been set there. But, again, nothing from this government.

The government has chosen to overlook the various tools at its disposal to stimulate business growth, investment and employment in regions and sectors that need it the most. The allied health sector is a prime example, given the ongoing issues of ambulance ramping. We have heard in the press from former SA President of the AMA Dr Chris Moy, who suggested, as a result of the payroll tax issues, we might need to build bigger, longer ramps. That is the impact that this is having on our health crisis.

The opposition introduced the 50 per cent exemption for apprentice and trainee wages while in government, a scheme the Malinauskas government has not extended. I am confident that my colleagues opposite will speak to the success of this initiative, and I commend them for doing that at that time and the measures that they did implement in their time in government. The South Australian Business Chamber has also proposed targeted discounts to boost employment for the long-term unemployed and individuals' existing corrections as well as a relaxation of small business grouping rules in the first year of operations.

Each proposal holds merit but has been met with deafening silence from this payroll tax dependent government. They have become addicted to the \$5 million a day they are getting for absolutely nothing. It is money for jam for the government, that is what it is. It has become an absolute cash cow. As we approach the end of the financial year, remember that many businesses are now scrutinising their payroll tax summaries to stay under the \$1.5 million threshold or the \$1.7 million mark, which triggers the maximum 4.95 per cent rate that applies to payroll tax.

So how are some of them trying to do this? Let me tell you: by cutting the shifts of casual workers for a start and by reducing the hours that people are working. So we are not doing anything

to create more hours or to create more work, we are actually reducing shifts of individuals. Businesses are doing this. The restaurant trade is known for doing this. We reduce hours so we can just stay under that threshold and get us over the line until the next financial year.

Next year will bring even more challenges for businesses with the minimum wage and superannuation set to rise in a few weeks, and we know super is slated to increase again to a minimum of 12 per cent on 1 July next year. Let us not forget that the \$450 monthly minimum wage threshold was scrapped on 1 July 2022, further adding to superannuation totals.

I am certainly not arguing against wages or superannuation increases—that is something we all support—but we cannot have a government that is not combating the creep effect that those issues are having and instead see businesses shut their doors. Mark my words, we have seen, every so often in the newspaper, headline after headline: hospitality venues closing their doors.

There is no doubt—zero, absolutely none—that payroll tax, when it comes to general practitioners, is going to have a crippling impact on our already crippled health system, on our health crisis. There is no doubt that the groupings the government is insisting on for everybody other than those who have a concession—bearing in mind that many of them are not happy either—is going to have a further compounding impact on businesses in this state, particularly on that allied health sector when it comes to groupings.

There is no doubt that this government has ignored every shred of advice given to them from every business sector in this state to say that unless you do something with payroll tax we are facing yet another crisis in this state. Let me remind the council again: the warning from the former AMA president is, 'You'd better build a longer ramp,' because that is where this is going to lead when it comes to the health sector.

I will be bringing this motion to a vote at the next opportunity, and look forward to hearing other addresses about the inflexible money-grabbing policy by this government—\$1.7 billion projected to increase to \$1.97 billion a year, \$5 million a day, money that they cannot wean themselves off for the benefit of businesses in this state.

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

#### *Bills*

### **APPROPRIATION BILL 2024**

#### *Estimates Committees*

The House of Assembly requested that the Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and Public Sector (Hon. K.J. Maher), and the Minister for Primary Industries and Regional Development, Minister for Forest Industries (Hon. C.M. Scriven), members of the Legislative Council, attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (17:57):** I move:

That the Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and Public Sector (Hon. K.J. Maher) and the Minister for Primary Industries and Regional Development, Minister for Forest Industries (Hon. C.M. Scriven) have leave to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

Motion carried.

*Sitting suspended from 17:58 to 19:46.*

### **PET FOOD (MARKETING AND LABELLING) BILL**

#### *Introduction and First Reading*

**The Hon. F. PANGALLO (19:46):** Obtained leave and introduced a bill for an act to regulate the marketing and labelling of pet food and for other purposes. Read a first time.

*Second Reading*

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

That this bill be now read a second time.

This bill arises from a shocking realisation brought to my attention by a number of constituents, animal welfare bodies, advocates, veterinarians, pet food industry bodies and Australian pet food manufacturers and retailers that, unlike other countries, such as New Zealand and the US, there are no mandatory standards for pet food in Australia.

In Australia, pet food is completely self-regulated, with voluntary industry standards that pet food companies do not have to comply with. This means that, as Carolyn Macgill, the Executive Officer of the Pet Food Industry Association of Australia, also known as the PFIAA, told me, there is currently 'no pet food regulation at all' in Australia. Given the number of serious pet food poisoning incidents in recent years, I find this astonishing.

South Australians, like most Australians, love their pets. Currently, there are more pets than humans in Australia. Those 28.7 million companion animals include dogs, cats, fish, birds and other small animals. Nearly 40 per cent of Australian households own a dog and 27 per cent own a cat, so it should come as no surprise that the pet food industry in Australia is estimated to be worth almost \$6 billion and is growing.

In addition to this, as much money again is estimated to be spent on services, pet insurance and accessories. Pets have become important family members and many animals also undertake vital working and service roles to the vision impaired, people with health issues such as PTSD, and children with autism.

It comes as no surprise that the ABC series *Muster Dogs* had over two million viewers and a third series is planned. The TV series *The Dog House Australia* was a top program for Channel 10 last year with 876,000 viewers, up 12 per cent. The ABC's *A Dog's World with Tony Armstrong* had 569,000 viewers, also up 12 per cent. It is hard to know whether it was the attraction of the dogs or Tony that contributed to this outstanding ratings success.

I must say at the outset that the majority of pet food businesses in Australia are reputable and strive to do the right thing, but there are a few that have ignored problems and complaints in the past and continue to operate in a cavalier manner. Of course, the worst of them are very keen to maintain a regulatory-free environment in which to operate.

Highly reputable operators, who are the vast majority of industry participants and who I have found to be strongly committed to the highest quality standard of their products, are completely powerless to do anything about the dodgy operators who put profit above pet health. There are a wide range of players in the industry, from big multinational companies with big advertising budgets through to smaller Australian producers and family-based businesses, but none are regulated.

The PFIAA tells me that they field at least three inquiries a week from people inquiring about entering the industry. There are currently between 70 and 80 pet food businesses which are members of the Pet Food Industry Association of Australia, but this only covers about 70 per cent of the pet food sold in Australia. There are also of course some very reputable pet food businesses that choose not to be members of the PFIAA.

Pet food businesses operated by conscientious industry leaders, such as Lisa and Russell Botten, have been victims of these issues of non-regulation. The Bottens, who took over what they believed was an all natural preservative-free pet food product range, were swindled into discovering that artificial preservatives were used in the majority of their products and that the labelling and marketing of these products did not disclose this.

The Bottens found, much to their horror, that the Australian pet food industry has no regulatory requirement for preservative or ingredient disclosure and that the products produced by the company they had purchased labelled their products as 'all natural and preservative free' which were false statements. The Bottens and all of their staff who believe pets and their owners deserve better protection made the decision to be open and transparent by providing full product ingredients in providing preservative-free pet food. Disillusioned and upset by what they discovered they had

bought, the Bottens sadly chose to close the business in an unselfish act of goodwill even though it cost them dearly.

I am pleased to see small businesses selling safe, healthy and nutritious food that is properly labelled now popping up around the state. I will mention one where I buy pet meats and treats for my dog. It is called FYPO, For Your Paws Only, operated by Jane Whitehead and her son, Xander White, on Findon Road at Findon. Jane worked for Lisa and Russell and has now gone out on her own. The pet food is made to the highest standards on the premises and is the quality you would expect for your beloved pets. Their stock is sourced locally, the contents are all disclosed, and there are no preservatives or nasty additives used in FYPO's wide range of meat, chicken, duck and fish products. It is real meat, and you can see what you are buying.

They also make a range of treats on site, again with no preservatives or additives, and sourced locally, not from overseas countries which do not have to enforce any standards or make disclosures. While it might cost a little bit more, you can have confidence in it. Jane and Xander are proud of what they make, and their growing satisfied customer base proves it. They also have a champion dog groomer on site, Tam Quinn, who last week won a swag of awards for her skills in making even the scruffiest mutt look like a show dog when they leave.

It is these PFIAA members, other reputable pet food businesses, vets, animal welfare groups, consumers and veterinarian and pet food industry bodies which are unanimously and urgently calling for more regulation. It reflects poorly on the industry that dodgy operators are able to get away with unacceptable practices, such as using the cheapest, lowest standard ingredients and manufacturing processes under the cover of poor labelling, labelling manipulation and misleading and false marketing. It also puts pets at risk, as the many recorded incidents and recalls testify.

This bill aims to address this and support the pet food industry as a whole, in particular for South Australian consumers. I am very pleased to introduce this bill today, because as I am sure the two vets in the chamber, the Hon. Nicola Centofanti and the Hon. Sarah Game (who is not here this evening), know only too well from firsthand experience, pets have died and are dying because of dodgy pet food and a complete lack of enforceable pet food regulation.

This has been because pet food importers can import anything, and manufacturers can make anything using any ingredients and processes they choose and then present the product as pet food, making claims they know will appeal to consumers without any oversight other than federal generic and largely unenforced ACCC consumer law.

Whilst I welcome PIRSA's recent announcement of a regulating Australian standard for the hygienic production of pet meat, AS 4841:2006, this bill regulates the comprehensive labelling and marketing provisions of Australian standard AS 5812:2023. The PIRSA regulations deal only with non-heat-treated food and stipulate only four minor labelling requirements on this type of food, all of which and much more is included in AS 5812:2023. PIRSA's standard also prescribes packaging should not leak when defrosted and that it be durable material to withstand handling without damage.

Whilst this action from PIRSA is very welcome and encouraged, the industry itself developed and refined AS 5812:2023, which goes much further and covers marketing and content labelling in a much more comprehensive standard. Currently, consumers can be completely in the dark about the content, such as additives, colouring, flavouring and preservatives, ingredients, nutritional value, manufacturing standards, ingredient type and sourcing, and the quality of the pet food product they are purchasing.

Brands do not have to disclose how much of anything they use, and they can make claims on their packaging and in marketing like 'perfect for a balanced diet' or 'scientifically formulated' without having to back them up. As Debbie Delahunty, veterinarian from Fur Life Vet Horsham says, and I quote, 'You can't always necessarily believe the marketing hype that is on the packet.' She adds that introducing more regulations around pet food marketing and labelling will make it easier for owners to ensure their pets are getting the nutrition they need. She says, 'Particularly in the marketing and labelling, it would be really good to have some clarity on what claims are allowed to be made and how they are going to be enforced and regulated.'

I am sure none of us want to be in a situation where we have, in all good faith, bought a product based on false labelling and marketing that has made our pet sick or, even worse, caused their untimely death. With the rise of social media and pet influencers online, it can be hard to filter legitimate advice from myths and scare tactics. How can a consumer know if they are feeding their pet 10 per cent or 30 per cent species-specific meat flesh? Is it raw beef, camel or horse? Did it come from a knackery, a pet food grade abattoir or a human grade food source? Brands can also swap out ingredients to a cheaper option or lower quality with impunity, especially in regard to cheaper grains like corn and tapioca.

Another popular tactic evident on many pet food products are attempts to conceal the true country of origin by stating in obscure small print 'product of PRC', an elusive way of labelling a Chinese import. Others distract from the truth by stating 'packaged in Australia' or saying they are from an Australian company when the content is wholly manufactured overseas and imported into Australia with no requirement to comply with any standard whatsoever.

Price alone has also shown to be a very poor indicator of quality and safety of pet food, as evidenced in 2018 when a top-shelf dry food was pulled from sale after more than 74 dogs consumed the product and fell ill with megaesophagus, an incurable condition which causes lifelong eating difficulties or death through an enlargement of the oesophagus. Simply, it means dogs cannot properly move food down to the stomach.

I will add here that I have seen photographs of one of these affected dogs. The owner went to great extent to ensure that the pet was able to eat its food by creating a step so that, each time the dog had to feed, it would be able to step up and feed so that the food would then be able to go down the oesophagus. That is the extent that owners have to go to and the love they show for their animals.

In another case, in 2021, an eastern Victorian pet food supplier linked to a cluster of dog deaths issued a voluntary recall of raw chopped meat more than three weeks after animals started falling ill. More than 10 dogs died and another 50 were ill with liver toxicity from contaminated meat provided by a local knackery. Ten of these dogs were police corrections dogs. As you would know, these dogs not only are cherished by their handlers but have undergone extensive, expensive training to undertake important roles in protecting our community.

It was reported in May this year that a vegan dog food manufacturer was being sued over claims that it produced a toxic batch of biscuits which killed seven dogs and caused illness to more than 60 others. According to court documents, expert testing found toxic levels of fumonisin B1 and fumonisin B2 linked to a contaminated corn-derived ingredient. The toxic batch of dry biscuits was manufactured in June 2020 in a volume of 22,155 kilograms at a facility in Western Australia.

In November 2023, another big brand manufacturer of a super premium dog food brand issued a warning and an apology for dog food containing mould sold across Australia. The company issued a warning on Facebook, advising customers to carefully inspect affected dog foods. Dean Cosenza recently brought a similar case to my attention, where he fed his pet an imported chicken treat that made his dogs very, very ill. He has taken extraordinary steps to make sure that this does not happen to any other pets but has met substantial resistance from big retailers when he complained about what it did to his two proud show dogs.

As tragic as it is, it is not only the animals who are impacted by adverse pet food incidents. Incidents like these have lasting implications for pet owners as well. As Carolyn Macgill from the PFIAA says, and I quote:

If their animal has an adverse reaction to pet food, there's a whole range of personal issues that happen for them. And guilt is one of those things. They then have vet bills, but it's also the psychological stuff that affects the pet owner, as well. So it isn't just a case of the animal is sick. It has a much broader effect on the family that that pet is part of.

In the case of Samantha Jedzejczak of St Agnes, in 2016 she lost her entire breeding stock of ferrets, which had taken nearly 10 years to build up, due to lead-contaminated kangaroo meat sold as pet food. Only six survived, with neurological damage, and Mrs Jedzejczak suffered significant emotional and financial loss, not to mention the immeasurable loss of a 10-year genetic breeding program.

PFIAA CEO Ms Carolyn Macgill advises that, over the past 12 months, they have seen a rise in the number of pets getting sick from pet food containing excessive vitamin D or mould and salmonella contamination. When you take a deep dive into pet food labelling and marketing, as I have in developing this bill, you will find that the labelling and marketing of pet food makes it well near impossible to know if a product will meet your pet's needs or lead to future health problems and possibly premature death.

I have been surprised to learn that an ingredient can be listed on top of the ingredients list but that does not mean it makes up a significant part of the final product. 'Real meat' may really mean that it is only 20 per cent of the formulation, and if this is beef then some of it is moisture. 'Beef casserole' could have very little beef content, and 'real chicken' could mean chicken meal from ground-up chicken bones. Similarly, 'real fish' may mean fish carcasses and no actual fish.

A short stroll through the extensive aisles of major pet food retailers reveals a huge variety of labelling and marketing practices evident on pet food that make it impossible to compare products in any meaningful way. I looked at some products on the weekend. One brand boasted that its dry food was beef and farm vegetables. Well, there were two: carrots and peas—printed in capitals. But if you looked at the fine print on the side, it also contained other 'species', described as chicken meal, essential vitamins and minerals and natural antioxidants—but what were they? It was free from artificial colours, flavours and preservatives. You have to take them on their word, I guess.

A can of popular dog food, labelled 'lamb and vegetables', also contained meats and liver, including chicken and/or lamb, and/or sheep, and/or beef, and/or pork, and/or turkey, and/or kangaroo vegetable fibre. Please explain. A product sold by Coles had all types of meats, preservatives and other additives, with a disclaimer that it was not nutritionally complete. Go figure.

One of them, sodium tripolyphosphate, is used in domestic and industrial products like detergents. It can be linked to skin and cardiovascular issues. The preservative, sodium metabisulphite, is used widely as a food preservative and in beverages that can be found in medications. Breathing sodium metabisulphite dusts may aggravate asthma or other breathing diseases, cause headaches, breathing difficulties, or heart irregularity. Ingestion may also cause gastrointestinal irritation, nausea, vomiting, or diarrhoea.

Without regulation, there is very limited transparency and disclosure. Pet food consumers are kept in the dark. We put a lot of trust into pet foods and that what we are doing is safe and the right thing by our pets, but in reality in Australia this comes down more to good luck than informed choice. There is no government oversight of the pet food industry, such as we have for other food standards. This bill is to address this wholly unsatisfactory regulatory environment in South Australia and to make sure there are at least minimum mandatory requirements and standards for marketing or labelling to properly disclose what suppliers are selling and, importantly for consumers, to know what they are buying.

This bill is to enable pet owners to make educated, informed decisions about what they feed their pets so that their pets live longer and better lives. In New Zealand and the United States, it is the government's responsibility to monitor pet foods and act on adverse pet food incidents. For example, the FDA in the US has recently issued warnings over chicken jerky treats made in China and Thailand that are still readily available here in major supermarkets. The RSPCA has also raised concerns about irradiated pet food products which have proven to be fatal to cats but are still being sold in Australia.

Australian standard AS 5812:2023 was recently reviewed and updated by some of the most senior industry leaders, the Pet Food Industry Association of Australia, the Australian Veterinarians Association, the RSPCA, and a number of responsible Australian pet food manufacturers and retailers. They worked very hard over several years to develop it. But not only is the Australian standard completely unenforceable, there is a cost to access it, being copyrighted to Australian standards. Despite the 2018 Senate inquiry into pet food recommending that the standard be available at no cost, you still have to purchase it and there is absolutely no requirement for anyone to comply with it. Sarah Zito, senior scientific officer at the RSPCA Australia, has commented:

There's been little substantial progress since the 2018 review [which] is proof that national leadership on this matter is necessary.



Certainly, national oversight and uniform legislation would be a positive step, but the government's response to the Senate inquiry was to pass the responsibility onto states and territories. Ideally, we would have nationally consistent legislation enforcing the entire standard, but as absolutely nothing has been developed since the 2018 Senate inquiry, despite a number of working groups looking at this over the intervening six years and promising to produce something possibly later this year for agriculture ministers to consider, we are now some six years post-recommendations of the Senate inquiry into pet food with zero outcomes. To do nothing, in my view, is not conscionable.

We cannot sit on our hands and allow pet foods that are dangerous or deadly to be sold to unsuspecting, well-intentioned pet owners in South Australia. Just take into consideration the cost of pets today, particularly the pedigree ones. They now cost between \$3,000, \$4,000, \$5,000, \$6,000 and \$7,000, and upwards, many of them, heading around the \$15,000 to \$20,000 mark. They are expensive and there is real reason why their owners want to ensure that what they give them is of the highest standard and will not kill them.

In the absence of national leadership on this issue, this bill introduces important, immediate and well-overdue protections for South Australian consumers in regard to the pet food they purchase for their beloved pets. The Australian standard was recently reviewed and updated, although some industry representatives believe the standard could be even further improved. However, they are unanimous in their views that the standard is somewhat meaningless if it is not enforceable.

The potential for this legislation to elevate standards nationally offers an additional compelling argument to support it. By addressing these issues, we can, at a state level, create an opportunity to catalyse the shift towards more comprehensive and effective national legislation. We have been leveraging the other jurisdictions to gather national momentum, just as we have in relation to other innovative legislation, such as my defibrillator bill and the government's mobile phone ban in schools.

We can model improvements in pet food safety and nutrition in South Australia, setting the stage for national-level reforms that align with the best interests of pets and their owners throughout Australia. As I have acknowledged, it addresses some but not all of the issues insofar as we are limited in what we can or should legislate within South Australia. It is designed to protect South Australian consumers in relation to transparency of labelling and marketing of pet food.

The bill itself creates four offences in relation to the marketing and labelling of pet food in South Australia: (1) that a person must not sell pet food that is not labelled in accordance with AS 5812:2023. There is a defence to this provision that the person can prove, on reasonable grounds, that they believe the pet food was labelled according to the standard; (2) that a person must ensure that a pet food label complies with AS 5812:2023; (3) that a person must provide relevant information to the person who is buying the pet food; and (4) that a person must not engage in prohibited marketing, that is, it does not comply with AS 5812:2023.

There are also enforcement provisions and the ability for the minister to appoint authorised officers who have their powers to enforce the law set out in part 3. It is an offence to hinder these officers, with penalties of \$5,000 applicable. There are also substantial penalties for each of the offences in part 2, ranging from \$20,000 for a first offence to \$40,000 for a second offence and \$60,000 for a subsequent offence.

The bill commences two months after assent so that pet food businesses have time to ensure they can comply. As AS 5812:2023 is not new, but would under this legislation be enforceable, the complying companies will find this quite routine. In practice this bill means that, if you sell your product in South Australia, you must comply with the marketing and labelling standards of AS 5812:2023.

I thank Australian Standards for working with us to provide a watermarked copy to all members of parliament and their staff so that they can properly consider the bill. Unfortunately, because the bill can only apply in our jurisdiction, it is not workable or fair to enforce the entire AS 5812:2023, although, as I have noted above, ideally the entire standard would be nationally legislated via uniform state legislation.

To enforce the entire AS 5812:2023 only in South Australia, for example in regard to manufacturing processes or mandatory recalls, would be to unfairly disadvantage or act as a

disincentive to manufacturers and production companies basing themselves in South Australia, which of course is not our intention in this parliament. The bill does, however, regulate marketing and labelling of pet food products sold in South Australia, according to that part of the standard. I have been very encouraged that industry believes that, despite the challenges, simple South Australian legislation has the potential to drive positive change here and on a national scale.

I have consulted widely on the bill and thank everyone for the valuable contributions I received to develop the proposed legislation into the final bill you have before you today. It has the strong support of the Pet Food Industry Association of Australia, the Royal Society for the Prevention of Cruelty to Animals (RSPCA), the Australian Veterinary Association and various Australian pet food manufacturers, retailers, private advocates and consumer groups.

The bill has been met with overwhelming consumer and pet owner support and I hope that it receives bipartisan support from members of the Legislative Council and then in the House of Assembly. There has been no-one saying we do not need to or should not regulate the enforcement of the Australian standard. On the contrary, there are some who want to see the standard further strengthened and improved, and I hope this continues to happen.

There are, of course, many well-respected advocates, such as Tom Armstrong, who has spoken out over decades and generously shared with me his work on more fundamental questions of what we should be feeding our pets as well. To be clear, the bill does not address manufacturing or the specifics of pet nutrition, but informed consumer choice is the cornerstone of this bill. I congratulate Tom on his tireless work to improve the health of pets—dogs in particular.

The bill's intention is simple: it provides an important first line of protection for South Australian consumers and their pets; that is, mandating transparent and accurate marketing and labelling of pet food products sold in South Australia to ensure that pet food is safe and nutritionally adequate.

I would like to thank all those who helped develop this bill, particularly one of my senior advisers Adrienne Gillam, along with the input received from the veterinary profession and also Lisa and Russell Botten. I would like to welcome Lisa to our chamber today. She has been here all day—she must be a glutton for punishment. I thank Lisa and Russell for their input in helping develop and inspiring me to pursue this needed reform for Australian consumers and their pets.

I have also received a number of emails of support from professionals, including Dr Tom Lonsdale, who has written a bestselling international book on how to feed your pet and what to feed your pet. It was good to receive his response as well. As Carolyn Macgill from the PFIAA says, and I quote:

Australians should be able to buy food for their pets knowing that there are robust mandatory systems in place, by having a standardised approach it will allow for more transparency and accountability for the industry around pet food labelling, ingredients, and manufacturing practices.

With those expert words, I conclude my second reading and commend the bill to the chamber.

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

## **TOBACCO AND E-CIGARETTE PRODUCTS (MISCELLANEOUS) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. F. PANGALLO (20:23):** Obtained leave and introduced a bill for an act to amend the Tobacco and E-Cigarette Products Act 1997. Read a first time.

### *Second Reading*

**The Hon. F. PANGALLO (20:24):** I move:

That this bill be now read a second time.

I am pleased to introduce a bill that will arguably have some of the most positive and life-changing impacts of any legislation this parliament has seen.

South Australia has been at the forefront of a great deal of groundbreaking Australian legislation. We have been a world leader in many legislative reforms and other changes to our

system, particularly in establishing a democratic system of government and extending and protecting the political and social rights of our citizens. The South Australian parliament has a proud history of leadership, innovation, courage and commitment to the greater good for the greatest number of its citizens.

South Australians undoubtedly enjoy an exceptional standard of living in the best state and the best country in the world. This bill reignites the trailblazing legislative tradition that has been a feature of South Australian government since the nineteenth century. It exemplifies the primary responsibility of government: that is, to protect its citizens, particularly the vulnerable, from harm.

This bill gives South Australia the opportunity for revolutionary change to our health and wellbeing and, consequently, our healthcare system and economic prosperity. It has one purpose, and that is to radically reduce the harms that smoking tobacco has been proven to cause. It gives us the opportunity to arrest the enormous and burgeoning cost that tobacco imposes on our health, social, economic and financial wellbeing, and our overall quality of life and productivity in South Australia.

This legislation supports a new generation of non-smokers to eventually make smoking tobacco a relic of the past, where we did not know any better. It aims to reduce the disease and harms known and proven to be caused by smoking. The fact is that there is no financial, health or indeed any other benefit of smoking. No parent wants their child to ever smoke, no parent wants their smoking to impact on their children.

It is an indisputable fact that less than 10 per cent of our population smoke and, of these, 65 per cent to 80 per cent—depending on which source is quoted—would like to quit. Sadly, there is no such thing as a healthy smoker; even in smokers who give up, some damage is permanent. Sadly, many ex-smokers suffer disease in later years despite quitting, as health issues created by smoking can be the cause of many later life issues.

It is an indisputable and widely accepted truth that if tobacco products were introduced to the market today they would never satisfy any of the regulatory processes now in place to protect consumers, and would never be approved for use.

There have been a number of very positive policy responses in recent years, but the key one—which is still a huge issue—that this bill addresses is supply. The effectiveness of some of these initiatives, such as health warnings on packaging, limiting advertising, not displaying these products in retail settings, crackdowns on illegal tobacco and the like, have been very encouraging, and must continue.

Whilst smoking rates are slowly decreasing and young people in the 18 to 24-year-old age group have a very negative attitude to smoking, all of the expert advice, academic research and policy response evaluations tell us that we need a multifaceted approach to reduce smoking overall.

We have come a long way from the days when advertising portrayed smoking as cool or even beneficial. I am old enough to remember when menthol cigarettes were promoted as soothing the throat. There was no mention of oesophageal or lung cancer back then. I can also remember seeing advertisements in magazines and newspapers where doctors and dentists were promoting smoking and tobacco. It is absolutely outrageous that that would happen.

It is worrisome to see a recent phenomenon of young American wannabe celebrities trying to associate with this image, which I hope our health-conscious young people see as very unattractive and not to be emulated. I will just recount another famous late celebrity and the message he delivered from the grave, which was the great Yul Brynner, the actor who died from lung cancer. I still clearly recall his message. If I can put on a Yul Brynner accent, I will. 'Whatever you do, just don't smoke,' said Yul Brynner. That message was delivered to an international audience well after he had died from agonising lung cancer, cutting short a brilliant acting career.

However, we have not dealt with supply. This bill does not make tobacco illegal, rather it is a rational, reasoned, evidence-based response to protect the next generation from the damage caused by the current extensive availability and use of tobacco products. It is part of a suite of policy initiatives to make smoking a behaviour of the past. This bill aims for as high a proportion as possible of never smokers in South Australia.

It unapologetically and unashamedly opens the door to what is possible and what we as legislators can do right here, right now. Put simply, this bill makes it an offence to sell tobacco products to those born on or after 1 January 2009. This will mean that anyone who turns 15 or younger in 2024 will never legally be sold tobacco products.

This bill is deliberately silent on the retailing of tobacco products. It does not limit the number or types of retail outlets that are licensed to sell tobacco in South Australia. Thankfully, South Australian outlets are licensed and well regulated, unlike New South Wales and Victoria. Indeed, tobacco outlets have dramatically increased in those unregulated jurisdictions in recent years such that there are now tobacco outlet turf wars playing out interstate where anyone can retail tobacco and the soon to be completely illegal vape products. Thankfully, we have not seen that here.

Selling illegal tobacco will still be illegal and I would like to also point something else out here that disturbed me. Last week, I saw a packet of illegal tobacco that carried on the front that 'smoking kills' and a warning label. This is totally outrageous. It was an illegal tobacco product and it was trying to, I guess, in some way get some kind of recognition for a health message that was on it to almost deflect interest from the authorities. It is absolutely outrageous that they would resort to that level.

This bill will improve and increase overall enforcement of tobacco controls, not lessen them. It does, however, ban vending machines that are still legal in a select few venues, such as pubs and casinos. With less than 10 per cent of the population still smoking tobacco, any counterargument that the proportion of people buying illegal tobacco will increase as a result of this bill, given the crackdowns on illegal tobacco, is not an argument against this legislation. Indeed, it supports the need for clear and enforceable regulation of supply.

The bill has some of the elements of the legislation passed and then repealed on a change of government in New Zealand. Under intense pressure from the tobacco industry, the New Zealand government repealed the bill to fund promised tax cuts. This was despite bipartisan political, community and voter support for the legislation. The UK government introduced legislation modelled on New Zealand's bill. It has been met with substantial bipartisan support. The progression of that legislation will have to wait until their forthcoming elections are over.

We here in the South Australian parliament can take the lead on this issue and provide tangible benefits to future generations of South Australians. We can be recorded as the first parliament to make significant progress in protecting our next generation from harms of smoking. I would like to here make reference to a private member's bill that was introduced in the House of Assembly on 4 June 2009 by the then Leader of the Opposition, the member for Davenport, the Hon. Iain Evans. This was probably a piece of trailblazing legislation by Iain Evans. He introduced his private member's bill and he said the reason that he was doing it—remember, this is 2009—was simple:

The current legislation essentially provides that those who sell cigarettes to minors are fined quite heavily; in fact, in some cases they can lose their licence.

He wanted to take it a lot further so that those who give cigarettes to minors, including parents, would also suffer a fine. He found that there was:

...a loophole in the law that those 15, 16 and 17 year olds (and those are the people the law targets) who sit around and smoke suffer absolutely no penalty. Minors are fined for all sorts of things, such as littering, evading and paying their bus fare to school and speeding. They can also be dealt with for under-age drinking.

He felt that young people should also be fined if they were caught smoking. His Tobacco Products Regulation (Prescribed Smoking Age) Amendment Bill then went further, and I will just quote something Iain Evans said in his second reading speech on 4 June 2009:

It seems to me that if a company came to the government today and said, 'We have a product that you can tax; it will only kill 15,000 people a year but you can tax it,' I do not think that the government would licence it. I do not think that the government today would licence that product for sale. Every year we have product recall because of health reasons: poisoned meats or products that are out of date that are going to cause health issues—they are withdrawn because of the health impact. So, I do not think that a government would licence another type of product that would kill 15,000 a year.

That was in 2009. Mr Evans went on to say:

What this bill provides is that if that is the view then it should be phased out. Let us draw a line in the sand and say this: 'All existing smokers can still smoke,' subject to whatever the laws are, as in you cannot smoke in dining areas and those sorts of things. So we are not taking away their right to smoke, but we can say to the next generation: 'We are actually going to have a smoking age that lifts every year so that, in effect, the next generation cannot smoke.' They do not get a criminal conviction, they simply get an expiation notice, and so it is phased out over 70 to 100 years.

I do not know whether we can stick around that long. I think it needs to be done pretty quickly now. A hundred years is way down the track and—

**The Hon. R.A. Simms:** Labor, get your skates on.

**The Hon. F. PANGALLO:** Exactly. Mr Evans says:

In this particular bill I have picked a date so that anyone born after 1 January 1993 cannot smoke. I am not so naive as to say that there would not be a black market, but if we could reduce the level of smoking to the same level of illegal drug use that exists today, then you would reduce the number of deaths by 1,100 a year in South Australia. About 100 people a year die from a drug overdose: heroin, cocaine, amphetamines, etc. If you could reduce smoking to the same level of illegal drug use you would save 1,100 lives a year in South Australia, accepting that there would be a black market.

That was the Hon. Iain Evans in 2009 with his private member's bill. Here we are today, reflecting a similar action, and I hope that it is followed by the other members.

I would also like to point out another email that I received today. It came from Professor Jon Berrick. I will read out his email:

Dear Frank,

Good luck with your endeavours to introduce a tobacco free generation type of law in South Australia, using a fixed birthdate.

You may be aware that attempts were made by a Tasmanian MP Hon. Ivan Dean, to introduce such laws in Tasmania in 2014. Based on the work of Prof. Jon Berrick, Ivan was supported by all Tasmanian Health groups, and myself as convener of SmokeFree Tasmania. The Bill was never voted on and Parliament was prorogued for an election, so the bill lapsed. The current Liberal government has made it clear they will not support it.

I will just correct myself regarding this email I am quoting from, 'Dear Frank'. I did get an email from Professor Jon Berrick, but this one has come from Dr Kathryn Barnsley, retired convener of SmokeFree Tasmania. Dr Barnsley goes on to say:

You may also be aware of jurisdictions which have achieved this reform such as Brookline, Massachusetts. Professor Jon Berrick is always up to date with what is happening internationally, and may be prepared to assist you.

Which he will. Dr Barnsley continues:

Under the current Liberal government smoking rates in Tasmania have actually INCREASED—unlike every other state. There is no interest from the Liberal government in Tasmania in reducing smoking rates. They are both incompetent and disinterested in health. They are happy to continue with ambulance ramping and increased hospital crises, juggling patients with smoking induced heart attacks, strokes, COPD and many many cancers.

The South Australian Labor Malinauskas government appears to be both very concerned about health issues, and is a competent government, so you may have more success in SA.

I hope they hear that message and heed it. Dr Barnsley continues:

The major obstacles that you will face will be, no doubt, the tobacco industry—which will establish front groups to oppose the legislation—including funding and infiltrating peak retailers associations. Other groups which might oppose it are civil libertarian lawyers. You will hear many nonsense arguments about 'prohibition'—this is not prohibition because there will be hundreds of shops selling tobacco and thousands of older generation smokers—who are unaffected by this legislation. This is a gradual phase out of tobacco sales—not a 'ban.'

Some 'tough on crime' conservatives will insist that children or minors who attempt to buy cigarettes should be punished or fined. This should be resisted strongly. It is not the users who are the problem, it is the 'pushers and dealers' of these toxic drugs. Supply, not demand, needs increased regulation.

An argument for birth date laws which is pleasing to State Treasuries—is that it costs almost nothing to implement.

Attached [are] some documents which may assist—including the Legislative council committee Report—which concluded that there were no legislative obstacles to this reform.

Once again—we wish you well in your endeavours!

in peace

Dr Kathryn Barnsley

(retired convener—SmokeFree Tasmania)

I commend Kathryn for sending me that email. I also seek leave to table that report, the Parliament of Tasmania Legislative Council Government Administration Committee report on the Public Health Amendment (Tobacco Free Generation) Bill 2014

Leave granted.

**The Hon. F. PANGALLO:** I have consulted widely on the bill, as you have no doubt heard, and it has received overwhelming support, as you have no doubt heard, not just from the anti-smoking lobby but from parents, community members, academics, medical and health experts, smokers and non-smokers alike. I have not spoken to one person who would advocate for or recommend anyone smoke tobacco. Indeed, I have had so many constituents express their regret for ever taking it up and their sadness at having to deal with often tragic health consequences for themselves or loved ones.

The statistics and data related to smoking are sobering. These are well-established and indisputable facts. In 2022-23, 8.3 per cent of Australians smoked daily. This equates to 1.8 million people. A large proportion of smokers are older, 20 per cent in their 40s, 19.5 per cent in their 50s, 14.4 per cent in their 60s. Smoking above 40 years old contributes to well over 50 per cent of the smoking population.

The National Drug Research Institute at Curtin University concluded that in the 2015-16 financial year the total cost of smoking in Australia was \$136.9 billion—\$19.2 billion in tangible costs and \$117.7 billion in intangible costs. Tangible costs include loss of economic output, absenteeism, primary health care and informal carers. Intangible costs include premature mortality and ill health from smoking.

We can add to these costs the cost of tobacco-related litter removal in Australia, estimated at around \$73 million per year. This is an issue that the Hon. Robert Simms is taking a strong interest in. Perhaps we can go a long way, should this legislation be successful, in ridding our waterways, our footpaths, our drains of tobacco-related litter, which comprises of plastics as well.

Tobacco use is the leading risk factor contributing to disease burden and deaths in Australia. It contributed to almost 20,500 deaths, 13 per cent of all deaths in 2018 alone, and was responsible for 8.6 per cent of the total burden of disease in Australia in 2018. This goes up to 12 per cent for First Nations people. First Nations people like Tom Calma have been wonderful advocates against tobacco use by First Nations people but, like many Closing the Gap indicators, this presents a larger gap to close.

In 2018, 25 per cent of smokers were on a pack a day. At current costs these people would save \$13,000 a year, not to mention the health and productivity benefits. Long-term smokers die, on average, 10 years earlier than non-smokers. In 2019, people with mental health conditions were twice as likely to smoke daily as people who had not been diagnosed or treated for mental health conditions—that is 20 per cent compared with 9.9 per cent. People who smoke are more likely to experience social isolation and loneliness, while cutting down on smoking is associated with a reduction in suicides and depression.

The only group who have not decreased their daily smoking rates are those aged 60 and older. People living in remote and very remote areas were 2.9 times as likely to smoke daily (that is 20 per cent) as people in major cities (7 per cent). Sixty-seven per cent of people would like to quit and intend to do so in the future. Nearly 30 per cent of people attempting to quit in 2022-23 failed. Nearly half of people (45 per cent) were motivated to try quitting because they thought that smoking was affecting their health or fitness. Most smokers would tell you that they know it is very harmful to them and their families but that it is very hard to quit.

The average age at which young people smoked their first full cigarette was 16.3 years in 2016. I will make a confession here: I think I was 12 years old when I smoked my first cigarette, and

I was 32 when I smoked my last one, after suffering a heart attack. I went cold turkey and I have not touched a cigarette since then.

Whilst the uptake of smoking has been falling, smoking initiation typically occurs as a young person. While smoking is gradually declining across other age groups, due in part, no doubt, to a wide range of initiatives in recent years, as outlined in the Australian National Tobacco Strategy 2023-2030, there are strong concerns about the association of smoking with vaping and the potential of increased smoking rates in young people. Thankfully, passive smoking is now better controlled due to public smoking restrictions. In South Australia it has been illegal since 2007 to smoke in a car with a minor present. We were the first jurisdiction to introduce these laws but, sadly, SAPOL tell me they still detect people doing just this.

Concerning information from Victoria indicates current tobacco smoking by 14 to 17 year olds has increased from 2.1 per cent in 2018 to 6.7 per cent in 2022. That is a huge increase in only four years when the trend is ordinarily downwards. The Cancer Council tells me that young people who vape are approximately three times more likely to start smoking cigarettes. Due to the increasing incidence of vaping there is increased susceptibility in both younger and older school students to start smoking.

It is very concerning to see the emergence of a new illegal trade in nicotine pouches. The nicotine in these pouches is derived from tobacco. As part of my research, I have discovered that you can buy illegal nicotine pouches online in a range of harmless-sounding flavours, such as 'deep breeze', by ticking a box that you are over 18 and proceeding to the checkout at a cost of \$21 per packet. The medical warning, in tiny print, says that you should seek professional medical advice before using nicotine pouches.

As Associate Professor Becky Freeman, from the Prevention Research Collaboration unit at Sydney University, has commented:

...the industry is introducing more products to maintain its future revenue stream as reforms restrict access to vaping products, targeting young people.

It was disturbing to see a report, an excellent report actually, on ABC television, regarding these new nicotine pouches and the enormous number—I believe it was almost 1.8 million pouches that were seized by border security in the past 12 months alone. It gives you an indication how far criminal organisations are willing to go to not only get people addicted to illegal products but also to profit from poisoning people. Again, this is why we need legislation like this.

There is limited freedom of choice for those who are under the control and menace of nicotine addiction but we, as legislators, must do all that we can for future generations. I applaud the federal government for their ban on disposable vapes from January this year, and I support their efforts to further reduce access to vapes, including considerations of flavourings, ingredients and packaging. I strongly support the legislation currently being considered in the federal parliament to increase the controls on vapes.

Seventy-eight per cent of Australians agreed on banning all additives in cigarettes to make them less attractive to young people. For the same reasons, a majority of Australians supported the banning of vapes which can deliver nicotine or attractive-sounding colours. People have no idea of the toxic substances that are in vapes. I have seen somewhere that there could be up to 200 different substances in them that are considered toxic. Why would you allow this to happen? Why would you encourage this to happen? Why would you not do anything about it?

In some good news, the proportion of never smokers in Australia increased to 55.7 per cent in 2017-18. The bad news is that this means that 45 per cent have smoked. The proportion of secondary school students who have never smoked increased from 77 per cent in 2011 to 82 per cent in 2017, while the proportion of young adults aged 18 to 24 years, who have never smoked, increased from 64 per cent in 2007-08 to 75 per cent in 2017-18. As I have already highlighted, it is this group that this bill focuses on. If we can make smoking history for the next generation we will have not only saved them the economy, the health system and productivity from the enormous harms of smoking, but we will have actually saved lives.

Sixty-five per cent of Australians agreed on raising the legal age for the sale or supply of tobacco products to those aged 21 years and over. Where this has been implemented overseas, for example, in Hawaii, the effects were a decrease in smoking, but on its own this has been shown by numerous studies to be insufficient. I believe an even higher number of South Australians will agree with the intent of this bill to raise the age of smoking so that if you were born on or after 1 January 2009 it will not be legal to purchase tobacco at all or other related products.

This legislation specifically targets this age group with the intent of protecting them from the harms of tobacco. Imagine a whole new generation and their children not knowing the scourge of tobacco and nicotine. If there are well established scientific research and evidence-based arguments and proof of the dangers of smoking, why is tobacco—such an accepted and tolerated addictive, toxic and harmful product—still readily available to anyone over the age of 18?

The answer to that question is fourfold, but has one central premise: addiction. Firstly, tobacco companies worldwide are addicted to the profits they make from smokers. These companies are projected to generate \$US965 billion in 2024. Whilst some tobacco companies pivoted their businesses to vapes, in Australia the vape industry has been unregulated and populated by a huge range of wholesalers and retailers, so it has not provided the certainty or income that tobacco companies have been accustomed to in regard to tobacco.

With the option of diversifying their businesses into vaping closed off in Australia, these multinational tobacco companies and the underground operators have shown that they will do anything to protect their business, for example, the new nicotine patches I just referred to. However, if tobacco corporations were a country, they would still be the 19<sup>th</sup> wealthiest nation in the world. I will say that again—take note of this: if tobacco corporations were a country, they would still be the 19<sup>th</sup> wealthiest nation in the world. Make no mistake, they will do anything to protect that, as we saw in New Zealand.

Secondly, governments are equally addicted to the excise revenue that tobacco returns to governments. Australia is amongst the highest excise tobacco taxing country in the developed world, ranked seventh. In 2021, tobacco excise collected \$14.3 billion, with an estimated additional \$1.9 billion evaded by illicit tobacco. Excise will have another increase in 2026 by 5 per cent per year. However, with decreasing smoking rates this excise will decrease in total.

It is estimated that the excise collected may be as low as \$10 billion now, which really is a small budget shortfall compared with the health budget gains available through this bill. Governments will more than make up for any lost revenue by reducing the burden from the public health system and the hidden economic burdens, like supporting the families and children of cancer victims, avoiding business closure because of sick employees, and lost productivity from chronic disease such as cancer, respiratory conditions, heart disease, stroke, blood circulation problems, diabetes, infections, amputations, dental problems, hearing and vision loss—all attributable to tobacco use.

With price increases linked to decreasing smoking rates, governments have somewhat effectively used increased excise to act as a disincentive to smoking, but again it is not enough. Increasing the excise on cigarettes has the dual purpose of raising government revenue in a falling revenue environment, whilst having a positive public health impact, because the extremely high prices of tobacco products is a disincentive to smoke.

However, using excise to raise the cost of cigarettes has only been a partially effective strategy to reduce smoking rates. It is perplexing that people who live in the areas of most socio-economic disadvantage are still the most likely to smoke daily, with 13.4 per cent doing so in 2022-23. Lower socio-economic areas in South Australia also have a higher concentration of tobacco vendors, so not only are lower socio-economic area smoking rates higher, but tobacco products, particularly illegal ones, are more accessible.

Again, you have to wonder why this government in the budget increased the funding for additional inspectors with SA Health to crack down on these illegal operators. It needs to be tougher than that, much tougher than that, not this pussyfooting around, knocking on doors to see if they are selling these illegal tobacco products in there. You actually need almost a dedicated unit, whether it is police enforcement or another one, from the government that is probably reminiscent of the 1920s



and 1930s prohibition era when you had the Untouchables crashing through the doors of illegal alcohol manufacturers. They need to do a lot more.

The Malinauskas Labor government needs to stop and close these places because every day there are people who are freely able to go in there and buy these products. I know people who do it because they cannot afford it. It seems to me the reason they are not doing it, and particularly in the lower socio-economic areas, is because these people, firstly, cannot afford to pay the high price for the products that can be legally sold and, secondly, because of the cost-of-living crisis governments are reluctant to try to eliminate some form of false pleasure that people get from it.

I sincerely hope that that is not the case, but I suspect that it is why they really do not want to go in harder, because they know there are people hurting economically out there because of their economic policies and they do not want to take something away from them that they can afford. If that is not the case, I would like to hear something from either the Premier or the authorities in relation to that.

In general, areas with higher socio-economic advantage have lower proportions of people smoking daily, with the lowest level of smoking prevalence of 4.1 per cent occurring in the areas of most socio-economic advantage. In other words, in the richer areas, the richer suburbs, smoking has not only been in decline but it is falling to levels much lower than you see in lower socio-economic areas.

As helpful as raising the age limit by a year or two and increasing the excise tax might be, all they do is prolong the problem and put it off to another day, another budget, another government, another generation. You are kicking a can of the proverbial drum along the road. This bill calls for us to show real leadership and think longer term than just an election cycle.

Thirdly, the reason why it continues is because the tobacco industry is a big political donor and sponsor. The Australian National Party remains the last major party in Australia to accept donations from the tobacco industry—shameful. While other political parties have stated they will not accept donations, an explicit prohibition should be made. In 2022-23, the Nationals took \$75,000 from Philip Morris and \$55,000 from British American Tobacco.

The Public Health (Tobacco and Other Products) Act, passed in late 2023, includes a general ban on an industry sponsorship by tobacco and e-cigarette manufacturers. However, gifts, payments or reimbursements to politicians and political parties during an election campaign are exempted.

**The Hon. R.A. Simms:** What?

**The Hon. F. PANGALLO:** Yes. Major health groups, such as the Royal Australian College of General Practitioners and the Australian Medical Association, have called for stronger provisions to prohibit all forms of tobacco and all vaping industry donations to political parties or individual politicians, including from entities that might be acting on behalf of these industries.

The World Health Organization's Framework Convention on Tobacco Control says parties should not allow any official or employee of government or of any quasi-governmental body to accept payments, gifts or services from the tobacco industry. These donations in themselves have been influential and addictive to some. I will be looking carefully at the government's political donation reforms currently before this parliament to ensure that no political party can benefit from tobacco in any form.

Finally, smoking continues because nicotine itself is addictive. There is also a tiny proportion of smokers who may argue that it is their right to choose to smoke and to kill themselves, and others who will support that right. Frankly, any defence of smoking being a freedom of choice or that, 'We do not want to live in a nanny state,' is a farce, in my view, but they are welcome to hold onto their opinion in the face of overwhelming solid evidence to the contrary. I would challenge detractors to cite one net financial or health benefit to civilisation due to smoking.

Many of our freedoms or behaviours are regulated or curtailed for the benefit and safety of ourselves and others; for example, drink and drug driving limits, speed limits, gun control. The list goes on. Proof of age is already needed to purchase tobacco and alcohol. The bill does not unduly impose a new regime of proof of age at retail outlets for consumers, because we already do this.

The federal government is about to trial proof of age applications to ensure that age limits, in respect to internet access, are workable. I welcome the South Australian government's recent announcement that it is going to propose Australia's first legislation to limit access to social media and online content to children under the age of 16. I also note federal opposition support for a federal bill to do the same. This is exactly the kind of courageous legislation we are renowned for, and this bill is in the same tradition. Its intent is the same: to protect young people from harm and to promote their mental and physical wellbeing.

I have heard arguments that this bill will just force people to buy tobacco products interstate or on the black market. There may be a tiny element of this, just like some people stock up on cigarettes when they travel overseas or some children get access to social media or alcohol and cigarettes using fake identification. However, arguing against tobacco controls is like saying we should make marijuana, cocaine or ice legal because you can get it anyway.

As I have noted, older tobacco smokers will be unaffected by the bill. Nothing will change for them apart from the social norms of smoking tobacco being even less common and accepted than it is now. The bill is aimed at ensuring that young people never smoke. It aims to create a new generation of healthy and happy non-smokers. This is a very exciting prospect, and one I cannot imagine anyone in this place opposing.

We all know the dangers and harms of tobacco, and we have the means and the opportunity in this place, right here and right now, to do something groundbreaking to address this. There are simply no cogent, defensible arguments against this bill. Shame on anybody who tries to present one.

I call on members of the Legislative Council, many of whom are parents, aunts, uncles or significant figures in children's and young people's lives, to support the bill. I am sure there is not one of you has not been personally impacted by the effects of smoking and tobacco on a family member, friend or loved one. Many of you have advocacy, legal, medical, health, social justice, child development, youth worker and union backgrounds, and share the values and beliefs to support this legislation.

We can make smoking history for our next precious generation of young South Australians. This bill will enable you to truly put your hand on your heart and say, 'We, in the South Australian parliament, have really made a difference.'

Finally, I would like to thank Ms Kerry Rowlands, Ms Christine Morris and the team at Cancer Council SA, Associate Professor Becky Freeman at the School of Public Health at the University of Sydney, Professor Caroline Miller, Director of the Health Policy Centre at SAHMRI and professor in the School of Public Health at the University of Adelaide, and countless other experts and members of the public for generously sharing their knowledge, experience and unwavering support for the bill.

I would especially like to thank my senior adviser Adrienne Gillam, who has worked hard in getting the research and in consultation with parliamentary counsel in getting this bill to the stage it is today. With those closing words, I commend the bill to the council.

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

#### *Motions*

### **CHILD SEXUAL ASSAULT**

**The Hon. L.A. HENDERSON (21:15):** I move:

That this council—

1. Acknowledges that 20.8 per cent of criminal cases listed in the South Australian District Court from Monday 6 May 2024 to Tuesday 11 June 2024 were child sexual assault and child exploitation-related matters;
2. Condemns the prevalence of child sexual assaults in South Australia;
3. Acknowledges that reported child sexual assaults are only a fraction of assaults that have occurred;
4. Acknowledges the recent calls for action to eliminate family, domestic and sexual violence; and

5. Calls for the Royal Commission into Domestic, Family and Sexual Violence to address the concerning prevalence of child sexual assaults within South Australia.

Sometimes life is not fair. Sometimes there is no rhyme or reason, there is no logical explanation. Sometimes really bad things happen to good people through no fault of their own. Sometimes the people who ought to be the greatest of protectors are the biggest let-down and the biggest threat of all.

Of the criminal cases listed in the South Australian District Court from Monday 6 May 2024 to Tuesday 11 June 2024, 20.8 per cent were child sexual assault and child exploitation-related matters. On 6 May 2024 alone, it was 47.1 per cent. Can we just let that sink in for a moment. That is almost 50 per cent of criminal cases listed in a South Australian District Court on that single day. I do not know at what point this became just another weekday. In the space of a little over a month, that is 236 alleged victim survivors—236 lives that have been changed forever due to the cowardly and unforgiveable actions of another and 236 childhoods that have been ripped away. This is in just one month.

We know that one in three girls and one in five boys are sexually assaulted by the time they turn 18. The Royal Commission into Institutional Responses to Child Sexual Abuse found that survivors of sexual assault take on average 24 years to tell someone what has happened to them. Some may never come forward and report these crimes. Naturally, that means that these numbers we are talking about here are but a fraction of what it actually looks like in the community. According to the Australian Institute of Health and Welfare:

...while child sexual abuse can be perpetrated by anyone, most child sexual abuse is perpetrated by someone known to the child or young person, including other children and young people and family members.

They say that with the:

...increased availability and ease of access to the internet, online forms of child sexual abuse are an increasing risk for children.

For that reason, it is pertinent that the Royal Commission into Domestic, Family and Sexual Violence address the concerning prevalence of child sexual assaults within South Australia where they are committed within the confines of the family environment.

This royal commission was called for by the opposition and members of the crossbench following tragic deaths within the community. 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 by the age of 15.

Of course, this is one aspect of family and domestic violence, but another heartbreaking aspect is the child sexual assault of children by those who are meant to protect them and those are meant to keep them safe. It is so crucial that they are given a voice in this royal commission. It is vital that the government look for ways to tackle these shockingly high statistics that we are seeing listed in the District Court.

Whilst this royal commission provides an opportunity for victim survivors to have their voices heard and instil a hope that children in the future will not have to endure such abuse, the ball is squarely in the government's court in what it chooses to do with those recommendations when they are handed down. A final report of course is not due until 1 July 2025.

As I have previously said in this place, this is roughly around 19 months after 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 where the community is left waiting, where the community is left with status quo.

Presumably and concerningly, if the budget is handed down and estimates are held at around the same time as this budget and estimates period is next year, this report would be handed down after budget and estimates processes, making it incredibly difficult for this government to enact recommendations that are handed down by the royal commission, and to secure the necessary funding before they go to an election in 2026.

The importance of action in this space cannot be understated. It is time to put a stop to these heinous crimes. It is time that we call it out and it is time that this government took decisive action to tackle child sexual assaults and exploitation.

Debate adjourned on motion of Hon. R.P. Wortley.

*Parliamentary Committees*

**SELECT COMMITTEE ON THE GIG ECONOMY**

Adjourned debate on motion of Hon. R.A. Simms:

That the report of the select committee be noted.

(Continued from 5 June 2024.)

**The Hon. D.G.E. HOOD (21:22):** It was a privilege to be part of the Select Committee on the Gig Economy over the past 14 months. At the conclusion of the inquiry, the committee made nine recommendations, two of which my Liberal colleague, the Hon. Ben Hood, and I support. Specifically, the Liberal Party supports the third recommendation, which recommends that the state government:

Develop strategies to ensure international students and migrant workers receive consistent information on their rights at work and different employee arrangements.

A large proportion of the gig economy is of course comprised of migrant workers, including international students, predominantly in popular food delivery services. These individuals, who are mainly here from various European, Asian and South American countries, often choose to engage in gig work due to its convenience and the fact that it is easier than obtaining employment elsewhere, which may require greater proficiency in English, for example, or other skills they do not have.

It is therefore imperative for these migrants to be fully informed of their rights and the differences in the employment arrangements offered by gig platforms as opposed to those of conventional employers, and that this information is conveyed both accurately and sufficiently in a way that they can understand. The other recommendation supported by the Liberal Party is No. 6, which recommends that the state government:

Review occupational health and safety laws to give protection to gig workers.

Gig workers, like all employees, must be as safe as possible as they undertake their duties in order to prevent the occurrence of work-related accidents, injuries, illnesses and fatalities. The Liberals are of the opinion that there should be no exception for workers of any kind when it comes OH&S matters. This is paramount.

The Liberal Party opposes the remaining six recommendations, as it agrees with those who submitted to the committee that the state government should wait for any federal reforms to be implemented prior to undertaking any reforms of the gig economy in South Australia specifically, and at a state level, as is the case in this case, to avoid any inconsistent and confusing regulations across states and territories.

Ultimately, the commonwealth has responsibility for our nation's workplace laws and it is therefore best placed to lead reform in this particular area—in the private sector that is, of course, which is largely and perhaps even exclusively the case in the gig economy.

The Liberal Party is also concerned that recommendations Nos 1, 2, 4, 5, 7, 8 and 9 may prove to be an impediment to business growth in South Australia through creating even more red tape and increasing the costs of operation. Rising costs would inherently flow on to the consumer, and with the cost-of-living crisis South Australians are currently experiencing businesses could potentially be at risk of becoming unviable if the demand for their services decreases.

I wish to take this opportunity to thank the Hon. Irene Pnevmatikos, who established this committee and chaired it for some time, as well as the Hon. Robert Simms, who succeeded her as Presiding Member. I would also like to thank Ms Emma Johnston, the secretary of the committee, for her exemplary work. I should note that this committee essentially functioned in the way that I think all committees should, and that is with a spirit of general wellbeing and, let's say, a cross-party focus on achieving positive outcomes for the people of South Australia.

Debate adjourned on motion of Hon. R.P. Wortley.

*Motions*

**ERSIN TATAR**

**The Hon. C. BONAROS (21:25):** I move:

That this council—

1. Expresses its concern and dissatisfaction regarding the recent visit to Australia by Ersin Tatar, the leader of the self-proclaimed 'Turkish Republic of Northern Cyprus' ('TRNC'), which constitutes the Turkish-occupied northern part of Cyprus;
2. Notes South Australia does not recognise the legitimacy of the TRNC;
3. Notes United Nations Security Council Resolutions 541 and 550 which call upon all states not to recognise the purported state of TRNC;
4. Recognises that as the first leader of this entity to visit Australia, the visit was not cause for celebration;
5. Recognises the distress felt by Australians of Cypriot and Greek heritage due to Ersin Tatar's visit;
6. Acknowledges the historical suffering of many refugees who lost their homes, land, and possessions following the invasion of Northern Cyprus by Turkish forces in 1974;
7. Acknowledges the ongoing pain of those whose loved ones have been missing since the invasion;
8. Supports the communities affected by the historical events in Cyprus;
9. Notes the advice of the federal government to all members of parliament and state governments to refrain from engaging or meeting with Ersin Tatar during his visit to Australia or otherwise; and
10. Calls on the state government to clearly articulate its support for the federal government's position of non-recognition of the TRNC.

Mr Tatar is the leader of the self-proclaimed Turkish Republic of Northern Cyprus, which has illegitimately occupied the northern part of Cyprus since Turkiye forces invaded in 1974. The TRNC is the subject of UN Security Council Resolutions 541 and 550, calling on all states not to recognise the purported republic. In fact, it is only Turkiye that recognises the territory internationally.

I make it clear that this motion is not targeted at our Turkish community in South Australia or anywhere else and acknowledge also that even today it is always people and civilians from both sides of the conflict who are inevitably and ultimately the ones who suffer the most. That said, the legacy of the invasion of Northern Cyprus is ongoing and felt by Greek and Cypriot communities today, many of whom have loved ones still listed as missing since the beginning of the occupation. Indeed, much of our country's Cypriot population are descended from refugees forcibly removed from Cyprus by Turkish forces, losing their homes, their land and possessions in the process.

The family of one of South Australia's own ministers, the Hon. Andrea Michaels MP, experienced this turmoil, fleeing Cyprus following the invasion whilst her mother, Eva, was pregnant with Andrea. Her success in government and, indeed, her position in the Labor Party, I think, is testament to the bravery of families who fled during that period of Cypriot refugees, and her family's story offers hope that Cyprus will eventually see justice for the events of 1974.

I have to say that most recently it warmed my heart when I saw the minister for the first time very publicly speak about her story as a refugee from Cyprus and what that was like for her family. Going from effectively living in a shed in Enfield to being the member of parliament for Enfield is quite an extraordinary achievement. I can say one thing with certainty: the sense of pride in the minister's story is one that I recognise well within our community, but it is also a story that I know resonates very closely with people of Cypriot descent living in South Australia. When she spoke recently of her story, I know that she spoke for many individuals living in South Australia whose story was not dissimilar to her family's.

Mr Tatar was the first leader of the TRNC to visit Australia and marked the occasion by laying a wreath at the Australian War Memorial in Canberra on behalf of the illegitimate territory. That is all well and good if somebody wants to go and lay a wreath. It did not get much fanfare in the news, but certainly for those communities who were following or were impacted by it, it was quite confronting

to see even that wreath-laying ceremony marred by the fact that the wreath itself had a ribbon on it which referenced the illegitimate name and territory in question.

For those Australians of Greek and Cypriot heritage, this represented the last twisting of the knife into a wound that was never healed following the invasion and was not something that they welcomed here in Australia. It certainly brought back lots of pain for all of them. They share a painful collective memory, and I think they deserve our respect and compassion throughout what has been a distressing time.

The federal government's advice, as I said in this motion, has been very clear: all members of parliament in commonwealth and state governments are to refrain from engaging with Mr Ersin Tatar throughout his stay in Australia. That was the advice at the time, and I certainly hope that it was adhered to, given the lack of respect shown to those orders by the UN that I referred to previously.

I obviously have Greek background and Greek and Cypriot families, and they felt like this is something that needed to be acknowledged at a state level. All they really asked for was some reassurance and comfort knowing that, were the state government to clearly articulate its support for the federal government's position of non-recognition of the TRNC, it would reaffirm a commitment to supporting South Australians whose families were so unjustly displaced and also acknowledge the ongoing pain and trauma and impact that that continues to have on so many of those families, especially those who still have missing loved ones since that 1974 invasion.

In moving this motion and on behalf of those communities living here in South Australia, I do call on the government to do just that, to clearly articulate its support for not only the federal government's position of non-recognition but indeed the international position of non-recognition of the TRNC and show its support for our local Greek Cypriot and Cypriot communities.

Debate adjourned on motion of Hon. H.M. Girolamo.

### ELECTRICITY PRIVATISATION

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

That this council—

1. Recognises that this year marks 25 years since the privatisation of the Electricity Trust of South Australia by the Olsen government; and
2. Acknowledges that the decision to privatise ETSA has not delivered favourable outcomes for the South Australian community.

(Continued from 5 June 2024.)

**The Hon. H.M. GIROLAMO (21:33):** I would like to thank the Hon. Reggie Martin for bringing this motion to the house. This is a very timely reminder of what horrendously poor economic managers Labor has been in the past and continues to be to this day. Tonight, this motion allows us to reflect on the significant moment in South Australia's economic history, the disaggregation of the Electricity Trust of South Australia, better known as ETSA. This decision was made in response to the disastrous financial crisis brought on by the collapse of the State Bank in 1991, which has shaped the landscape of our state's energy sector for the past 25 years.

It was a disaster not addressed or managed by Premier John Bannon and the Labor Party of the time, despite the late Jennifer Cashmore's persistence in flagging her concerns regarding the financial viability of the State Bank and her major concerns with regard to the lending practices of this institution. If only the men of the Labor Party had listened to this courageous woman. Imagine how many billions of dollars would have been saved.

The collapse of the State Bank remains one of South Australia's most severe economic disasters. As a publicly owned entity the bank's deposits were guaranteed by the government of South Australia. Consequently, when the bank failed, the state was burdened with the enormous debt, a direct result of the mismanagement by the Bannon Labor government.

In 1993, the Brown Liberal government was elected to rectify this dire situation. Faced with the state's unstable financial position and informed by the Auditor-General's findings and the

emergence of the National Electricity Market, it was then the Olsen government that took the decisive step to disaggregate ETSA. This involved breaking-up ETSA's generation, transmission, distribution and retail assets, allowing investors to operate them under long-term leases while the state retained freehold ownership. This move was not just about financial survival; it also included implementing stringent regulatory regimes to protect public interest and maintain safety standards. As a result, the state's fiscal health improved considerably, mitigating some of the horrendous damage inflicted by the former Bannon Labor government.

Critics, such as the Greens member the Hon. Robert Simms, have claimed that the privatisation of ETSA led to higher energy prices. However, this is to be disputed. As reported in a report from Ernst and Young in 2013, comparing electricity prices across different states revealed that price increases were actually higher in non-privatised states like New South Wales and Queensland compared to privatised states such as Victoria and South Australia.

Energy experts like Tony Wood from the Grattan Institute and Dr Lynne Chester from the University of Sydney support these findings, indicating that ownership models did not significantly impact price trends. The notion that privatisation is to blame for higher electricity costs is a convenient but misleading narrative. The reality is that the ongoing energy transition, marked by the shift from reliable baseload power to intermittent renewable sources, has introduced new challenges.

My concerns continue and remain to this day. The economic credentials of this government and former Labor governments are appalling. This current government is projecting \$44 billion of debt by 2028—a government that was projecting \$2.1 billion of interest a year and a whopping \$5.5 million a day. South Australians should be very concerned. This government continues to spend and has no consideration as to how the debt will be repaid.

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (21:38):** I rise to speak on this motion—

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order!

**The Hon. N.J. CENTOFANTI:** —and, in doing so, place some thoughts, and indeed facts, on the record in response to the Hon. Reggie Martin's comments last sitting week. It will come as no surprise to the chamber that I will be supporting the thoughtful amendment that the Hon. Heidi Girolamo moved in this place. During his contribution, the Hon. Reggie Martin started with a quote from Churchill:

Truth is incontrovertible. Panic may resent it. Ignorance may deride it. Malice may distort it. But there it is.

It is a quote that suggests that united wishes and goodwill cannot overcome brute facts. I agree with the member entirely, which is why I am keen to walk through some of the facts that the member conveniently left out of his contribution to the chamber last sitting week.

Fact no. 1: the ultimate reason for the privatisation of ETSA was the State Bank disaster, which was then government owned. It was owned by a Labor government at the time and, because of its reckless lending and the government's consequent requirement to bail out the bank, South Australia was left with a debt beyond most people's comprehension.

Let me step the chamber through the history. The Savings Bank of South Australia was established in the colony of South Australia on 11 March 1848. Its sole employee was John Hector, who started the business in a single room in Gawler Place. The first deposit comprised the life savings—that was £29—of an Afghan shepherd, Mr Singh, made by his employer. A month later, the fledgling bank made its first loan of £500 to John Colton, a successful businessman and later politician who, in 1875, was appointed to the bank's board of trustees.

The Savings Bank of South Australia later merged with the former State Bank of South Australia which was established in 1896, becoming the new State Bank, owned by the government of South Australia in 1984. Mr Acting President, as you are well aware, and as previously mentioned, the government of the day in 1984 was a Labor government, and the Labor Premier at the time was John Bannon who governed during the period of 1982 to 1993.

There is no mistaking history. As Winston Churchill said, 'truth is incontrovertible'. The State Bank of South Australia, a government-owned bank, had, through reckless lending, got itself into a huge hole that ultimately led to the resignation of the Labor Premier, John Bannon, in 1992, and a heavy election defeat for the Labor government the following year. That is fact number one.

Fact number two, is that whilst it might have been a choice by the Olsen Liberal government, it was in fact two Labor MPs who crossed the floor to deliver the privatisation of ETSA. It is strange that the honourable member failed to mention that in his preamble. Let me step the chamber through that history because, again, as Winston Churchill said, 'truth is incontrovertible'. Following the 1997 state election the Olsen Liberal government needed the support of an additional two non-Liberal upper house members to pass the legislation, with the Australian Democrats retaining the balance of power on three seats.

However, defectors from Labor in the upper house, Terry Cameron and Trevor Crothers, brought the then Independent member, Nick Xenophon, into play. In 1998, Xenophon voted with Cameron and the government to proceed with the second reading of the ETSA power sale bill. The bill became law when Cameron and Crothers voted with the Liberal government. Both Cameron and Crothers subsequently resigned from the Australian Labor Party because, as we all know, you cannot be a Labor member and cross the floor without getting kicked out, such is their militant nature.

One could also argue the use of the term 'choice'. Choice implies that there is an act of choosing between two or more possibilities. When a state is tasked with paying down an enormous debt that the previous incompetent government has delivered, one could argue that the government of the day had little choice but to sell a state-owned asset in order to pay down this debt, and not leave it to future generations to pay down, which is what we are seeing with the current Labor Malinauskas government, with state debt ballooning to \$44 billion over the forward estimates.

Finally, fact number three, the reason we are seeing escalating electricity prices has much more to do with this current government's obsession, and the previous Labor government's obsession with ideology and 100 per cent renewables rather than any privatisation. The previous Labor government's rush to renewables without sufficient planning—

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order! No, enough. We need some quiet from the chamber. I cannot hear the speaker and I would like to hear the speaker, please.

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order! I have asked for order, please. I cannot hear the speaker. The Hon. Ms Centofanti, you have the call.

**The Hon. N.J. CENTOFANTI:** Thank you, Mr Acting President, for your protection. The previous Labor government's rush to renewables without sufficient planning, and the subsequent closure of the northern power station, saw wholesale electricity prices soar in South Australia. Labor has repeatedly failed to make sure South Australia has sufficient base load generation to keep prices down, or even to keep the lights on.

Under Labor, South Australia has endured the highest energy bills in the nation. During Labor's last two years in office, from 2016 to 2018, the average household bill surged by 26 per cent, amounting to an increase of \$477 per household. Additionally, the loss of the base load power led to significant reliability issues, including a statewide blackout. We all remember that—the statewide blackout—that resulted in over seven million customer hours lost due to load shedding.

When the former Liberal Party came to power, we prioritised addressing rising energy prices and implemented various programs and policies to reduce costs. Shortly after the Liberal government was elected in March 2018, the Essential Services Commission of South Australia (ESCOSA) reported that the average residential power bill was \$2,244. By June 2021, this figure had decreased to \$1,941 and further dropped to \$1,823 by December 2021, resulting in a total savings of \$421. In late 2021, AEMO announced that in 2020 South Australia had the lowest time-weighted average wholesale electricity price in the National Electricity Market since 2006-07.



However, since the Malinauskas Labor government has taken office, South Australian families have been paying significantly higher electricity bills. Their first state budget cut key programs, like the home battery scheme and the grid-scale storage scheme, which had been effective in reducing energy prices under the Liberal government. Rising energy costs under Peter Malinauskas' leadership suggest a potential return to the high prices and frequent blackouts experienced under previous Labor governments. That is not what the people of South Australia want or deserve.

We the opposition have signalled our intention to have an open-minded conversation about the potential for a civil nuclear industry in South Australia. We are paying some of the highest electricity prices in the world and every option to produce affordable reliable power should be on the table. With nuclear submarines set to be built in South Australia, it makes absolute sense to consider civil nuclear energy generation here, which is why a Speirs Liberal government will establish a royal commission to investigate its viability.

Rather than focusing on partisan motions, such as this one, presented by the honourable member, our attention must be on ensuring that energy is both affordable and reliable for South Australians. This government owes our communities across the state at the very least that much.

**The Hon. J.E. HANSON (21:48):** Mr Acting President, I tell you what—here we go. We have 16 speeches to go. It seems like quotes are in fashion in this debate, which is good. Murray Weidenbaum—do you know Murray Weidenbaum? If you do not know him, you should know him! He was Ronald Reagan's first chief economic adviser. I am surprised he is not a hero—you should have little figurines of him on your side over there. He was fond of a particular motto, said it quite often, which was, 'Don't just stand there, undo something.'

You have to think about Reaganomics and the context in which he said it, something that might be lost on a lot of people these days, but not this mob over here—they are right into their Reaganomics. Reducing the size of government and lightening its regulatory hold on the private sector became a defining theme of many governments around the world during the era of Reaganomics: the Reagan presidency, the Thatcher prime ministership and many others of various political stripes. It has also greatly inspired and perhaps continues to inspire what we see here today in the South Australian Liberals.

Power utilities are among I think the more reliably profitable enterprises going, and electricity of course is a natural monopoly. Most arguments that the Olsen government back in the day put forward in support of the sale of ETSA included the claim that privatisation would result in a reduction of power prices. This claim was repeated throughout the debate in parliament. Hansard recorded that very well and said it was often repeated throughout debate that there will be a reduction in power prices. So I do not think I really need to say it—

*Members interjecting:*

**The Hon. J.E. HANSON:** The Hon. Mr Hood wants me to say it, so I will: how is that going?

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order! The Hon. Mr Hanson has the call.

**The Hon. J.E. HANSON:** How is the impact of Mr Olsen's comments back in the day, and the Olsen government's comments back in the day that there would be a reduction in power prices if we privatised things—how is that going?

**The Hon. R.A. Simms:** That's not true: that's a lie.

**The Hon. J.E. HANSON:** A lie, says the Hon. Mr Simms. Well, I think a lot of people might find themselves agreeing with the Hon. Mr Simms that it was a lie. Another principal point of argument, which the Liberals continue to defend even in the chamber here today, was in relation to state debt. Debt was always a bit of a fallacious argument. Do you know who proved that? Another person who has come up a bit recently, and that is the widely revered Liberal Premier Tom Playford. Tom Playford proved that that was wrong.

South Australia's debt relative to GSP was vastly higher post war than it was when the Olsen government took office. Look at them now: they are all very quiet on the other side now. This is one of those facts, those inconvenient facts that they forget to look at, and that is that—

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order! The Hon. Mr Hanson has the call.

**The Hon. J.E. HANSON:** —South Australia's debt relative to GSP was higher post war than it was when the Olsen government took office. It was basically double. As the Hon. Reggie Martin pointed out in his speech to accompany moving this very sensible motion, state debt as a percentage of GSP was in the order of 70 per cent near the start of the Playford era. Playford recognised that we could use cheap public borrowing to fund infrastructure investment and governments can continue to recognise that today and use it to good effect.

The argument prosecuted by the Olsen government when state debt was only around 35 per cent of GSP simply suited their, frankly, ideological view of the world that private ownership is preferable to public ownership because it generates private profit, not public benefit. Financially, selling ETSA was a significant mistake. Plenty of economists saw this and they had modelling to back it up. They also had a good idea of the price ETSA needed to fetch in order to justify the sale and deliver value for the South Australian community.

The Olsen Liberals sold it for about half that figure because, at the end of the day, it was purely and transparently ideological. Why keep anything in public hands when there is profit to be made? John Olsen told the electorate quite famously that there is no alternative—using Thatcher's very own infamous phrase. Even today we heard that. That is not merely a strategic manipulation of the truth, it is actually an outright deception because there is an alternative and it is beautifully exemplified by the extraordinary achievements of Tom Playford and his government in building this state and its economy.

If you look at the graph of state debt as a percentage of GSP, you can watch that figure go down year on year on year for the entirety of the Playford administration. So, in short, a Liberal government—a real one—proved that it can be done and it can be done artfully. That was an inconvenient truth for the South Australian Liberals then and it continues to be so now for the South Australian Liberals who sit opposite us here. They focus on the debt fallacy because they dare not focus on the facts—

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order! The Hon. Mr Hanson has the chamber. Please don't address the other side of the chamber. Continue with your speech please, Hon. Mr Hanson.

**The Hon. J.E. HANSON:** Even now you can see them, they are not listening. It was 70 per cent at the start of the Playford era and 35 per cent at the start of the Olsen government. It was an inconvenient truth for the South Australian Liberals then and it continues to be so now.

They draw attention to public housing because they want to draw attention away from the pathetic pittance of a price that the Olsen government actually accepted for ETSA. They focus on anything they can think of to obfuscate the point, because they dare not actually focus on the real impact that the ETSA sale had on the South Australian community. They do not want to acknowledge the frankly quite deep anger that still remains in the community over that outrageous betrayal.

The Olsen government tried to use debt, and the Liberals generally still use debt, as a tool of instilling fear. They seek to rely on a lack of public understanding of how state debt differs to private debt, and what we characterise as good debt versus bad debt.

*The Hon. H.M. Girolamo interjecting:*

**The Hon. J.E. HANSON:** You are financially literate, and you actually do know better, Ms Girolamo. The Olsen government wanted South Australians to fear that the state was at risk of bankruptcy—which was, of course, another deception. They shamelessly used the State Bank crisis

and our debt position as a political weapon to pursue their frankly Thatcherite agenda—and they stand here today and defend that tactic still. It was craven, and Tom Playford would have been horrified to see it.

However, the Liberals choose not to disavow those quite devious arguments. Instead, even here now they are doubling down on them. This is what our community will get from the South Australian Liberals: stubborn and prideful denial of inconvenient truths, like the extraordinary loss of opportunity our state suffered as a result of ETSA's privatisation. Incredibly, they want to talk about things like disorderly transitions, and criticise Labor for that phenomenon when it is a result of the Olsen Liberals' deliberate and ideologically driven choice to give away control of our electricity supply and our infrastructure.

It is because of them that we have lost the agility and self-determination that would have facilitated an orderly transition to renewables. The infrastructure, as it stands now, cannot keep up. There is no profit-based incentive to help it along. Policy change is slow to filter through, and hard to use as a lever to drive improvements. We are at the almost total mercy of companies who, quite predictably and not unreasonably, are motivated only by profit. We cannot, should not, and do not expect otherwise from private enterprise.

The Liberals gleefully choose to permit our electricity supply to exist at the mercy of this phenomenon, yet at any subsequent time they sit in the parliament and say, 'Oooh, power prices are too high, power prices soaring, what is the Labor government doing about it?' Well, what did they seek to do about it other than help cause it, and what would they do about it in the future? I guess that as of today we know the answer to that. Quite possibly they will pursue nuclear, the most expensive of the pathways we could take. I do not think South Australians will vote for it.

Let me be very clear: I am not directing blame directly at those who sit on the opposition benches today for the sale of ETSA 25 years ago, but I am very happy that the South Australian people judge them for defending that deliberate choice today, here, in 2024, in this debate. They could do the honourable and credible thing and choose to own the mistakes of their past.

John Bannon, as was raised here today, quite unfairly, but willingly, fell on his sword over the State Bank. That was what the public needed and that is what Bannon delivered. We have done the honest thing and owned up to the mistakes that our party has made in the past, too, in Transforming Health, for example, and in public housing. The work of any government needs to take into account the lessons that we learn from past mistakes. There is actually honour in acknowledging that.

With the arguments they are putting forward today, the Liberals have shown that they are totally unwilling to show the very modest degree of humility that it would take to just admit that selling ETSA was a grave and a dire mistake. The position put forward by the Liberals' amendments to this very simple and straightforward motion, which in its unamended form stands up on the bare facts of history, is that they just had to sell ETSA. That was the position put by Premier John Olsen to the electorate a quarter of a century ago and it is the position the Liberals have chosen to maintain here today.

The Olsen government knew because numerous opinion polls showed that the South Australian people knew it was a bad idea and, evidently, they did not care because they went ahead with the sale, it lost them government and it gave them, well, I am not sure what. I guess some delicious Thatcher points that they crave. I do not understand. I will not stand here and defend privatisation as a practice of government, but there is no credibility in comparing privatising the lottery or the forests to privatising ETSA. It is not apples and oranges. It is apples and fire hydrants. They are fundamentally different.

South Australians do not need a lottery in public hands to be able to afford to keep their lights on—fact. The social aspect of electricity as an essential public service that fundamentally underpins the functional capacity of every South Australian household and every South Australian business is what differentiates the sale of ETSA from every other privatisation that has occurred under the watch of every other South Australian government, full stop.

You can reinvent history all you like. You stick to your guns. They will stick to their guns over there. What you cannot do is wish the truth away. The South Australian people blame the Liberal government for the sale of ETSA. The Olsen government is not fondly remembered by the South Australian people.

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order!

**The Hon. J.E. HANSON:** The Olsen government is not fondly remembered by the South Australian people. You know who is? Tom Playford. Tom Playford is fondly remembered by the South Australian people. On the occasion of this ignominious anniversary, I welcome the debate that we are having here today, and I wonder today in particular if every member of the opposition supports the federal Liberal proposal for nuclear for South Australia. Let me guess, there is no alternative.

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order! The Hon. Mr Hanson has the call.

**The Hon. J.E. HANSON:** Members opposite would do well to own or, at a minimum, learn from the mistakes of their predecessors. Some things should remain in public hands not merely because it is right and just but because it is good policy underpinned by sound economics. Playford knew that, the South Australian people knew that, and if only the South Australian Liberals were actually able to take it on board they might find themselves forming government more than once every quarter of a century.

**The Hon. B.R. HOOD (22:03):** Before I begin, I would like to move the amendment in the name of my colleague the Hon. Heidi Girolamo, namely:

Paragraph 1.

Leave out all words after 'since the' and insert 'disaggregation of the Electricity Trust of South Australia due to the massive state debt caused by the collapse of the State Bank under the former Bannon Labor government';

Paragraph 2.

Leave out paragraph 2, and insert new paragraphs as follows:

2. Notes that the former Bannon Labor government privatised the merged South Australian Oil and Gas Corporation and the South Australian Gas Company, or SAGASCO, prior to its defeat at the 1993 South Australian state election;
3. Notes that the former Rann-Weatherill Labor government privatised ForestrySA, SA Lotteries, the Motor Accident Commission, and the lands titles office whilst in office;
4. Acknowledges that the disorderly nature of the energy transition in South Australia, where base load power has exited the system before a reliable equivalent was in place, has led to higher power prices and lower grid reliability; and
5. Calls on the Malinauskas Labor government to develop an energy policy that will support working South Australian families during this energy crisis.

I rise today to address the motion brought forward by the Hon. R.B. Martin regarding the privatisation of the Electricity Trust of South Australia (ETSA). I do wonder as to why the honourable member has cast this little hook out at this time, but we need to respond. As we mark the 25<sup>th</sup> anniversary of this event, it is important to reflect on the past, analyse the present and consider the future with a very clear and pragmatic approach.

This motion suggests that the privatisation of ETSA has not delivered favourable outcomes for the South Australian community. While the honourable member's argument is passionate, as it always is from the honourable member, it is crucial to dissect the facts and separate the rhetoric from reality.

Privatisation of ETSA was a decision born out of necessity and not ideology, as we have heard from the Hon. Justin Hanson. It is important to remember the context of the times: the early nineties—fantastic music, but there was something else that was going terribly wrong. It was when

our state was grappling with one of if not the largest economic disaster the state has ever seen: the collapse of the State Bank. This was a crisis precipitated by the previous Bannon Labor government.

The State Bank collapse left South Australia with a massive debt and the newly elected Brown Liberal government was tasked with cleaning up this financial mess. The privatisation of ETSA was part of a broader strategy to address this state's dire fiscal situation brought on by the Labor government.

It is important to note that the state retained freehold ownership of the generation, of the transmission and the distribution assets while investors were brought in to operate them through long-term leasehold interests. This move was accompanied by a regime of industry regulation to protect the public interest and maintain safety standards.

The Hon. Reggie Martin claims that privatisation has led to higher energy prices and a less reliable grid; however, I do not believe this assertion stands up to any scrutiny. According to a report by Ernst and Young, electricity prices have increased less in South Australia, a privatised state, compared with other non-privatised states like New South Wales and Queensland. The report has found that, since privatisation, electricity bills have increased by 80 per cent in South Australia compared with 158 per cent in New South Wales and 152 per cent in Queensland.

This data suggests that the issue of rising electricity prices is a national one influenced by a multitude of factors beyond privatisation. It is like blaming your umbrella for the rain: it is convenient but not exactly accurate. Moreover, energy experts have been unable to identify a correlation between privatisation of electricity generators and higher prices.

Tony Wood, for example, who is the energy director at the Grattan Institute, has stated, 'When people say electricity prices went up, they went up everywhere, regardless of ownership.' Dr Lynne Chester, an energy researcher at the University of Sydney, also observed that 'overall, the evidence does not support the claim of either higher or lower prices following privatisation'. These perspectives highlight that blaming privatisation alone for rising energy costs oversimplifies a very complex issue. It is like saying the internet caused global warming. Sure, they happened at the same time, but correlation does not mean causation.

Furthermore, it is worth noting that subsequent Labor governments have also engaged in significant privatisation efforts. As much as the Hon. Justin Hanson would like to downplay them, they are serious. The forward sale of our forests, an asset worth \$1.3 billion, was sold for \$600 million—\$600 million, less than half of what it was worth. If that is not a significant privatisation effort by this Labor government, I do not know what is.

**The Hon. J.E. Hanson:** The trees affected power prices?

**The Hon. B.R. HOOD:** I will tell you what they do affect, Mr Hanson, and that is carbon sequestration, which is very important when we are talking about our environment and those types of things.

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

**The Hon. B.R. HOOD:** We still have the trees. It is good, but we do not own them anymore and the people who do repaid that debt within five years. Other privatisation efforts—the SA Lotteries, the Motor Accident Commission and the lands titles office—were all privatised under the Rann-Weatherill administration. It appears that privatisation is not the ideological bogeyman that it is sometimes portrayed to be, but rather a tool that has been used by both sides of politics to address financial challenges—financial challenges like having to build the Adelaide Oval, which is why our forests were sold, and the financial challenges that we will face with a \$44 billion debt at the end of the forward estimates, on which we will pay \$5 million of interest per day, or equal to three Adelaide Ovals per year—three Adelaide Ovals per year.

Let us turn our attention to the current energy landscape. The transition to renewable energy is a necessary journey—I bet you did not think I would say that—but must be managed with care and foresight. The Malinauskas government's approach has been hasty and it has been poorly planned. Their rush towards 100 per cent renewables without ensuring grid reliability has led to higher power prices and increased instability of our energy supply, the very thing that we are talking about here.

This is not just my opinion; it is reality reflected in the experiences of many South Australians, who face some of the highest electricity bills in the country. During Premier Marshall's term, significant efforts were made to reduce power costs, resulting in a decrease of \$421 in the average residential power bill. How does that weigh up to Prime Minister Albanese's supposed drop of \$275, which we have not seen? In fact, it is an increase of over \$700 in power prices.

Premier Marshall's decrease was achieved through a balanced energy policy that prioritised both affordability and sustainability. In contrast, the current approach under the Malinauskas government has been less effective, leading to higher costs for consumers. It is crucial to understand that this energy transition requires a balanced approach. South Australia has been a leader in adopting renewable energy, but the transition must be managed to ensure energy security and affordability.

I worry that this current government's focus on renewables without sufficient planning for baseload generation, has resulted in significant challenges. The closure of the Northern Power Station without adequate replacement saw wholesale electricity prices soar in South Australia. This failure to ensure sufficient baseload generation has led to major reliability issues, including the infamous statewide blackout.

The Liberal government identified rising energy prices as a major focus and implemented policies to drive those prices down. In June 2018, shortly after the former Liberal government was elected, the Essential Services Commission of South Australia (ESCOSA) identified that an average residential bill totalled around \$2,244. By December 2021, this had reduced to \$1,823, a total of \$421 in savings.

Moreover, in 2020, South Australia achieved the lowest time-weighted average of wholesale electricity prices in the National Energy Market, a significant achievement for our state. Since the Malinauskas Labor government came to power, South Australian families have already paid significantly more for electricity bills.

In their first state budget, the Malinauskas government cut programs such as the Home Battery Scheme and the grid-scale storage scheme, programs that served to drive down energy prices. This short-sighted approach is a clear warning sign that we could return to the days of high power prices and unreliable energy supply under Labor. In fact, it is not that we could; it is that we are.

We also need to consider the broader context of energy markets and global economic shifts. The energy transition is a global phenomenon, and South Australia is not immune to its challenges. However, blaming the privatisation of ETSA, as the Hon. Mr Martin would like to do, for all our energy woes is simplistic and misleading. The real challenge lies in navigating the energy transition responsibly, ensuring affordability and maintaining grid reliability.

The privatisation of ETSA, though challenging, was a decision made to safeguard our state's financial health at that time in history. Looking forward, we have to hold the current government to account for their energy policies and ensure they deliver on the promises of affordability and reliability.

South Australians deserve an energy policy that meets their needs without resorting to ideological extremes. To quote Winston Churchill, as the honourable member did in this initial speech, 'The era of procrastination, of half measures, of soothing and baffling expedients, and of delays, is coming to its close. In its place we are entering a period of consequences.'

We must focus on pragmatic solutions to ensure a stable, affordable and sustainable energy future for all, and that ultimately means a nuclear future for South Australia, not 28,000 kilometres of transmission lines linked to intermittent energy generators of solar and wind. These are nothing but half measures. These are nothing but soothing and baffling expedients that the people of South Australia are already bearing the consequence of.

**The Hon. R.A. SIMMS (22:17):** I was momentarily speechless, but I have regained my voice, you will be pleased to know.

*Members interjecting:*

**The ACTING PRESIDENT (The Hon. D.G.E. Hood):** Order! The Hon. Mr Simms has the call.

**The Hon. R.A. SIMMS:** Before I address the substance of the motion, I wish to amend the motion as follows.

After paragraph 2, insert a new paragraph as follows:

3. Calls on the Malinauskas government to establish a commission of inquiry to examine reviving ETSA and returning South Australia's electricity distribution and transmission network to public ownership.

I might use this opportunity as well just to indicate that the Greens will not be supporting the amendments advanced by the Hon. Ben Hood on behalf of the Hon. Heidi Girolamo. In doing so, I do make it clear, though, that I do have some sympathy for the critique that the Liberals have made of Labor's inconsistency on the issue of privatisation. Were there to be a separate standalone motion dealing with the Labor Party's history of privatisation, that is something I would be open to considering.

But this is an opportunity to highlight what was in effect the original sin in South Australia's energy policy, the decision that has bedevilled generations of South Australians; that is, the Liberals' decision to sell off ETSA, to sell off our electricity systems here in South Australia and to sell out the people of South Australia and lock generations of South Australians into higher prices and unreliable power. That is a key event that should be condemned by this council.

Also, the Greens want to go further, and our amendment actually calls on the Malinauskas government to establish a commission of inquiry to look at what mechanisms there are that are available for us to take back ownership of our electricity distribution network here in South Australia.

To speak to the substance of the Hon. Reggie Martin's motion, it acknowledges that the decision to privatise ETSA has not delivered favourable outcomes for the South Australian community. With respect, that proposition should be a no-brainer for this chamber. I have not heard the Liberals, in their contributions, advance one positive outcome that has been delivered by the privatisation of ETSA, not one. In fact, all the evidence demonstrates that that has produced bad outcomes for the people of South Australia.

They talk about blackouts, but they have been locked in a state of perpetual blackout for the last 25 years. It is as if the last 25 years did not happen and they have this collective sense of amnesia, and they pretend that they did not sell off our electricity network and they were not the authors of the crisis that our state faces in terms of energy.

It is not just the Greens who are saying that privatisation has been bad news for South Australia. Indeed, 40 per cent of South Australians, according to the Australia Institute back in 2019, blamed the privatisation of ETSA for higher power prices. Three out of five people (60 per cent of South Australians) considered the privatisation to be one of the main sources of upward pressure on prices. They believe it, and they believe it to be the case because it is true.

I was a Chair of a parliamentary inquiry into privatisation when I started in this chamber, and we received a submission from SACOSS that talked about the impact of the privatisation of South Australia's electricity network on increasing inequality. I will draw from some elements of the media release that SACOSS issued in relation to that submission. I will quote from the release directly:

'This new analysis draws on the internationally famous work of economist Thomas Piketty on the drivers of inequality,' said SACOSS CEO Ross Womersley. 'While the data is not perfect, it is...[very] clear that the privatisation of the electricity network in SA has contributed to increased inequality.'

'And while it is concerning that the privatisation of the South Australian electricity network looks to have increased inequality, it is even more alarming that the energy regulator is setting rates of return on capital at levels which will continue to increase inequality in years to come.'

The SACOSS submission put three propositions to the multiparty committee:

- The rate of return to the owners of the network is greater than the growth rate of the economy, which (as per the analysis of economist Thomas Piketty) will lead to increased inequality.

This is the case based on both the regulated rate of return and the final return to shareholders.

- Because of the regressive consumer expenditure patterns, in theory, new capital investments, and in practice schemes like the Residential Energy Productivity Scheme, are more equitably funded from the tax base...rather than by the electricity companies where costs are passed on to consumers.

So SACOSS, through their research and drawing on the views of a leading economist, concluded that privatisation was one of the key factors that was driving inequality. Indeed, over the last 25 years since the privatisation of ETSA we have seen power prices go up here in South Australia by more than 200 per cent. That is astronomical. That is a fact.

There is an opportunity here for the Liberal Party to make amends with the people of South Australia, for them to say, 'We made a mistake,' and to learn from those mistakes. But no, instead what we have seen from the Liberals is brain flatulence over in Canberra: a bizarre, ill-conceived proposal from the Leader of the Opposition, Peter Dutton, to create a nuclear reactor here in South Australia—to set up a nuclear reactor and to put that impost on the people of Port Augusta, with no plan for what is to happen with the nuclear waste.

We know that whenever the Liberals talk about nuclear they are happy to dump the waste on remote communities. That has always been their approach. Where else is it going to go? They do not want it to be in the city and they are happy to dump it in the regions. What is the cost? This proposal has not been costed by the Liberal opposition, but we know, based on the experience in other jurisdictions that have gone nuclear, other places around the world, that the cost will blow out by billions and billions of dollars, and that it will be impossible for us to address our energy needs within the time frame that the Hon. Peter Dutton and the Liberals have identified, because we know that nuclear technology takes a very long time to establish and get off the ground, and it is hugely costly.

This is a burden that the Liberals are proposing should be carried by the taxpayer. Why on earth would we go down that route when we could instead beef up renewables here in South Australia, beef up battery storage and ensure that we can provide publicly owned renewable electricity to the people of our state? Why would we go down the Liberals' radioactive path? It does not make sense.

The other thing that I find really baffling about this latest brain flatulence from the Liberal Party is the fact that they are reviving this idea of a royal commission into the nuclear industry. We had a royal commission, so why are they flogging that dead horse? We had a royal commission and the commission found that this was not economically viable for South Australia. Instead of coming up with any new ideas, the Liberals just pull out that frozen pizza, get it out of the freezer, heat it up again and serve that stale offering up to the people of South Australia. Surely they can do better than that.

I urge them to repent and to support this motion that has been put forward by the Hon. Mr Martin. Mr President, I see you waving at me. I have listened to some of my colleagues speak for two hours tonight and this is my first contribution of the evening, so I am being short, but there is an important point to make, with respect, Mr President. I urge members of parliament to—

**The PRESIDENT:** The Hon. Mr Simms, I was just waving to you; I just love seeing you, that's all.

**The Hon. R.A. SIMMS:** Thank you. I urge my colleagues to support this but also to support the Greens' amendment that actually adds some verbs into the Labor Party motion and compels them to do something to ensure that we can take ownership of our electricity providers here in South Australia.

The final point I will make before wrapping up is that I do commend the Malinauskas government for supporting a bill that I initiated on behalf of the Greens to prevent the privatisation of public assets in the future without consideration of a parliamentary inquiry, and without approval of both houses of parliament. This is a really important safeguard and it will ensure that we never repeat these mistakes again. But today is a time to condemn the Liberals for selling off and selling out our state.

**The PRESIDENT:** I invite the Hon. Mr Martin to conclude the debate.



**The Hon. R.B. MARTIN (22:27):** Would you like me to address the government's position in regard to the amendments during this?

**The PRESIDENT:** Why not?

**The Hon. R.B. MARTIN:** Alright. It should come as no surprise that the government will not be supporting the Hon. Heidi Girolamo's amendments. It is just too far off the topic, I think, for us to be considering it. The motion that is proposed is a very simple motion, as has been pointed out by other members, and I think we like it as that so we will not be accepting those amendments.

The Hon. Mr Simms's amendments, while they are much more in line with the sentiment of the original motion, and I think there are a number of members of the public who would be supportive of it, at this stage the government will not be supporting the Simms amendment but we do respect him for putting it up.

I will be very brief in my concluding remarks, but what I would like to say is that I think this has been one of the best debates that I have witnessed in my short term in the Parliament of South Australia—that is tonight, not including my remarks from two weeks ago—but there were some really impassioned arguments and debates, and it felt like a flexing of the intellectual muscles of the Legislative Council tonight, and certainly worth us sitting very late to hear from everyone.

I would like to thank all those who contributed: the Hon. Heidi Girolamo, the Hon. Nicola Centofanti, the Hon. Mr Hanson, the Hon. Mr Ben Hood, who dropped the proverbial nuclear option in his remarks, and the Hon. Mr Simms. It was good to hear that the Liberals have agreed that power prices are lower now under the Labor government, so it was nice of Mr Hood to point that out.

*The Hon. R.P. Wortley interjecting:*

**The PRESIDENT:** Order! We don't need him to make a contribution—don't invite him.

**The Hon. R.B. MARTIN:** I do appreciate that people took this seriously and put some impassioned pleas into their debate. I encourage you all to support the original motion—it is a simple and factual motion and something that is worth remembering and recognising so that we do not fall into these mistakes again.

The council divided on the Hon. B.R. Hood's amendments:

Ayes .....6  
 Noes.....9  
 Majority .....3

AYES

Centofanti, N.J.	Girolamo, H.M.	Henderson, L.A.
Hood, B.R. (teller)	Hood, D.G.E.	Pangallo, F.

NOES

Bourke, E.S.	El Dannawi, M.	Franks, T.A.
Hanson, J.E.	Maher, K.J.	Martin, R.B. (teller)
Ngo, T.T.	Scriven, C.M.	Simms, R.A.

PAIRS

Lensink, J.M.A.	Hunter, I.K.	Lee, J.S.
Wortley, R.P.	Game, S.L.	

The council divided on the Hon. R.A. Simms' amendment:

Ayes .....3  
 Noes.....12  
 Majority .....9



myself and with other members of this parliament as to why the minister seemed to have gone MIA in regard to legislation to update the act.

When I say 'go MIA' that is because there was a legislative review of the Children and Young People (Safety) Act. That review took place in the year 2022. We are now in June 2024. Perhaps the review took a long time. Perhaps the minister has only just received the report. Oh no, while the review was actually quite thorough and, indeed, very well participated in, the minister has had the report of the review since February 2023—not February 2024, this year, February 2023, some 16 months now. It has been 16 months in her in-tray, 16 months for those people who participated in the review waiting for that promised legislative response from this minister.

I understand child protection is not an easy portfolio. Child protection is one of the most difficult portfolios. However, the Malinauskas government came to government promising legislative reform and have not yet delivered on that promise. So, some six months ago I gave notice of this motion because even in their term of government following the receipt of the review documents in February 2023, the government had updated their promise that they would legislate by the end of the year, 2023.

The date that I gave notice of this motion was the timeframe that the government themselves, once in government and having had the document for the better part of an entire year, had actually set themselves as a timeframe for introducing legislation to reform our broken child protection system. We debate this motion tonight to hold the government to account not just for their election promises but for their promises once in government, which have been broken.

You may not think that these are issues that are easy, issues that perhaps require more time to debate, but there are urgent issues that have been identified in the review that carers are desperately waiting for this government to act on. When Minister Hildyard was the shadow minister, she promised she would deliver on them.

I wish to focus in particular in regard to something that many carers have called for. Certainly, I thank the work of both The Carer Project and Connecting Foster and Kinship Carers SA. Commitment No. 5 prior to the state election that Connecting Foster and Kinship Carers requested of the Malinauskas government was to 'amend the Children and Young People (Safety) Act 2017 SA to include procedural fairness and care concerns as a prescribed function'. Procedural fairness: that is what we are still without two years into the Malinauskas government, something that had already well established itself as a pressing concern.

I remind members of this council and the minister of the Stephanie Richards article of 1 December 2022, which is entitled "'Guilty until proven innocent": Calls to reform foster carer investigations'. Ms Richards then wrote:

South Australian foster and kinship carers have reported being stood down or forced to resign from their jobs while concerns about their parenting are investigated by child protection authorities, prompting calls for an independent review process.

The article goes on to read:

The state's peak foster carer advocacy group Connecting Foster and Kinship Carers SA claims one husband and wife carer couple who worked as a teacher and school principal were stood down for years—

for years—

while an investigation took place into a care concern notice, resulting in 'devastating personal and professional consequences'.

The organisation also stated that:

...another carer was stood aside from emergency services officer duties, while a different carer was forced to resign from a pre-school board while under investigation.

Care concerns, of course, are reports filed by anyone who might think that there could be something happening within the home of a child in state care that could be detrimental to their safety. They are assessed currently by the Department for Child Protection, and in some cases they refer that to a care concerns investigation unit for further scrutiny.

Indeed, the care concerns against carers are investigated by the department themselves, and countless constituents, and also the organisations that represent these good people who put themselves up to care for those children in child protection, complain about the lack of procedural fairness and transparency around care concerns and the investigation of care concerns. What this means is we are actually setting these carers up to fail if we do not at least provide them with that procedural fairness and an independent investigation process.

It is something that was raised prior to the state election with the Malinauskas government, and it was something that seemingly the Malinauskas government was going to address. Indeed, it features quite highly in that review document that has been in the minister's in-tray since February 2023—16 months ago. In the past 16 months, there have been many care concerns lodged, and not a single one of those carers has been able to afford themselves a truly independent investigation process and procedural fairness.

This is how this state currently treats those carers, yet they have the audacity to go on recruitment drives when they cannot even give them the basics of respect. The Carer Project recently did a survey of their carers—and have written to not just the minister but the chief executive as well, as well as a committee of the other place—and of over 400 carers in the survey, when asked the question, 'Do you trust and have confidence in the DCP?' only 4.43 per cent answered yes and 95.5 per cent answered no. These are the people we require, we laud, we hope to recruit and retain, and less than 5 per cent of them have trust in the department.

Is it any wonder, with the inaction of this minister to address a basic—basic—demonstration of respect for their efforts and for their extraordinary commitment to making the world a better place for children, of course, who are often traumatised and situations that are very difficult and very arduous in many cases?

They take on these children and they provide loving homes, and they do something that the state simply could not do—and in many cases should not do, because we still have far too many kids in resi care, which we should not have. This minister, through her inaction, has simply shown them contempt.

That is why at the end of the year in 2023, I gave notice of this motion. I will say that in recent months and weeks I have had carers come to me with horror stories about the way the department treats them, about how they do not have procedural fairness and about how 'computer says no' can leave them with a completely unjustified blemish in their records, which hangs over their heads and which they have no way of addressing through any fair and transparent measure.

I note that in May this year, at the Budget and Finance Committee of this council, I asked the chief executive, Ms Bray, whether or not she was aware of these issues around concerns about a lack of an independent complaints process. To that, she was aware, and in particular was aware of the petition which had been started for the need for an independent complaints mechanism, that has been signed so far by over 400 carers.

To my knowledge, Minister Hildyard has not responded to that petition yet. Perhaps the government benches will update us on whether or not that correspondence has now been addressed. I look forward to perhaps that small increment of change, but I certainly will not be holding my breath. I would note that Ms Bray, the chief executive, in the absence of legislation to reform this important area, to give respect and procedural fairness to carers, was very well aware of the issues and stated:

I am aware of that, and the complaints process has been brought to my attention by a number of carers who I spoke to both individually and at forums. While those considerations have been met by government, what I have done to satisfy myself is I have moved the complaints process out of an area within the department which could be perceived as a conflict—it was within our service delivery and practice area—and it is sitting right outside my office now in the office of the chief executive, just to satisfy myself that the handling and inquiry into complaints is further removed from the service delivery aspect.

It was an extraordinary response. The chief executive has moved the office of where the investigations are undertaken to next door to her office within the department, without any procedural fairness, without any independence, and she thinks that that is her interim solution.

In some ways, I cannot blame her, because what legislative recourse does she have? She does not have an act that allows her to serve carers with an independent complaints process,

because the minister has not yet acted to ensure an independent complaints process to give carers procedural fairness.

There were so many issues raised in the consultation, and indeed it was an incredibly thorough process, which is why so many people have been asking, for well over a year now: what is going on? Why do we not have a piece of legislation before the parliament? When is this minister actually going to reform the act, as they were led to believe when the Malinauskas government was in opposition that the Malinauskas government would do in government?

Nine hundred people engaged with that review. There were eight metro and eight regional forums. Over 300 people registered to attend, and there were 83 written responses and 102 survey responses. There is quite an extensive document and, again, it goes through a range of areas for reform. It definitely identifies and overwhelmingly supports having an independent grievance process. It also looks to timely decision-making, and in the review report it states:

Decision-making can be complex in a child protection context. A first principle of intervention in the CYPS Act is that decisions and actions be taken in a timely manner and, particularly in the case of young children, should be made as early as possible to promote permanence and stability.

Timely decision-making is generally considered to be in the interests of the child, though the review acknowledges that what this looks like might change depending on the individual needs and circumstances of the child and their family.

The review report states:

We asked if changes to the legislation could improve the timeliness of child protection decision-making in a way that would support better outcomes for children and young people.

- The importance of timely decision-making, including concerns about the impacts of delays in court processes, came up frequently in the public consultation.
- Some stakeholders suggested the Act needed to make clear the expected timeframes for court processes and orders. We heard specific advocacy for the reintroduction of assessment orders available under the previous Children's Protection Act, as well as suggestions to limit the number of adjournments.

With a quote from a practitioner:

[There needs to be] some parameters to ensure that cases can't be in court for prolonged periods of time, as this provides unacceptable delays for children in decision-making.

Again, a very simple amendment to the act that would have big repercussions in a positive way for better outcomes for these most vulnerable of children, and in supporting those we expect to care for them.

Again, in recent weeks, I have received correspondence from those who have been involved in care arrangements and contested care arrangements where a child has been removed, and they have been sent correspondence that is giving them dates to appeal the decision that are, in fact, prior to the date that they receive the correspondence. Again, where is the procedural fairness? When an administrative error such as that impacts the life of a young child, surely the minister needs to get that review report out of her inbox and get some legislation before this parliament.

The time is late. It is a very late evening of sitting tonight, and I understand that, so while I could actually go through a whole range of other concerns, they are the ones I wish to focus on because I think allowing carers procedural fairness, and addressing administrative issues of process, is surely the least that this minister could have done in the 16 months she has had to respond to those hundreds of people and organisations who made contributions to improve this act.

She has not brought a piece of legislation to this place, and I do note that the Greens will, and did give notice today, so it is not yet on the *Notice Paper*, so I am not beyond the rules of parliament to address it. We will move for an independent grievance process, and I have a private member's bill to effect just that.

It did not need an extraordinary level of parliamentary counsel drafting expertise. In fact, it did not have all of the machinery of government, and the public servants there to put it together, and so I point out that the minister has had 16 months to do her job, and if she does not do her job this

motion is just the first of many where the parliament will do her job for her to protect children and to protect and support carers in this system, this system that is broken and does need to be fixed.

If the minister wants to talk about the threshold for mandatory reporting as an excuse in the future, I note and I draw her attention to the threshold issues that have been addressed in almost every other jurisdiction of this country, that are identified in the review report, that have had great debate publicly, that she could have also brought in legislation to fix by now, but she has not.

The opposition no doubt will say that we need a standalone child protection minister, and they probably will say that perhaps this minister spends more time at photo ops than follow-ups. I am old-fashioned; I would like a competent and efficient minister who can multitask. If it is not this minister, then I suspect the Malinauskas government needs to get another minister to take the reins of this portfolio if they do not wish to see this parliament show no confidence in the broader government as well as this minister. With that, I commend the motion.

**The Hon. L.A. HENDERSON (23:05):** I rise tonight to support the honourable member's motion. The opposition have time and time again called for a standalone child protection minister, someone who will be solely focused on vulnerable South Australian children and the child protection system, which is in crisis under this minister, but these calls have fallen on deaf ears. When the Premier had the opportunity at the recent cabinet reshuffle to ensure that there was a standalone child protection minister, the Premier instead appointed an assistant minister for junior sport participation, giving Minister Hildyard more support in her sports portfolio. This tells you all you need to know about this government's priorities.

Today, I stand here again, like a broken record, calling for this portfolio to be given the attention that it needs and the attention that it deserves. The need for this change, for a dedicated minister with a standalone portfolio, is only personified by the minister's inaction in delivering the needed changes to the Children and Young People (Safety) Act.

This minister is failing to reach her own set targets. In the 2023-24 budget, this budget right here—the minister may remember it; I will provide the budget line to her here to jog her memory in case she has forgotten—under Targets 2023-24 it included, and I quote, 'Introduce amendments to support changes to the Children and Young People (Safety) Act 2017'. If we fast-forward to this year's budget, 2024-25, what do we see? Yes, we see, 'Introduce changes to the Children and Young People (Safety) Act 2017'.

This is entirely unacceptable. This minister has not delivered on her own self-imposed target. I will add that this is not the only target that she has not met from the 2023-24 budget too. The minister has been sitting on the final report for the review of this act since February 2023—not 2024 but February 2023. For over a year she has been sitting on this report. What has this minister been focusing her time and her attention on, because clearly she has not delivered on her own self-imposed KPI to deliver this crucial piece of legislation? Surely, this just displays that there is a real need for a standalone minister, if she is not able to meet her own targets.

But what is a failed target? Give the minister an assistant minister for her sports portfolio. I guess we can just add it to the failings of the Malinauskas government, shall we? After all, we are talking about a Labor government that promised to fix the ramping crisis and told voters to 'Vote Labor like your life depends on it, because it just might.' Do you know what? The ramping crisis is far, far worse under your leadership.

With the child protection system in crisis, you would think, you would hope, that the minister would prioritise this legislation and make tangible outcomes in this space. It should not take the crossbench, it should not take the opposition, to call on this government to introduce legislation to amend the Children and Young People (Safety) Act, to prioritise the best interests of children and young people in South Australia. It should already be done.

The minister knows what she needs to do; she knows this needs to be done. It has been a target for two out of three of the budgets that have been delivered by this government since they have been elected.

I have met with many involved in this space—stakeholders, organisations, carers and families—and it has been absolutely heartbreaking to hear what is going on and the lack of support

that they have told me they have been provided with. I have heard some stories about carers relying on charities like Foodbank to ensure that children are fed. Why is this the case? It is entirely unacceptable.

Carers are telling me it is a matter of financial support. We keep hearing about the cost-of-living crisis, and we know that there are so many in our community who are feeling the pinch at the moment. Carers are no different. This government is not meeting them in the middle, and this year's budget measures are a clear example of a government that is not listening and this, ultimately, is at the cost of vulnerable children.

I believe that carers are doing their best, and we would be so lost without them. I am incredibly grateful for the so many of them who have come to speak to me to share their stories with me and spend countless, countless hours advocating for changes for vulnerable South Australian children. It is on the government to make sure that they fix this problem—that they find solutions and deliver support for our carers.

I have lost count of how many times they, too, have mentioned the great anticipation for this legislation and the much needed changes that come along with that; how many times they have spoken to me about the lack of support for carers, about the need for a stand-alone child protection minister, about the desire for an independent complaints process and about the desperate need for reform in this crucial space.

Some of the stories I have heard would break your heart. These children in care cannot afford to continuously be put on the backburner and wait for significant change. They need it now. It is my real hope that this minister does some soul-searching and does some serious work in this space during the parliamentary break and comes back in August with this bill.

The minister only has a full seven scheduled sitting weeks left to deal with this bill. The time is on; South Australian children cannot wait and the minister cannot afford to either. Seeing as this government loves to focus on sport so much, perhaps I can put it this way: minister, you have not even made it to the field yet. It is half-time and there is not a lot left to go.

**The Hon. B.R. HOOD (23:12):** I rise to speak to this critical motion from the Hon. Tammy Franks. It is hard to fathom a more crucial duty for our state government than to ensure the safety, security and wellbeing of our most vulnerable children, and yet the current state of our child protection system is nothing short of a national disgrace. The system is broken and the children of South Australia are paying the price.

When I came into this place, I thought I was going to be a voice for the regions, but I have had the privilege of meeting so many of our state's dedicated foster and kinship carers in my very short time in this place—individuals who have opened their hearts and their homes to the care of children in need. I am thankful for every single one of them.

Many of them are actually quite afraid to be named because of this department's brokenness, but I am thankful to The Carer Project's Lisa O'Malley and Joyce Woody for their impassioned advocacy and deep knowledge in this space. It is the dedication of foster carers like Lisa and Joyce and the dozens of others I have met that is inspiring, but all too often their stories are heart-wrenching. They reveal a system riddled with bureaucracy, neglect and outright disregard for the welfare of children and the carers who support them.

The current Minister for Child Protection, the Hon. Katrine Hildyard, has demonstrated nothing but a shocking dereliction of duty. It is an insult to the people of South Australia that while she is now assisted in her portfolio of sport, rec and racing, no such support has been provided for the critical area of child protection. This prioritisation speaks volumes about this government's misplaced values.

Child protection should be the minister's top priority. It should be the minister's top priority. Irrespective of whether you are competent or not, it is the top priority. Instead, we have a minister more focused on attending sporting events and riding around on a scooter than addressing the dire issues within her most pressing portfolio. This negligence is not just a failure of responsibility; it is a betrayal of the children who depend on the state, and on this minister and the chief executive, for their safety and their future.

The promises that were made during the election campaign have well and truly been broken. Prior to the election two years ago, the member for Reynell, now the child protection minister, pledged to the peak body that, and I quote:

If the child protection system is going to do the job the community expects of it, it must be open for scrutiny and the people most involved—the children and the carers—must be able to speak up.

There is another broken promise from that same letter, and I quote:

A Malinauskas Labor government will legislate faster response by the government to complaints from carers...to ensure complaints processes are effective.

The Malinauskas government pledged a review of the Children and Young People (Safety) Act 2017, and yet we have seen no such review. Dr Arney's Independent Inquiry into Foster and Kinship Care report recommendations do not meet the carers' expectations for meaningful change. While an independent Carer Council has been established, this was not sought after by any carer whom I have met with. Additionally, a number of those on the Carer Council are either employed in the child protection sector or, shockingly, are employed directly by the department itself.

It is clear from the terms of reference for the independent inquiry that the department's complaints management processes were a prominent reason for its commissioning. Dr Arney's November 2022 report extensively documents the concerns of carers about the current system, and her first six recommendations specifically refer to the processes that will improve current inadequacies. But, as the minister confirmed to me in writing in February this year, the minister does not support an independent complaints mechanism. This was even news to the peak body, Connecting Foster and Kinship Carers, when I met with them more than six weeks later. Talk about openness and transparency.

In addition to establishing a proper and arms-length complaints process, carers also raised with me the need for carers to have standing in court, the need for respite entitlements to be legislated, the necessity for an increase in base rate payments to keep up with the cost of living and the need for the Child Death and Serious Injury Review Committee to report and collect data on serious injuries.

Instead of genuine reform and review, we have a system more focused on child removal and exploiting foster and kinship carers than on promoting the best interests of children and young people. While the government should have acted two years ago, it must take decisive action now to progress the reforms that were promised and to prioritise the holistic welfare of our children.

Financially, the mismanagement is staggering. Each child placed into residential care costs taxpayers in this state over \$500,000 a year. In contrast, foster and kinship care, which provides exceptionally better outcomes for children, is far more cost-effective. The failure to support these carers adequately not only wastes taxpayer money but also diminishes the life prospects of the children involved. These carers, treated like second-class citizens, deserve better support and recognition for their invaluable contributions.

One of the key issues driving carers away is the unbearable financial burden placed upon them. Carers have described this situation as financial extortion, leaving them unable to continue their critical voluntary duties. These people are, for all intents and purposes, volunteers. The government must overcome these financial strains, they must provide adequate support to retain and recruit more foster and kinship carers. If this does not happen, more children will end up in costly and less effective residential care.

The minister's engagement with carers has been abysmal. Carers have been ignored, their concerns left unaddressed and essential supplies delayed for months. The minister's lack of action and misleading responses have further eroded trust. This is unacceptable and it must change. Foster and kinship carers should not have to wait for months for essential safety equipment, for disability supplies and for medical supplies.

The minister and her chief executive appear to engage selectively and then fail to act, leaving carers and children in precarious situations. This lack of responsiveness, this lack of transparency is a profound failure of leadership. It is a direct contradiction of the statement of commitment that crystallises how those involved in the care of our state's most vulnerable children should act.



This government must get serious about protecting children. It must get serious about supporting those who care for them. It is high time to appoint a standalone child protection minister, one who can solely focus on this critical issue. It is high time to appoint a competent one. The last thing this state needs is an assistant minister for the bread and circuses of the Malinauskas government.

The current minister's divided attention and action is not acceptable. Our children and their carers deserve better. They deserve a better system that works, they deserve a government that listens and they deserve a leader who acts. Nothing else is acceptable.

**The Hon. C. BONAROS (23:22):** I rise to support this motion wholeheartedly and to echo the sentiments that have been expressed across the political divide today on this issue. I might just reflect on what the Hon. Tammy Franks said at the beginning; that is, that this might be one of the more difficult portfolios but surely, in addition to being one of the most difficult, it is also one of the most important portfolios that exists in government. It is the most important because it deals with our most vulnerable kids.

If you need a reminder of just how vulnerable those kids are who are the subject of this portfolio, then I remind you of the tragic event that resulted in the death of a little boy in May 2021 in Port Lincoln. I also remind you of at least six coronial inquests since 2010 into the deaths of Chloe Valentine, Ebony Napier, Heidi Singh, Amber Rigney, Korey Mitchell and, of course, Zhane Chilcott and the review of two further deaths: Charlie Nowland and Makai Wanganeen—a report found that at the time there were 500 kids in SA living in high-risk situations.

I remember when that report came out, and the very immediate response we had from the minister and the Premier about everything we were going to do to address that very high-risk situation that those kids were living in. Frankly, we have not seen much from this minister, and what I find most bitterly disappointing about the way that the minister has conducted herself in this is the benefit that we have all given her to get this right. That is disappointing, and I am sure I am not the only one with that frustration when the minister says, 'We're nearly there, we're nearly there, we're nearly there,' and here we are, 16 months later, and we are nowhere near there.

We have another budget in front of us. I had to search the budget paper really closely for funds that would deal with the issue of child protection. I found one paragraph in amongst the 'Supporting communities' page, which talked about \$70 million that would be allocated in 2023-24. That was \$70 million going towards kids in out-of-home care in additional resources. It is not money that is going into services for kids: it is money that is going towards where 75 per cent of the child protection budget goes, and that is keeping kids out of their homes, in residential care and out-of-home care.

We know there are extraordinary people who do extraordinary things: Connecting Foster and Kinship Carers, Grandcarers SA and, of course, The Carer Project. There are issues that divide those groups—there are absolutely issues that divide those groups—but the one thing that unites them unanimously is their shared frustration with this government in terms of its response to the needs of not just foster carers and kinship carers but the kids that we are talking about, the kids they are looking after.

All of us have come in here and stood time and again and spoken about this issue, and we have a minister who just says, 'Trust me, I'm getting there. Trust me, something is coming.' When we talk about the announcements, I do not think I see a week go by where I do not see an announcement by this minister. Generally speaking, there is lots of noise by this minister. Have a look at all the announcements this minister has made since budget day. I saw one on child protection, but I saw lots about sports vouchers—fantastic. I saw lots about sports vouchers, I saw lots about sporting activities. There is racing in there and everything else that she focuses her time on except the state's most vulnerable kids, and that is her core work.

I know this government loves this affinity for sporting activities, and it is popular—people love sports, that is great—but you have the wrong minister doing both jobs, because her core focus seems to be on what is popular. Her core focus is on all the stuff like riding scooters down North Terrace. I would like to see her meeting with carers on the steps of Parliament House, as opposed to riding scooters down there and telling us what she is going to do about that. I would just like a response

from her that we have waited for for as long as other members have indicated—16 months—and that is utterly unacceptable.

In a letter dated 16 March 2022—I do not need to remind anyone what that date that was—Katrine Hildyard MP, member for Reynell, and I will quote the letter, wrote to the Chief Executive Officer of Connecting Foster and Kinship Carers SA, stating:

Dear Fiona

Thank you very much for what your organisation does to ensure South Australia's most vulnerable children are protected and enabled to thrive.

Every South Australian child being loved, safe, and healthy matters to Labor and to the South Australian community. A child's starting point should never limit their future.

Labor understands that collaborative, concerted effort across government and the community is needed to ensure the safety, health and wellbeing of South Australian children.

A Malinauskas Labor government will focus on improving the lives of South Australian children by putting the welfare of children at the centre of our decision making and actions. In doing so, Labor is prepared to tackle some of the most difficult and complex social issues impacting children and their families, in partnership with children, their families and their communities.

Our actions on child protection will include:

Giving Children A Voice

Labor will improve advocacy and support for children and young people in care and leaving care. If the child protection system is going to do the job the community expects of it, it must be open for scrutiny and the people most involved—the children and the carers—must be able to speak up.

They are speaking up, alright. They are speaking up about all the things in this letter that the government and the minister, who has made these pledges herself, have not done. Continuing:

A Malinauskas Labor government will:

- Invest in the Create Foundation to work with children and young people in care to identity and develop future housing, work and study pathways...
- Ensure the Guardian for Children and Young People is funded to be the Community Visitor for children in residential care.
- Empower the Aboriginal Children's Commissioner to create an Aboriginal-led group, in conjunction with Aboriginal children, families and organisations, that will ensure Aboriginal voices are heard and acted upon...
- Work with the Create Foundation and the Guardian for Children and Young People to establish a mechanism for the Minister to directly hear from children in care on an at least quarterly basis...

Addressing the Child Protection Workforce Crisis

It is essential that the child protection workforce is better supported. The crisis in child protection has been felt deeply by workers in residential care and across the department.

A Malinauskas Labor government will:

- Fill existing job vacancies.
- Develop a workforce plan, in consultation with workers and their unions and community organisations, to ensure sustainable, safe staffing levels for the future.
- Initiate a campaign to connect students and other job seekers with work in child protection.
- Ensure at least quarterly meetings between the Minister and the relevant Unions to hear about staffing issues that need to be addressed.

Labor will also review legislative and policy settings so that responsibility for children's safety and wellbeing is taken and so that policies and practices work effectively for children, their families, carers, workers and communities.

I bet you the only thing that the minister is taking out of this speech is this: I bet you that right now someone in her office, at her request, is sitting there going, 'Oh crap, which one have we done? Which one haven't we done?'

I will tell you which one you have not done: you have not done the most important one. You have not done the one that you pledged you were going to do and the one that everybody else has been waiting 16 months for. That is the report that is sitting on your desk collecting dust, and that is the bitter disappointment that you have brought to this parliament. You have come to all of us time and time again—and I have had these conversations with you, minister, in my office, in your office, before Budget and Finance and any other committee we can call—and we have been told time and time again: 'It's coming. Just be patient.'

Do you know what is happening while we are being patient? More and more kids are being put at risk. If you honestly expect anyone in this circle to believe that you are putting these kids at the centre of your policymaking, then you need to look no further than the budget that was released last week, because they are not front and centre of this budget. They are by no means front and centre of this budget.

Foster and kinship carers have been telling this government what they need for I do not know how long. We have had reference to the Dr Arney report. In February this year, I spoke about that and about superannuation and how much carers save governments in money. This could be done just purely on an economic basis. If someone sat there, maybe if the Treasurer sat there and did the sums, he would realise that spending 75 per cent of the child protection budget on out-of-home care is nowhere near as effective or economic as ensuring that those kids are appropriately placed in housing with loved ones, with kinship carers, with grandcarers, who are appropriately recompensed.

You are never going to make up for the fact that those kids are not with their parents but, for whatever reason, they cannot be. But do not treat the people who are looking after them like mugs—and that is what we do, we treat them like mugs.

We bank on the fact that in 85 per cent of cases, some family member, whether they can afford it or not, whether they are in their retirement or not, whether they have to give up their job or not—and, overwhelmingly, it is women—are going to have to give up going to work, sell their house, and do whatever they have to do. This government banks on the fact that in 85 per cent of cases a family member is going to put their hand up and they are going to look after that kid because they do not want to see that kid lost to a broken system and I do not blame them—I do not blame them one bit—but I do sympathise with them, and that is what unites them on this.

They have had crickets. It is not just disrespect that we have shown those families who do what they do, it is utterly unconscionable—utterly and totally unconscionable. So when the minister next comes and says, 'Give me a little bit more time. Here, these are all the great things that are coming,' it is not going to wash anymore. We have been there, we have done that. I have been having discussions with her all year—not just this year, mind you—and we are all still waiting, and we still have crickets. So here we find ourselves today.

I know that the minister will also say, 'You know I am trying. You know I am trying really hard. I know that this is our priority. There is only 25 per cent left of our budget that I can contribute towards the things that are actually going to make a meaningful impact and change the trajectory of these kids lives.' But in the meantime, 75 per cent of that funding is going to go towards residential care—75 per cent of the budget will go to residential care. That in itself is an extraordinary figure.

But then the minister will say, 'I have to compete against all those other ministers and all those other interests and everyone else who wants money from the budget for their projects and their portfolios. I have to compete and I am worried about what I am going to get.' I have never heard a bigger crock than that one. I have never heard more rubbish than that. That flies in the face of every commitment that she gave on 16 March 2022 on behalf of this government.

We have had a child protection crisis in this state for a very long time. When this minister was in opposition, she had a red-hot crack at the then minister about the way she conducted this. When we had that legislation introduced into this place, sure, we were not happy with it either. We were not happy with the former minister's proposals around this. But you really have to think we are stupid, like really, really stupid, or you are really, really smart, that after all this time, since the former minister left—I do not know, when was Rachel Sanderson here? When was that?

**The Hon. L.A. Henderson:** In 2022.

**The Hon. C. BONAROS:** In 2022.

*The Hon. T.A. Franks interjecting:*

**The Hon. C. BONAROS:** When did we do that? I do not know, it was something like 2019 and we are now in 2024. We are still waiting to see that same piece of legislation. Either those bureaucrats are moving really bloody slowly or this minister is taking the mickey out of all of us, and, worst of all, she is turning her back on the most vulnerable kids in the state.

**The Hon. B.R. Hood:** And their carers.

**The Hon. C. BONAROS:** And their carers, and their grandcarers—whoever it is who is looking after these kids. If you think for a minute that putting kids under the care of guardianship is the answer, you are so, so sorely mistaken because that is when you really set these kids up for failure. We have seen the numbers of 18-year orders go through the roof. One in four kids comes under—if there are four of us, one of our kids has been under the watch of Child Protection. That is a lot of kids.

**The Hon. T.A. Franks:** That is about the reported notifications.

**The Hon. C. BONAROS:** Notifications, but one in four kids has come into—

**The Hon. T.A. Franks:** Maybe she should change the threshold for notifications.

**The Hon. C. BONAROS:** Yes.

**The Hon. L.A. Henderson:** It is now one in three.

**The Hon. C. BONAROS:** One in three—there we go. These are not trivial things. We are talking about kids' lives. I have just pointed to six coronial inquests that involved the death of kids. There are another three that are appointed that have not been the subject of a coronial inquest. That is nine kids I have counted today who are all dead and they were all in some way, shape or form, in, under, in contact with, under the care of, or whatever the case may be, of child protection and this minister keeps coming to us and saying, 'Just wait a little longer. Wait a little longer and we will get this right.'

In the meantime, foster carers and kinship carers and grandcarers keep carrying the load and it is a heavy, heavy load and a heavy, heavy burden. Ultimately, the ones who pay the price for that heavy, heavy load and that heavy, heavy burden are not the minister, who loves going to her sporting activities on the weekends and every other given day of the week. It is the kids. It is those little, innocent kids who we have the opportunity to help but who ultimately do not get the best shot at life because we are not affording them all the opportunities they deserve and that is an indictment on all of us, an absolute indictment on all of us, in this place. I will be stuffed if I am going to sit by and listen to this minister say to me once more, 'Give us a bit more time.' Your time is up, minister. Get cracking or expect more of this and worse.

**The Hon. M. EL DANNAWI (23:41):** I rise to speak on behalf of the government. The government appreciates the honourable member's ongoing advocacy for the safety for vulnerable children. Due to the notice period given for moving and bringing this motion to a vote, the Labor caucus has been unable to consider the motion, thus the government is not able to support it on that basis.

**The Hon. T.A. FRANKS (23:41):** I would like to thank those members who made a contribution to this debate: the Hon. Laura Henderson, the Hon. Ben Hood, the Hon. Connie Bonaros and the Hon. Mira El Dannawi. I would echo some of the words of the Hon. Connie Bonaros in drawing members of this council and of the other place and generally the Labor Party MPs in general to the words of now Minister Katrina Hildyard on 16 March 2022. I seek leave to table this letter that was sent in response to the state election commitments requested by Connecting Foster and Kinship Care SA, dated 16 March 2022.

Leave granted.

**The Hon. T.A. FRANKS:** I do so because I know it is not necessarily a document in the public domain. It is certainly one that has been held onto by carers and one that they put some, I

believe, false hope in. I point out that on page 2 of that document, under 'Supporting Carers, Grandparents and Extended Families', now Minister Hildyard, then the shadow minister, promised to:

- Legislate faster response by the government to complaints by carers and to ensure complaints processes are effective.

On page 3, she goes on to say:

Labor will also review legislative and policy settings so that responsibility for children's safety and wellbeing is taken and so that policies and practices work effectively for children, their families, carers, workers and communities.

So for the Labor government to receive from their now minister some talking points that claim that she has not had enough time to respond to this motion, a motion that has been on the *Notice Paper* since the end of 2023, some six months, that asks her to keep the promises she made in March 2022 that do not require any expenditure of funding necessarily to enact the most pressing parts of the findings of the review of the current act of its failings to ensure that carers are actually given due process when it comes to care concerns or given procedural fairness and given the respect they deserve to retain their services and their absolute commitment, it does not actually require this government to expend a single cent of additional funds to enact all those things to keep those particular promises. They should have been kept in 2022.

But here we are. It took quite a while for the review to take place. It has been 16 months since that review report was in Minister Hildyard's inbox and received with all that work by the community, by the carers, by the sector—all those recommendations—and we should have had a piece of legislation before this parliament by the end of last year, as she promised.

It is extraordinary that a minister would give any member of her party some talking points that the Labor caucus did not have enough time to come up with a position on this motion we debate tonight. It is extraordinary as an argument. No amount of sophistry, no amount of pretty words and rhetoric can dress that rubbish up. I commend the motion.

Motion carried.

#### *Bills*

### **DISABILITY INCLUSION (REVIEW RECOMMENDATIONS) AMENDMENT BILL**

#### *Final Stages*

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

### **STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL**

#### *Final Stages*

The House of Assembly agreed to the bill without any amendment.

At 23:49 the council adjourned until Thursday 27 June 2024 at 14:15.

*Answers to Questions***VAPING**

In reply to **the Hon. S.L. GAME** (11 April 2024).

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

The Australian parliament is currently considering amendments to the Therapeutic Goods Act 1989 which, once passed, will effectively work towards ending the illegal supply of nicotine vapes in Australia. The South Australian government continues to be an active participant in progressing these national reforms.

The importation of disposable and non-therapeutic vaping products into Australia is now banned. This black market for illicit nicotine vaping products is being starved of its supply. And these new amendments will further restrict the market and availability of these products to young people. These reforms will also reduce the appeal of vapes by removing the bright colours and requiring pharmaceutical like packaging, restricting their flavours and regulating nicotine concentration.

Vapes were marketed as a smoking cessation product but the uptake of these products has included significant numbers of non-smokers, particularly children and young people. Vaping has been shown to triple the chance of a non-smoker taking up cigarette smoking.

These products are not safe and have been shown to carry their own health risks. Only in the past weeks have KidSafeSA highlighted the alarming increase in calls to the National Poisons Information Centre with nicotine related calls in South Australia rising to 78 in 2023 compared to 53 in 2022. Ingestion of nicotine poses a serious poisoning risk and could potentially be fatal for young children.

The evidence surrounding the effectiveness of vapes in aiding smoking cessation is mixed. The Royal Australian College of General Practitioners does not recommend vaping products as a first line treatment. For those who think vaping may assist them in quitting, there is the option for them to discuss this with their medical practitioner as part of a cessation plan. Seeking advice from a health practitioner has been shown to increase the likelihood of quitting successfully. There are a number of evidence based quitting medications and therapies which had significant testing for efficacy, quality and safety.

The approach taken by both the Australian and state governments balances the needs of those wanting to quit to access these products and the risk to our children and young people. This government makes no apology for taking this strong stance.

**CLOSING THE GAP**

In reply to **the Hon. J.M.A. LENSINK** (1 May 2024).

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

The community data project in Adelaide's western suburbs is one of six projects across Australia, as agreed by Joint Council on Closing the Gap.

The community data project is an action under Closing the Gap's Priority Reform 4 (PR 4)—'Shared access to data and information at a regional level'.

SA's community data project is being undertaken in partnership with South Australia's Aboriginal Community Controlled Network (SAACCON) and the Aboriginal community. SAACCON is leading engagement with Aboriginal Community Controlled Organisations (ACCOs) and the Aboriginal community to identify data priorities and areas of interest.

SAACCON is currently engaging with the community and ACCOs to gain an understanding of their perspectives, data needs and aspirations.