

LEGISLATIVE COUNCIL**Thursday, 27 June 2024**

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

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

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the President—

Report of the Auditor-General—Report 7 of 2024 Agency audit reports
Report by the Independent Commissioner Against Corruption titled Commissioner's
response to three reports of the Inspector tabled 30 April 2024
[Ordered to be published]

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

Fees Notices under Acts—
Education and Children's Services Act 2019
Regulations under Acts—
Education and Early Childhood Services (Registration and Standards) Act 2011—
Amendment of Education and Care Services National
Law Text
Independent Review of the Emergency Management Act 2004
Independent Review of the Emergency Management Act 2004—Government Response
Ministerial Staffing Report under the Public Sector Act 2009
Review of the Water Third Party Access Regime 2024

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

Regulations under Acts—
Administration and Probate Act 1919—General

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

Fees Notices under Acts—
Aquaculture Act 2001
Fisheries Management Act 2007—Fishery Licence and Boat and Device
Registration Application and Annual Fees
Review of 2020 Management Plan for Recreational Fishing in South Australia—Outcomes

*Ministerial Statement***REVIEW OF THE EMERGENCY MANAGEMENT ACT**

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:20): I table a copy of a ministerial statement relating to review of the Emergency Management Act made in another place by my colleague the Premier.

*Parliamentary Procedure***ANSWERS TABLED**

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

*Question Time***AVIAN INFLUENZA**

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:26): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development on guidelines for South Australian egg producers and avian influenza.

Leave granted.

The Hon. N.J. CENTOFANTI: Current standards and guidelines produced by the ACCC for egg producers state that for free-range eggs, the producer, and I quote, 'should allow hens continuous and unrestricted access to an outdoor range during daylight hours'. However, it also goes on to state that, and I quote:

Egg producers may still prevent their hens from accessing the outdoor range for a period that is not unreasonable when the hens are undergoing nest box training, poor weather conditions would endanger them, they would be exposed to predators, they are being medicated or otherwise cared for, and in other 'exceptional circumstances' that pose a significant risk to the hens' health or safety.

Across both Victoria and New South Wales, we are seeing a growing number of outbreaks of highly pathogenic avian influenza. Housing orders have been put in place for outbreak zones in both Victoria and New South Wales, and Queensland egg producers have been calling for a voluntary housing order as a preventative measure. So my questions to the minister are:

1. Has the minister been approached by South Australian producers in regard to a voluntary housing order?
2. Does the minister consider these outbreaks interstate as exceptional circumstances? And, if so, does the minister support egg producers here in South Australia preventing their hens from accessing the outdoors during these periods of high risk for avian influenza?
3. Will the minister advocate to her federal colleagues to review the standards and guidelines for free-range eggs in light of the unfolding spread of avian influenza and the indisputable evidence that increased risk of spread in free-range chickens is due to access to wild birds?
4. Is the minister concerned about the animal welfare implications of those birds having to undergo mass euthanasia due to avian influenza?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:28): I thank the honourable member for her question. Her first question was have I been approached about a voluntary housing order? I certainly haven't been approached directly. I will take on notice to see whether there have been any inquiries to that extent through the department.

In terms of avian influenza overall, I think it is certainly an evolving situation. The honourable member referred to the fact that there are outbreaks in New South Wales as well as in Victoria, although my advice is that they are two different strains. The ones within Victoria are connected to each other and I think, from when I last had my briefing, those in New South Wales are connected to each other but not to the Victorian outbreaks.

It is a continuing and evolving situation. In terms of the guidelines, review of guidelines are on a national basis and usually take a very long time, and the outcomes of the most recent review were just within the past 12 to 18 months. I think there are certainly procedures in place, processes in place nationally around dealing with all sorts of diseases, and this is no exception.

MINISTERIAL STAFF

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:30): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development about ministerial staffing.

Leave granted.

The Hon. N.J. CENTOFANTI: During the estimates process, the minister was asked a question as to why the 2024-25 budget saw an increase in FTEs in her ministerial office from 10 FTEs in the previous 2023-24 budget to 11 FTEs this financial year. The minister, in her reply, said, 'The budget includes an FTE cap of 11,' and, 'As of 31 May, nine of these 11 positions are filled,' and further:

An additional business support position was included in the initial structure for my office but is currently held vacant. If business demands require filling this position, the total budgeted FTEs in the office will be 12 officers.

My question to the minister is: given the minister has lost elements of her portfolio, in the way of the shift of the Office of the Cross Border Commissioner into DPC, can the minister explain why her staff budgeted allocation has increased from 10 to 12 FTEs, given her workload has decreased?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:31): I thank the honourable member for her question, although I am very disappointed to hear that she thinks the primary industries portfolio, which includes regional development as well as forestry, is not important enough to warrant a reasonable staffing allocation. Clearly, she doesn't think that the issues that are raised are particularly—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —important. Clearly, all her talk about the importance of primary industries is just that—it's just talk. She thinks that the ministerial office—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —shouldn't have appropriate staffing. One of the other aspects is that—I think I responded in estimates—one of the positions is currently vacant. In terms of the Cross Border Commissioner, the suggestion that that, therefore, represents a significant reduction in workload I think really does demonstrate the lack of understanding of those opposite, the absolute lack of understanding from those opposite of what is involved in a commissioner's role.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: If those opposite, including the honourable Leader of the Opposition in this place, is not interested enough to even listen to the answer to her question, it really does demonstrate how interested she is in the topic to start with.

Members interjecting:

The PRESIDENT: Order!

AGRICULTURAL INDUSTRY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:32): I seek leave to make a brief explanation prior to asking a question of the Minister for Primary Industries and Regional Development regarding agricultural production in South Australia.

Leave granted.

The Hon. N.J. CENTOFANTI: The nation of Denmark, like Australia, is a major exporter of pork and dairy. Denmark has moved ahead with the world's first carbon tax on agriculture, labelled in the form of a levy, with dairy and beef cattle farmers and pig farmers set to be charged 300 Danish

krone, equivalent to approximately \$A65 per tonne of CO₂ equivalent emissions from their livestock in 2030, rising to 750 Danish krone, or approximately \$A162 in 2035.

According to one Danish think tank, the average dairy cow produces 5.6 tonnes of CO₂ equivalent per year. This means a \$364 levy per cow per year in 2030 and a staggering \$907 levy per cow per year in 2035. Danish farming organisations have heavily criticised the deal, stating it will hinder not only production but any ability for the industry to invest in technology and innovation to improve their practices.

It is crucial to note that the levy will not be used to tackle innovation and technology for the industry but, instead, and I quote from the Danish foreign minister, 'invest billions in the biggest transformation of the Danish landscape'. The minister notes that this equates to funding wetlands and reforestation projects. In light of this news, my inbox and my office have been alarmingly busy of recent days with calls and correspondence from concerned South Australian producers who want—

Members interjecting:

The PRESIDENT: Order!

The Hon. N.J. CENTOFANTI: This is a serious issue—who want reassurance that they will not be facing another industry levy.

Members interjecting:

The PRESIDENT: Order!

The Hon. N.J. CENTOFANTI: My question to the minister is: can the minister guarantee the chamber that a Malinauskas Labor government will not impose any state-based carbon tax or levy on livestock here in South Australia?

The Hon. R.B. Martin interjecting:

The PRESIDENT: The Hon. Mr Martin!

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:35): We have no policy to introduce such a tax here in South Australia. What we have seen week after week here in this place is those opposite, particularly the Leader of the Opposition in this place, constantly talking about federal matters. The suggestion was perhaps she was auditioning for a role in federal parliament. Now it appears that she is auditioning for a role in the EU parliament. Perhaps she needs to realise that if she wants to be in the EU parliament she should move to Europe. I think the questions that she is asking show that she has run out of ideas for South Australia. She can't talk about South Australian issues. It's got to be about national issues or now even international issues.

AGRICULTURAL INDUSTRY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:36): Supplementary question.

Members interjecting:

The PRESIDENT: Just before your supplementary, the Hon. Mr Wortley, I want to listen to the supplementary question to make sure it is arising—

The Hon. R.P. Wortley interjecting:

The PRESIDENT: The Hon. Mr Wortley!

The Hon. H.M. Girolamo: Chuck him out.

The PRESIDENT: The Hon. Ms Girolamo!

The Hon. N.J. CENTOFANTI: Given the minister talked about current policy, can she rule out any future policy of a state-based carbon tax or levy on livestock producers?

The PRESIDENT: You can answer, if you want, minister.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:36): What I would like to talk about, in terms of policy, is our excellent and relevant to the question net zero agriculture policy.

Members interjecting:

The PRESIDENT: Order! I will listen to the very short remainder of this answer and then we are moving on.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Thank you, Mr President. I am delighted to talk about net zero agriculture in terms of our future. The Labor government has committed \$8.4 million over five years towards a low-emission intensity farming system initiative. One of the excellent things about this is that it will leverage commonwealth and industry contributions of \$16 million over five years, providing a total program budget of \$24.4 million. This is important to maintain market access and also competitiveness in the global agricultural market.

South Australian producers need to be able to demonstrate their commitment to reducing emissions. We know a lot of our agricultural sectors have been very active in this space, but they need to be able to demonstrate that to their markets. Using sustainable agricultural practices is something that is a key part of that and something that our government will continue to support our farmers to do.

WOMEN IN SEAFOOD AUSTRALASIA

The Hon. M. EL DANNAWI (14:37): My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber of the winner of the Women in Seafood Australasia seafood bursary?

Members interjecting:

The PRESIDENT: The Hon. Mr Wortley!

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38): I thank the honourable member for her question. Seafood Directions is the premier seafood industry conference—

Members interjecting:

The PRESIDENT: Order! I would like to hear the answer.

The Hon. C.M. SCRIVEN: Thank you. I will start again. Seafood Directions is the premier seafood industry conference in Australia, and I am pleased to advise that in support of women in the South Australian seafood industry, the Department of Primary Industries and Regions (PIRSA) has awarded a \$6,000 bursary through Women in Seafood Australasia (WISA) to attend Seafood Directions 2024. The winner of the bursary is Ms Kylie Graham of Tumby Bay on Eyre Peninsula.

Kylie has been fishing since she was a young child and has been successful in many recreational fishing competitions across Australia. She has worked on commercial fish farms with a focus on breeding, as well as doing research on South Australian prawn vessels to gain an understanding of the sector, and is currently working with prawn trawl operators to investigate avenues to open the industry up to women and make it a more attractive occupation for women. Kylie has been travelling and working around Australia for a number of years and has developed mental health programs for women in the seafood community, which she has started rolling out.

WISA bursaries seek to provide increased opportunities for women in seafood, with WISA working to support, promote, encourage and represent women in the seafood industry. This bursary will enable Kylie to attend Seafood Directions in Hobart from 10 to 12 September this year, where she will be mentored by WISA and can develop her networks, connections, skills and capacity in the seafood industry.

This bursary has previously helped other South Australian women in the seafood industry to develop their careers by attending the national conference, such as Maxience Williams from Port MacDonnell, who I had the pleasure of meeting after she was awarded the bursary in 2022. It is a fantastic program that not only recognises the achievements of women in seafood but also promotes opportunities for the future.

I look forward to PIRSA sponsoring this program in years to come and providing further opportunities, such as the one Kylie has this year. I am sure there were other worthy applicants who missed out this year, and I would encourage them to apply again when the opportunity arises. I congratulate Kylie Graham on her successful application and wish her all the best with her career.

PUBLIC SERVICE SALARIES

The Hon. S.L. GAME (14:40): I seek leave to make a brief explanation before directing a question to the Attorney-General, representing the Treasurer, about salaries.

Leave granted.

The Hon. S.L. GAME: South Australia already has the highest electricity prices in the nation and salaries here are lower, which means South Australians worry about how they are going to pay the next energy bill, and they get angry when they find the government is using their taxes to create an elite class of people in society. One such elite is newly appointed Governor-General, Sam Mostyn, whose salary is now \$709,000 plus allowances.

During the yes vote campaign, Ms Mostyn lectured a breakfast audience I was at that we must vote yes if we care about disadvantage. I do care about disadvantage, which is why I voted no, along with 65 per cent of people voting in this state. The South Australian state government is just as guilty as the federal government of overpaying public servants, including \$710,670 to the head of the Department of the Premier and Cabinet, \$653,000 to the head of Health and Wellbeing, and \$560,788 to the head of the Office of Hydrogen Power.

My questions to the Attorney-General are: what is the government going to do to bring excessively high Public Service remuneration packages in line with community expectations, and what can the government do to stop excessively overpaid elites lecturing us about disadvantage?

The PRESIDENT: I call the Attorney-General. Attorney, you will ignore the fair bit of opinion that was in that question.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:42): Thank you, sir. In relation to the second question, I think she was referring to, from the explanation and opinion, a matter that is a federal matter. In relation to the first question, I think it can be simply answered by, if we weren't paying salaries that were commensurate with what people can earn elsewhere, whether it be in other jurisdictions or in the private sector, I think we would be getting similar complaints about not having people up to a standard to run very, very complicated departments in the state.

COORONG FISH DEATHS

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:42): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries and Regional Development about fish deaths in the Coorong South Lagoon.

Leave granted.

The Hon. J.S. LEE: During question time on 18 June 2024, the minister, in response to a question about fish deaths in the Coorong South Lagoon, said this:

...PIRSA began investigating media reports of a fish kill in the Coorong within hours of determining the location and that officers attended the site on 12 June...

However, in an article by the ABC News on 20 June 2024, commercial fisherman and environmental advocate Gary Hera-Singh said that he and his colleagues first noticed thousands of mullet dying in late May, and according to a 7News article published on 6 June they claim that they contacted PIRSA, which said that they were unaware of a fish kill in the South Lagoon. My questions to the minister are:

1. Can the minister explain why there was such a large delay between when the fish deaths were reported in the media and when PIRSA sent investigators to the lagoon?
2. What actions is the minister currently taking to tackle the issues in the Coorong South Lagoon that resulted in the most recent fish kill?
3. Will the minister undertake further communication and advocacy with the federal government to secure the funding required to improve the health of the river system and the Coorong?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:44): I thank the honourable member for her question. In terms of the second part of the question, I think it is quite remarkable that those opposite would even raise that given their appalling record on so many things to do with the health of our waterways. However, be that as it may, I think it is fair to say that our government has been doing a great deal in that space, both in terms of advocacy and in terms of attention.

In terms of the fish deaths, I am advised that the event was not reported to PIRSA biosecurity via Fishwatch. The location of the incident obviously needs to be available before an investigation can commence. I am advised that on Tuesday 11 June PIRSA biosecurity was able to obtain location information via reports made to the Department for Environment and Water. PIRSA biosecurity undertook a site visit and collected water samples and environmental measurements within 24 hours of receiving information on the location of the fish kill—that is, on Wednesday 12 June.

The responding biosecurity officer reported yellow eye Coorong mullet scattered over approximately seven kilometres, largely concentrated in the South Lagoon region. Environmental parameters, including temperature, salinity and dissolved oxygen levels at the time of testing, were all within an acceptable range for that location. Data logger records show a decline in oxygen levels in the South Lagoon region in the days leading up to the fish kill. Water testing did not indicate the presence of any harmful or toxic algae.

Specimens were not freshly dead and therefore were not sampled for analysis. No sores or abrasions that may indicate the presence of disease were observed on the carcasses. From 22 to 27 May air temperatures measured by the DEW data loggers in close proximity to the fish kill that we are talking about were the lowest recorded for the month. A large algal biomass was also present in the South Lagoon. In cooler conditions algae are subject to population crashes. As decomposing bacteria consume the dead algae, oxygen is depleted from the system. I am advised that from the available information the cause of this fish kill event is likely attributed to the reduction in dissolved oxygen in the days preceding the event.

Again, I emphasise that no report of this event was received by the Fishwatch hotline at any time. It is vitally important that any fish kill event or concerns are reported to the Fishwatch hotline as early as possible and particularly with clear location data to enable an investigation to occur.

COORONG FISH DEATHS

The Hon. T.A. FRANKS (14:47): Supplementary: what was the earliest date this year there was a mass fish kill in the South Lagoon?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:47): I am happy to take that on notice and bring back a response.

COORONG FISH DEATHS

The Hon. T.A. FRANKS (14:47): Supplementary: the minister just answered with data about the June fish kill. Why did she not actually answer the member's question with regard to the earlier fish kill?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:47): I don't think she talked about the earlier fish kill.

The Hon. T.A. Franks: There have been two.

The Hon. C.M. SCRIVEN: I am aware there have been two events. I didn't hear the honourable Deputy Leader of the Opposition refer to the earlier fish kill. If I missed that part of the question, I am happy to answer it. On 10 April 2024, PIRSA's biosecurity division was made aware of a Facebook post by a member of the public to the SA Natureteers group indicating there had been a fish kill in the South Lagoon region of the Coorong.

PIRSA biosecurity coordinated with the Department for Environment and Water for a district ranger to attend the site and carry out an investigation. A DEW district ranger attended the area indicated in the Facebook post on the morning of 11 April 2024 and could not locate any fish kill. No report of the April fish kill was made via the Fishwatch hotline either.

COORONG FISH DEATHS

The Hon. T.A. FRANKS (14:48): Supplementary: where a member of the department, be it DEW or PIRSA, receives reports of a mass fish death incident is it their duty to report to Fishwatch?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:49): I am not quite sure what the honourable member is getting at. I would hope that any member of the public who observes matters of concern would feel obliged, through being a citizen of South Australia, to report it to Fishwatch with the appropriate information about location, if at all possible.

COORONG FISH DEATHS

The Hon. T.A. FRANKS (14:49): Supplementary: does the minister expect her departmental staff to pass on information to the appropriate sources in the case of a mass fish death?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:49): Where there is a reported event there needs to be the appropriate information available for it to be investigated. That includes, in particular, location data.

COORONG FISH DEATHS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:49): A supplementary question arising from the original answer.

The PRESIDENT: This is the last supplementary question arising from the original answer. I want to move on.

The Hon. N.J. CENTOFANTI: If the June event was not reported to the Fishwatch hotline, was the event reported to PIRSA by any other means; if so, when?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:50): I am advised that a media outlet contacted PIRSA in early June, but there was insufficient location data for that to be investigated.

CHURCHILL FELLOWSHIP

The Hon. R.P. WORTLEY (14:50): My question is to the Attorney-General in regard to the Churchill Fellowship Report launch. Will the minister inform the council about the report launch of Rebecca Plummer's Churchill Fellowship on Access to Justice in Communities Experiencing Isolation and Disadvantage?

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 his magnificent question—and the lack of phone calls so far today in question time.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: Why would someone do that? Sir, last Friday it was an honour to attend the launch of Rebecca Plummer's Churchill Fellowship Report on Access to Justice in Communities Experiencing Isolation and Disadvantage. Rebecca is currently the CEO and Principal Solicitor at JusticeNet SA, and first commenced the huge undertaking of this fellowship back in 2020, but was not able to really begin the ground research until 2022 due to the COVID-19 pandemic.

At the launch of the report, posted very appropriately and accessibly in the District Court, Rebecca generously shared the findings of research gathered from all over the world as it evaluated practical models for improving access to justice in communities experiencing isolation and disadvantage. The areas covered were justice centres in areas such as India, the Netherlands, the USA and Canada.

The findings observed from these very different legal jurisdictions were varied and insightful. For example, in Delhi, court complexes included many different facets, including cafeterias, sporting arenas, libraries and lawyers' chambers, making the courthouse feel much more collaborative and less intimidating.

In interviewing people who were working across these justice systems, Rebecca often focused on two questions: what role does the court play in access to justice, and how does a court service delivery expand outside its four walls? The report managed to distil these into five key findings: legal ecosystems; pre-court diversion, not faux court; egos and hubris; legal literacy and self-help; and money, law and the economy.

Throughout the report there were regular references to United Nations Sustainable Development Goal 16, which is about promoting just, peaceful and inclusive societies where there is trust in institutions and justice. The report's many recommendations targeted different players in the justice system and included the importance of having diversity in the courts and broader justice system—not just of demographics but also of varying experiences and views.

The Winston Churchill Memorial Trust, being the organisation that facilitated this important report, was first established in 1965 and provides fellowships for interested people from different countries, particularly Australians, to travel internationally to conduct research in their chosen field. I commend the work undertaken by Rebecca in this Churchill Fellowship. We in the justice system in South Australia look forward to seeing how we can look at the views and make access more accessible here.

NURSES' WAGES

The Hon. R.A. SIMMS (14:54): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Industrial Relations and Public Sector on the topic of a pay rise for nurses.

Leave granted.

The Hon. R.A. SIMMS: Yesterday, the Victorian government and the Australian Nursing and Midwifery Federation agreed to a 28.4 per cent pay rise for nurses and midwives over the next four years. The agreement includes allowances for a change of ward and being on call. There is also a right-to-disconnect clause and a change to night shift penalties. The Victorian Premier, Jacinta Allan, told *The Age*, and I quote:

This is absolutely backing in our nurses and midwives. They are the backbone of our health and hospitals system.

My question, therefore, to the Minister for Industrial Relations and Public Sector is:

1. Will the Malinauskas government match the Victorian pay rise for South Australian nurses and midwives, and if not, why not?
2. What is the government doing to ensure that our nurses don't simply pack up and move over to Victoria?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:55): I thank the honourable member for his question. In relation to whether we will immediately institute the results of an interstate jurisdiction's enterprise bargaining into industrial instruments in South Australia after having gone through a bargaining process, the short answer to that is, no, we won't—and I am not sure the honourable member would have expected much different from an answer in relation to that.

What we will do, though, as I have said in this chamber a number of times before, is bargain in good faith with public sector unions, which represent employees in a whole range of areas,

including the Australian Nursing and Midwifery Federation, which represents nurses in South Australia and around the country. I don't have the date in front of me, but I think it was sometime in mid to late 2022 when the last industrial agreement was negotiated and signed with the union representing nurses in South Australia. Sometime in the next couple of years that will be up for renegotiation.

What I will say and can commit to is: unlike the last government, we don't come to the table in bad faith with preconceived notions about what is or isn't on the table. We will come to the negotiating table in good faith and are happy to negotiate terms and conditions that are fair for nurses, also recognising the needs of South Australia.

NURSES' WAGES

The Hon. R.A. SIMMS (14:56): Supplementary: given the government won't commit to matching Victoria's offer, is the minister concerned that these nurses and midwives are going to leave South Australia and move interstate, where they can get a better offer?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:57): I thank the honourable member for his question. I do not have a jurisdictional comparison of the base that this has been taken from, and pay rates and the exact matching of various conditions—and that is one element of where someone decides to work. A very important element is the quality of life you get while you are working as well. I might be accused of being biased, but I think that living in South Australia, and Adelaide in particular, affords you a quality of life that you can't find in many other places in this country.

NURSES' WAGES

The Hon. R.A. SIMMS (14:57): Supplementary: in light of the government's failure to match the offer in Victoria and the significant crisis that is gripping our health system—

The PRESIDENT: The Hon. Mr Simms, did you start with—I missed the first words. If you haven't started with a question, you can't have a preamble.

The Hon. R.A. SIMMS: Is it not the case, given the crisis that is befalling our health system and the fact that the government is not going to actually match the offer that has been put on the table over in Victoria, that people are going to simply move interstate and cause further problems in our health system?

The Hon. B.R. Hood: I will allow it.

The PRESIDENT: The Hon. Ben Hood will allow it. If that is the case, then we had better allow it.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:58): I thank the Hon. Ben Hood for allowing it. I think the honourable member is taking some liberties. He well knows that is not how the industrial relations system works. It doesn't happen, when there is one agreement in one jurisdiction somewhere, that it automatically becomes something that every jurisdiction then gets too.

I was going to suggest that if there were a parliament somewhere else around the world that paid more than here would the honourable immediately move to that parliament because it has better wages? Then I remembered that the honourable member has been in almost every form of government—every single form of government, including local government, that we have in this country—so maybe he is working his way up in that respect.

I think what that does indicate is that it is certainly a factor but there are a lot of other factors that determine where someone chooses to live, where someone chooses to raise their family, and I think South Australia has a lot of advantages in that respect.

TREATY AND TRUTH

The Hon. H.M. GIROLAMO (14:59): My questions are to the Minister for Aboriginal Affairs:

1. How much has the government invested so far in the Treaty and Truth process, both from a dollar value and time?

2. How much has been forecast for the financial year 2024-25 and for the forward estimates?

3. What has been included in the budget for both Treaty and truth-telling?

4. What is the timeline for the completion of this government's election commitment relating to Treaty and Truth?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:00): This is all on the public record and I would refer the honourable member to the *Hansard* from just last week in the estimates process, where I suspect the questions have been handed to the honourable member because they were asked—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —identically during the estimates process. So happily, opening up what was the green book because it was in the House of Assembly chamber, the honourable member will find the answers to the exact questions she was asking.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: It is disappointing. Obviously, the honourable member has been set up by her colleague in the lower house, who asked the exact questions during estimates and then handed them off and said, 'Can you ask these?'

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: I am done, sir.

Members interjecting:

The PRESIDENT: Order!

WORLD POTATO CONGRESS

The Hon. J.E. HANSON (15:01): My question is to the Minister for Primary Industries and Regional Development. Will the minister update the council about the recent World Potato Congress held in Adelaide?

Members interjecting:

The PRESIDENT: Order! It's your own side. Let the minister have some clear air here.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:01): I thank the honourable member for his question. I also noticed from some of the comments that members of the chamber had heard about this congress, so I am very glad that they have. It had quite a lot of coverage in our local and national media because it was a significant international event.

It has been quite an exciting few days at the Adelaide Convention Centre for the horticulture industry as South Australia has played host to the World Potato Congress. It was held from 23 to 26 June and had over 1,000 attendees from over 40 countries, including Poland, Peru, Canada, Chile, China, Kenya, United States of America, Belgium and New Zealand, among others. This was the first time that either South Australia or, indeed, Australia—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —had ever hosted this event. I might just repeat that, Mr President: it was the first time Australia had ever hosted this event. Not only is that good for the horticulture industry, it's also good news for our state's tourism industry, with a large contingent of

overseas and interstate visitors staying in city hotels and spending their money in local restaurants and shops.

South Australia is the largest producer of fresh washed potatoes in Australia, producing 545,000 tonnes last year, which equates to 80 per cent of the national production figure, so it is fitting that it was our state that held this conference. Indeed, there are over 80 farm businesses across the state growing potatoes, with an annual revenue of over \$245 million at the farm gate. We have seen the success result in the expansion of large developments in the Murray Mallee and Riverland that are now potato production powerhouses, and indeed there have been significant increases to manufacturing and processing here in Australia over a number of years.

Australian-loved Smith's Snackfood built a new crisping plant at Regency Park and a French-fry freezing plant at Penola started this revolution back in the 1980s and it has grown nationally. Our national leadership in fresh potatoes has continued with business investment in sorting and packing technology. South Australia has been able to capitalise on the use of research and development, centre-pivot irrigators, large machinery and logger rotations to manage soil-borne diseases, improve yields and perfect quality over the years.

The Department of Primary Industries and Regions and the South Australian Research and Development Institute (SARDI) have been major contributors to this growth over time and continue to play a significant role in assisting growers and providing support to industry. I understand a suite of international delegations have visited SARDI over the last week while here for the conference to view the significant and impressive work being undertaken there.

This year's congress chose the theme 'Old World Meets New' and focused on the rich historical legacy of potatoes as a food staple, the cutting-edge innovation and technology applied to their production and substantial investment in research and development. The conference also focused on addressing global changes in sustainability, climate, culture and population dynamics.

An additional interesting part of the congress was its focus on addressing food insecurity through the expansion and increasing yield of potatoes. It is currently the third most grown crop in the world and has the opportunity to significantly address hunger through increasing yield for smaller or equivalent growing areas.

I thank Dr Nigel Crump, interim chair of Potatoes Australia, and Ms Robbie Davis, congress ambassador, for hosting me at various events this week, including the welcome drinks, the official opening and the congress dinner. I think all members would agree that it wouldn't matter if you are a carnivore in terms of your diet, or a vegan, potatoes play a key role in our diets, and it was wonderful to have the global potato industry here in South Australia this week to discuss both the challenges and the opportunities for this critically important industry.

CHIEF JUSTICE

The Hon. F. PANGALLO (15:06): I seek leave to make a brief explanation before asking the Attorney-General a question about conflicts of interest.

Leave granted.

The Hon. F. PANGALLO: I have been informed by some of the state's most experienced and respected silks that tensions engulfing them and the Chief Justice, the Hon. Chris Kourakis, have exploded into open hostility following his personal pursuit, supported by legislation passed in this place and introduced by the Attorney to scrap the title of King's Counsel. Our most pre-eminent lawyers, parts of the judiciary, the South Australian Bar Association and the Law Society of South Australia fiercely oppose the legislation.

Deeply fractured relations, simmering in private for more than two months, centre on Mr Kourakis' claims on public radio that silks seek the postnominal KC for personal exploitation, and I quote:

They do it for personal reasons, for personal exploitation of an office that is in the public interest. Some of them do so because they think they can get more work interstate, can charge more money.

The rift has now gone nuclear. The Chief Justice took extraordinary and unprecedented steps, using the Courts Administration Authority public website to release a series of explosive letters exchanged between him and 11 of the state's most senior silks, setting off a chain reaction of discontent.

For reasons only he can clearly explain, the Chief Justice published almost two dozen documents. However, these were later removed and reposted because he forgot to redact the signatures of all the silks and his own, and no doubt because of the heated wave of learned complaints. The disintegrating breakdown in relations between the state's legal fraternity and the Chief Justice is something I have never witnessed before in my 53 years as a journalist and, more recently, as a parliamentarian. My questions to the Attorney-General are:

1. Is it appropriate for the Chief Justice to be using the Courts Administration Authority or its website to publicise his personal opinions and protect himself in possible defamation proceedings?

2. Given that no other public servant can publish their personal views on a government website, does the Attorney-General believe it is an abuse of the Chief Justice's position to do so and, if not, why not?

3. Given his clear personal opinion, does the Attorney-General believe the Chief Justice has a conflict of interest and will now need to consider recusing himself from court hearings where a KC or SC is appearing before him?

4. Does the Attorney-General agree that the Chief Justice's personal opinions and blatant political behaviour is damaging the independence, reputation of and public trust in the state's judiciary, and what is he going to do about it?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:09): I thank the honourable member for his questions. I certainly would disagree with much of the way in which the honourable member chose to characterise, or the opinion the honourable member has provided in relation to his questions. Lawyers disagreeing is something that I think we have seen before and I suspect we are going to see again at some stage.

I haven't read all of the documents. I think there was one letter that I was cc'd into that may be amongst the documents that have been put, as the honourable member says, on the website. I haven't had a chance to look at those. I have seen reporting of it, however. The Courts Administration Authority is an independent authority in South Australia so I wouldn't propose, as Attorney-General, to tell the independent Courts Administration Authority how to conduct its business. Similarly, I am not aware if much of what may have been put on there is the representation of the view of the court, which is often what happens, rather than solely a personal view.

In relation to questions about does that mean because someone has a difference of opinion, or a court has a difference of opinion from lawyers about a particular issue, members of that court or a judge of that court can never hear matters from that lawyer again, I don't think that is the case at all. I think there have been many differences of opinion on many different things that don't disqualify someone from appearing before someone, or someone from hearing a matter that someone is appearing in.

CHIEF JUSTICE

The Hon. F. PANGALLO (15:11): Supplementary arising from the question: does the Attorney-General not see that this very public spat between the Chief Justice and the legal fraternity is actually quite damaging, and certainly in the community?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:11): I've got to say that I have not had one single member of the public who is not a barrister express their views about this issue to me at all. I have a lot of people, whether it is through friends, colleagues, and through other ways, express views about a whole lot of things in South Australia, including the cost of housing and the desirability for their children to be able to buy a house in the future, cost-of-living issues—a whole range of matters—but outside some barristers, I have not had a single other member of the public come to me and raise

this as a concern. The honourable member may have people beating down his door raising concerns about what lawyers call themselves, but it is not raised as a general issue from members of the public with me at all.

SEXUAL CONSENT LAWS

The Hon. L.A. HENDERSON (15:12): I seek leave to make a brief explanation before asking a question of the Attorney-General regarding sexual consent laws.

Leave granted.

The Hon. L.A. HENDERSON: On 29 November 2022, the Senate referred an inquiry into current and proposed sexual consent laws in Australia to the Legal and Constitutional Affairs References Committee for inquiry. The report was published in September 2023 with 17 recommendations. My questions to the minister are: which recommendations does the government intend on implementing and, if so, which and when?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:13): I thank the honourable member for her question. We are undertaking a review and, as I recall, it has gone out for public consultation in recent months about issues to do with consent in South Australia. Once that is finalised, we will receive advice and then look at what changes we make in this state.

SEXUAL CONSENT LAWS

The Hon. L.A. HENDERSON (15:13): Supplementary question: with that review, which recommendations of the 17 does that entail?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:13): As I said in my original answer, we will be looking at what views are put forward and taking advice and deciding what we will do here in South Australia.

OAT GRAIN QUALITY CONSORTIUM

The Hon. T.T. NGO (15:13): My question is to the Minister for Primary Industries and Regional Development. Can the minister tell the chamber about SARDI involvement in the recently announced Oat Grain Quality Consortium?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:14): I thank the honourable member for his question. I have spoken many times in this chamber about the incredible research done by SARDI (the South Australian Research and Development Institute), work that informs important decisions for both government and industry, enhances our knowledge and paves the way forward for what our agriculture, fishing and, indeed, many other sectors look like for generations to come.

With Australia producing 1.5 million tonnes of oat grain per year, which is equivalent to \$480 million annual gross value of production, and with demand for Australian oat products doubling since 2017 and forecast to continue with strong growth, the importance of this sector to our state and to the nation is plainly obvious.

I am, therefore, proud to be able to talk about the expertise that SARDI will bring to another important project that has been announced recently, the Oat Grain Quality Consortium (OGQC). The OGQC announced by the GRDC last month will be led by SARDI and will bring together key research and industry partners to drive the transformation of the industry.

SARDI will be joined by Curtin University, Murdoch University, Edith Cowan University, Agriculture Victoria, Shaanxi Normal University and industry partners, project co-leader InterGrain, Unigrain, Wide Open Agriculture, Fancy Plants, Oatly, Sanitarium, Uncle Tobys, Blue Lake Milling, Quaker, Noumi, Seamild, Grains Australia and the Australian Export Grains Innovation Centre.

The program will see more than \$12½ million over five years invested, with the GRDC providing \$5.75 million and industry and research partners contributing \$6.7 million. With global demand for oat-based products on the rise, the OGQC provides an opportunity to benefit the entire

Australian oat supply chain, with a focus on improved efficiency and reduction of costs, while looking at ways that the range of oat-based products can expand.

SARDI researchers will work with key industry players, looking at ways that industry can maximise flavour and aroma, better glucan and protein content, and work to find ways to develop new oat varieties that can be produced to high value, end-use market requirements. The opportunities seem boundless and are truly exciting for growers, processors and research institutes like our own in SARDI. SARDI's program leader for crop and pasture improvement, Dr Janine Croser, told the media:

Enhancing shelf life and milling efficiency may open new avenues for Australian oats in global markets—something that SARDI will be exploring intently in conjunction with our industry consultative committee and research partners.

Over the next few years, I look forward to hearing more about this project and maybe even tasting some of the new innovations that may come out of it.

HISTORICAL HOMOSEXUAL CONVICTIONS

The Hon. T.A. FRANKS (15:17): I seek leave to make a brief explanation before addressing a question to the Attorney-General on the topic of removing historical homosexual convictions.

Leave granted.

The Hon. T.A. FRANKS: Despite South Australia being the first jurisdiction in this country to decriminalise homosexual acts, we were one of the laggards when it came to removing historical homosexual convictions. Happily, we have amended that law and now have a process, a special process for those applying to have offences spent for conduct that is no longer a crime, such as homosexual activity and the range of offences that went around that, because it should never have been a crime.

In terms of those who can apply, if somebody was convicted and they have passed away or have a mental incapacity, someone else can currently apply on their behalf. They can be a spouse or domestic partner; an adult sibling or child; a guardian, if they are incapacitated; the executor or administrator of their estate, if they are deceased; or any other person the magistrate considers appropriate.

I have been approached by a constituent who has a friend who has now passed who still has the convictions of homosexuality against his name. That friend has been unable to get standing to have that conviction spent, so my question to the Attorney-General is: will he make provisions or ensure that those convicted of historic homosexual acts who are now deceased can have their friends and loved ones make an application to have those convictions in their name spent?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:19): I thank the honourable member for her question. It is certainly something that I am more than happy to look into, and I might get my office to talk to the honourable member's office to find out the exact circumstances of the situation the honourable member is talking about.

Spent convictions are an important part of our justice system in South Australia, and particularly having provisions for convictions to be spent that are by today's standards—and what ought to have always been—never a criminal offence. I have asked about this a number of times, and we have looked at spent convictions. It is something that the parliament is considering where someone has been found not guilty by reason of mental incapacity, but not being able to have those being suspended. That is something that we are looking to address at the moment.

In terms of who has standing to have a conviction spent, it is important that there is a process that can look at the elements of the offence because what can appear to be a conviction for something that ought to have never been a conviction could include elements of an act without consent, so I am more than happy to have a look at the situation when it comes to standing and who can make sure those convictions are spent.

SOUTH AUSTRALIAN COURT SYSTEM

The Hon. D.G.E. HOOD (15:20): Sir, they seem very nervous, don't they?

Members interjecting:

The PRESIDENT: Self-congratulation, the Hon. Mr Hood, is not in order. Order!

The Hon. D.G.E. HOOD: I seek leave to make a brief explanation before asking a question of the Attorney-General—

The Hon. K.J. Maher: Oh no!

The Hon. D.G.E. HOOD: Yes—regarding South Australia's court system and its current state.

Leave granted.

The Hon. D.G.E. HOOD: The President of the Law Society, Alex Lazarevich, has publicly raised concerns about the strain our court system is currently under due the hundreds of arrests that were made as a result of Operation Ironside, led by the Australian Federal Police in recent times. Three years after these arrests were made, only 17 people have been sentenced in South Australia, with most of the accused remaining before the courts, some of whom are not expected to face trial until 2027.

The president has recently told *The Advertiser* that this considerable case load revealed shortfalls in the state's legal system and that there was an urgent need for more prosecutorial resources, court personnel and upgraded court facilities. He stated:

Typically, a criminal matter will take about two years to move through the courts, and the impact of Operation Ironside means that wait times are not likely to improve in the near future unless significant investments are made to enhance the state's criminal justice system...This has adverse and far-reaching consequences for victims, defendants and other court users.

My questions to the Attorney-General are: does the Attorney agree with the Law Society of South Australia's assessment of the current state of South Australia's criminal justice system, that is, 'that there is urgent need for more resources', and also, 'they have adverse and far-reaching consequences'?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:22): I thank the honourable member for his questions, and it is true that people in this chamber look uncomfortable when the Hon. Dennis Hood gets up to ask a question. It is mainly the frontbenchers on the opposition side who are looking uncomfortable because they know he is the only one we ever feared. He is the only one we ever feared.

It is a very good question the honourable member raises about Operation Ironside—the arrests and now the investigations and potential prosecutions—and the effect that has on our court system. We have invested very heavily, particularly in terms of the DPP in relation to Operation Ironside, recognising the vast amount of evidence that has been collected and the vast amount of work that needs to be done to have many of these matters ready for prosecution.

We have not only invested heavily in the DPP, I think most budgets, including some Mid-Year Budget Reviews, but also in other aspects of our justice system in recognition of the effect that this will have in the short and medium term in terms of the criminal load on our mainly District but also Supreme Court. There has been investment, not in physical court infrastructure but in terms of support staff to the courts, and it is a very significant issue.

We know that, in relation to Operation Ironside, between late 2018 and the middle of 2021 the Australian Federal Police, in conjunction with the FBI in the US, conducted an investigation—as the honourable member talked about in his question—known as Operation Ironside that used the ANOM platform used by organised crime groups globally, including in Australia.

ANOM is an encrypted communications network that was preinstalled on mobile telecommunication devices and distributed to members of organised crime groups, enabling law

enforcement agencies to have access to privately encrypted communications that had previously avoided detection by law enforcement agencies.

As part of Operation Ironside, the federal police identified users in South Australia, and in June 2021 the platform was shut down and numerous arrests were made. In relation to Ironside matters in this state, it is alleged that the distribution of the ANOM platform to those arrested was not exclusively, but predominantly, to members of outlaw motorcycle gangs who themselves used the platform, not being aware, as other users internationally and interstate, that their communications were being received in this country by the Australian Federal Police and in the US by the FBI.

Many people have been arrested and charged by SAPOL in this state in relation to that operation. They are a wide variety, but some extraordinarily serious charges, as you would expect when they are being used by members of outlaw motorcycle gangs. Charges in this state have included conspiracy to murder; conspiracy to cause serious harm; participating in a criminal organisation; money laundering; arson; trafficking in large commercial quantities of methylamphetamines, fantasy, MDMA, cocaine, heroin and cannabis; manufacturing large commercial quantities of controlled drugs; and also firearms offences.

There are some matters that are still subject to ongoing SAPOL investigations, and there are many matters that are proceeding through the courts at the moment. The honourable member would be aware that there was a challenge to the admissibility of evidence by, I think it was, two people charged in relation to Operation Ironside ANOM communications.

At first instance, a single judge of the Supreme Court found that the evidence was admissible but referred that matter to the Court of Appeal in South Australia, which only today handed down a decision that found in favour of the admissibility of that evidence. I think everyone suspects that may be tested in the High Court, but the admissibility of that evidence has now withstood a challenge to a single judge of the Supreme Court to the full court of a court here in South Australia, so we are hopeful that that continues and that people who, as I said, face a huge range of very serious charges can have their cases heard in the courts in South Australia, but that is pending a final determination of the admissibility of the evidence.

We are gearing up not just with resources for our prosecutors but also with resources for the court system, recognising that in the short to medium term this will be an unexpected increase in the workload of the court that we need to put resources into, and if we need to do it further we will look at doing that too.

Condolence

NANKIVELL, MR W.F.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:28): With the leave of the council, I move:

That the Legislative Council expresses its deep regret at the death of Mr William Field Nankivell, former member of the House of Assembly, 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 commemorate the life and contribution of William Nankivell, or Bill as he was better known, the former member for Albert and later the member for Mallee, and to offer our sincere condolences to his family upon his recent passing.

Bill was born in Mount Gambier in 1923 and went on to study further from home at Roseworthy Agricultural College. Mr Nankivell then served in the Royal Australian Air Force during World War II as a leading aircraftman. Following his service, Mr Nankivell graduated from the University of Adelaide with a Bachelor of Agricultural Sciences, which he put to good use as a grazier in Keith.

At the 1959 election, he was elected to represent the seat of Albert for the Liberal and Country League. When that seat was abolished before the election in 1970, he won the seat of Mallee, which took in much of the South-East of the state, including Robe, Keith and Meningie, and won with a 58 per cent primary vote.

During his time as an MP Mr Nankivell held roles as the shadow minister for education and primary production and played a key role in establishing the former Public Accounts Committee, a crucial measure for government accountability. Mr Nankivell retired at the 1979 election, at that time the longest serving member of the parliament.

Mr Nankivell just last year reached the remarkable milestone of his 100th birthday. From what I have been able to see, he did not look a day over 65. I am told he was active and sprightly even upon reaching triple digits and was apparently still driving when the big birthday arrived—quite remarkable.

Twenty years in parliament and 100 years of life are incredible achievements. We send our thoughts to his family—his wife of 69 years, Diane, and his sons, Andrew and Tim—during this time; they will be looking back on a long and very full life. Vale Bill Nankivell.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:30): I rise today to honour a century of service. William Field Nankivell, born 7 September 1923, was a distinguished Australian politician whose career spanned two decades in the South Australian House of Assembly. Born in Mount Gambier in the South-East of South Australia, Bill was the son of a Baptist pastor who instilled in him strong values from a very early age. Those values included a desire to be of service, compassion towards others, the autonomy and advocacy of the local community and that integrity and honesty are the matters in which one should operate.

During World War II, from 1944 to 1945, Bill served his country in the Royal Australian Air Force, showcasing his dedication and commitment as a leading aircraftman. After the war, still in his early 20s, he transitioned back to civilian life, becoming a farmer and a company director. Both of these roles grounded Bill in the practical and economic concerns of his community in the South-East.

Bill's political career began in 1959, when he was elected to represent the seat of Albert in the South Australian House of Assembly for the Liberal and Country League at the age of 36. He held the seat of Albert until 1970, when he transitioned to the seat of Mallee, which he retained for a further nine years before retiring in 1979.

Bill's commitment to public service was evident, and he actively participated in multiple parliamentary committees. From 1963 to 1968 he was a member of the Parliamentary Committee on Land Settlement, where he contributed to shaping policies on land distribution and use. No doubt his background in farming and business came in handy for this task.

Bill Nankivell's expertise was further recognised when he joined the Parliamentary Standing Committee on Public Works for a five-year period, between 1968 and 1973, overseeing infrastructure projects that were vital for the state's development. Then, for four years, from 1973 to 1977, he served on the Public Accounts Committee, an important committee ensuring fiscal responsibility and transparency in government spending. This is something we should all be cognisant of, given our current position of state debt.

Bill Nankivell knew that there needed to be more than a promise of transparency and that actions must consistently align with any given statement. Open dialogue and the sharing of information in a timely manner leads to trust and public confidence. Again, this integrity and honesty is a reflection of his deeply held values. His tenure in the parliament was marked by a deep understanding of rural issues and a commitment to improving the lives of his constituents. He was a respectful figure in the Liberal Party, known for his integrity and his dedication.

I would like to take a moment to note some of the characteristics which Bill Nankivell brought with him to the Parliament of South Australia. His farming background brought an understanding of hard work. Farming requires dedication, long hours and perseverance. There are complex problems requiring a combination of creativity and a degree of tenacity. Both members of parliament and farmers need to be somewhat tenacious. My understanding is that Bill Nankivell had this in spades.

He was a strong advocate during his political career for rural issues in our South Australian regional communities. He understood well the resilience that comes from the unpredictable nature of farming and politics, a true grounded perspective on governance.

William Field Nankivell passed away on 11 June 2024 at the age of 100, leaving behind a legacy of public service and community dedication. He witnessed the Second World War, the Ash Wednesday bushfires of 1983, our nation's intervention in East Timor on the cusp of the new millennium and, of course, the COVID-19 pandemic.

After 100 years and a full life of service, Bill was farewelled in Norwood, remembered fondly by his colleagues, his friends and his family. His contribution to South Australian politics and his century-long life of service stand as a testament to his enduring impact on his community and to this state.

The PRESIDENT: I ask honourable members to stand in their places to carry the motion in silence.

Motion carried by members standing in their places in silence.

Sitting suspended from 15:35 to 15:47.

Parliamentary Procedure

VISITORS

The PRESIDENT: I acknowledge in the gallery Mr Rod Bunten and the Hon. Ms Cashmore's granddaughter, Sophie. Welcome.

Condolence

CASHMORE, HON. J.L.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:47): With the leave of the council, I move:

That the Legislative Council expresses its deep regret at the recent death of the Hon. Jennifer Lilian Cashmore AM, former minister of the Crown and member of the House of Assembly, and places on record its appreciation of her distinguished public service and that, as a mark of respect to her memory, the sitting of the council be suspended until the ringing of the bells.

I rise today on behalf of the government to commemorate the remarkable life and work of the Hon. Jennifer Cashmore AM, to mark our respect and appreciation for her contributions and legacy and to offer our sincere condolences to her many friends and to her family.

Jennifer Cashmore was born in 1937 to parents Arthur and Myrtle, as the fifth child of six. After a brief career in journalism and advertising, and after welcoming three children—Frances, Christine and Stuart—with Mr Ian Adamson, Ms Cashmore was selected as the member for Coles. She was the third ever woman elected as a member of this parliament. She went on to become the second woman appointed to state cabinet and the very first female to be appointed as Minister for Health.

Her sharp intellect and strategy on matters such as the viability of the State Bank prior to its collapse and her campaign against the development of Wilpena Pound are well known, well respected and well traversed. I think it is a very human trait to look up to the advocacy and achievements of leaders in relation to issues or causes that we hold dear ourselves. Thus, it is the Hon. Ms Jennifer Cashmore's staunch activism for quality palliative care and those who are dying that inspires me and which I think will form a significant part of her ongoing legacy in this state.

In 1990, as a private member, Ms Cashmore moved to establish a select committee for the law and practice relating to dying and death. Nearly 30 years later, I had the privilege of being part of building on that work with the committee in the last parliament that was the Joint Committee on End-of-Life Choices. In establishing her committee, Ms Cashmore sought to have it examine whether there were adequate options for dying with dignity and referred to the existing lack of emphasis on the needs of dying patients, the death-denying attitudes that existed in the medical profession, and the broad interest in the community at the time in measures at the end of life. Ms Cashmore posed the question at the time, which was likely quite a controversial one:

Are we such a death-denying society that we cannot listen to the strongly held and well argued views of people who believe that they should have some right of self-determination over the nature of their end?

After the committee reported, the Consent to Medical Treatment and Palliative Care Bill was passed in 1995. It is thought to be the first legislation in the world to include the words 'palliative care' in the title and the first to provide legislated support for the relief of pain and distress. Ms Cashmore was pivotal in giving rights and a voice to the dying. The groundwork she laid in ensuring that the end of life should be dignified paved the way for careful safeguarded laws in relation to voluntary assisted dying that we have in this place.

Indeed, she was given credit for her work in palliative care by many during debates on bills that deal with these matters. It was only fitting that Ms Cashmore's advocacy for palliative care and assisted dying was marked in the eulogy at her funeral last week as one of her greatest political and societal achievements.

Jennifer Cashmore AM will be remembered as a giant of South Australian politics. She was described at her funeral as a brilliant speaker and debater, an active local member and a staunch advocate. She was also lovingly remembered as a kind, caring and gentle mother to her three children whose brilliant work in their respective roles as Governor of South Australia, Supreme Court Judge and chaplain will continue to build on Ms Cashmore's own legacy. On behalf of this government, we send our heartfelt condolences to all who knew and loved Ms Jennifer Cashmore across her 86 years and pay our respects to her memory. Vale Jennifer Cashmore.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:52): It is an honour to rise today to celebrate the life of Jennifer Lilian Cashmore AM, a remarkable woman who dedicated her life to public service and to the community of South Australia. Born on 5 December 1937, Jennifer became a trailblazer in state politics as well as a compassionate advocate for numerous causes long after her political career closed.

Her formative education at Walford Anglican School for Girls is said to have instilled her with discipline, with hard work and a need to serve the community. Ms Cashmore, the daughter of a master baker, was once quoted as saying of her upbringing, 'We were brought up to plan for a job, do the job and follow up afterwards.' Jennifer certainly lived by that ethos of hard work and completionism.

Ms Cashmore was a pioneering force in the South Australian House of Assembly from 1977 to 1993, representing the eastern suburbs seat of Coles, now largely the electoral district of Morialta. She was only the third woman to be elected to the South Australian House of Assembly, helping to pave the way for future generations of women in politics. As Minister for Health and Minister for Tourism during the Tonkin government from 1979 to 1982, she became the first woman in cabinet since Joyce Steele OBE. It was an opportunity to showcase her ability to lead with both wisdom and empathy, which Ms Cashmore seized with both hands.

Her tenure of 16 years was marked by an unwavering commitment to her constituents in the former seat of Coles, as well as by her dedication to the principles of the Liberal Party. There was a pervasive sexist vitriol which so commonly emanated from our state parliament in the early years of her political career, one at which she never—at least never publicly—batted an eyelash.

She did not swear, she did not get drunk, she did not engage in antics. One of her most remembered qualities was her concrete resolve to take a battle face on and present her case, no matter how unpopular, if she believed it was important. This often gave public comparisons to the UK's Iron Lady, Prime Minister Margaret Thatcher. It was written in *The Advertiser* once that she could out-think and out-debate most of her parliamentary colleagues.

'I went into politics because I was concerned about the world my children would grow up in,' Ms Cashmore once said, and I think we all absolutely understand this drive and desire. Ms Cashmore had hope for the future in South Australia that was forward thinking, 'clever and ingenious', in her own words. I agree with her notion that, and I quote, 'There is no wealth without productivity and that comes from two sources and two sources only: the land and our intellect.'

Ms Cashmore believed that government was becoming too centralised, at the expense of ordinary citizens losing their power of autonomy and opportunity. As I noted earlier, Jennifer was firm in her Liberal values and views. No matter if she disagreed with details, she absolutely believed that

individuals, families and businesses have a greater role to play in the success of our state and that decentralised power must be handed back to the people.

Her forward-thinking nature was evident when she raised critical questions about the financial viability of the State Bank before its collapse, the destruction caused by feral animals and the impediments to accessing palliative care. In 1992, Jennifer demonstrated her fearless spirit by contesting the leadership of our party, a testament to her unwavering belief in her vision for the future. Though she was not successful, her courage and determination inspired many, particularly young women with leadership aspirations. She will be remembered as a mentor to many who followed, including in the current parliamentary team.

She served on the Ministerial Advisory Board on Ageing, chaired the South Australian Association for Hospice and Palliative Care and was patron of the Alzheimer's Association SA. She was appointed to the inaugural board of the Charitable and Social Welfare Fund, the National Childcare Accreditation Council and served on the first board of the Environmental Protection Authority in 1995.

Her continued service to South Australia was recognised nationally when Ms Cashmore was honoured as a member of the Order of Australia in 1998. This prestigious accolade was a testament to her contribution to the community, particularly in the realms of palliative care, women's issues and economic development, alongside her significant work within the South Australian parliament.

Recently, Jennifer attended the Playford Trust's 40th anniversary celebrations. She had been involved in the trust for many years, especially in its support for young South Australians pursuing education and research in STEM fields. She lived an active public life until the last, and several of our Legislative Council colleagues saw and acknowledged Ms Cashmore at a rally on the steps of Parliament House as recently as June to show her opposition to the proposed cuts and restructure of the South Australian Museum. Her presence was met with loud applause from the near-thousand South Australians in attendance, marking her return to Parliament House for the first time in over a decade.

It would be remiss of me not to acknowledge another crucial role of Ms Cashmore's life—that of a devoted mother. Jennifer raised three remarkably high-achieving children: Her Excellency the Hon. Frances Adamson, the current Governor of South Australia; Christine Adamson, a judge of the Supreme Court of New South Wales; and Stuart Adamson, an Anglican chaplain. Her legacy lives on through them, reflecting her values of service to community, justice and belief in values.

To her children, her grandchildren and great-grandchildren, I offer sincere condolences, but I know they surely take pride in Jennifer and the life she lived. On 10 June 2024, at the age of 86, Jennifer Lilian Cashmore left us, leaving behind a legacy of compassion, of strength and trailblazing achievements. As a member of parliament she knew both victory and defeat. As a student of classic liberalism she understood the benefit of being fiscally prudent and socially forward.

Today, we honour her memory, celebrating a life well lived and a woman who made an indelible mark on our state. Rest in peace, Jennifer Lilian Cashmore: your contributions will forever be remembered and your spirit will continue to inspire us all. Vale Jennifer Lilian Cashmore AM.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:59): I rise to add to the tributes honouring the Hon. Jennifer Cashmore AM and to offer my sincere condolences to her family and friends, including her children, our Governor, Her Excellency the Hon. Frances Adamson AC, as well as New South Wales Supreme Court Justice Christine Adamson and Reverend Stuart Adamson.

Ms Cashmore was an inspiration for many women on both sides of politics, being only the third woman elected to the House of Assembly in 1977. As others have noted, she was a Liberal Party MP from 1977 to 1993 and served as Minister for Health and Minister for Tourism in the Tonkin government from 1979 to 1982. For 12 of her almost 17 years in parliament, she was the only woman representing her party in the House of Assembly.

During those 17 years, she made several courageous moves for the betterment of our state including threatening to stand in front of bulldozers to oppose development at Wilpena Pound and indicating her intention to cross the floor in 1988 to support a ban on tobacco advertising.

Ms Cashmore advocated passionately for many causes, but particularly for quality palliative care. After leaving parliament, Ms Cashmore was Chair of the Palliative Care SA (PCSA) Board from 1993 to 1996 and was a life member of PCSA. Her strong advocacy on this issue contributed to the passing of the Consent to Medical Treatment and Palliative Care Bill on 6 April 1995.

In the last couple of years of Ms Cashmore's time in parliament, I began working in the political sphere. I remember her as determined and articulate. While obviously our party political views were different, she was nevertheless a role model for women in politics and was instrumental in breaking down barriers to women entering parliament. I had the pleasure of speaking with her at an event at Government House—I think it was for International Women's Day—and she continued to command respect and, obviously, command affection.

Once again, I offer my sincere condolences to Her Excellency our Governor and to family members as we remember a life well lived in the service of others and of our state. May she rest in peace. Vale Jennifer Cashmore.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (16:01): I rise today with great sadness to join other honourable members to speak on a condolence motion for the Hon. Jennifer Cashmore AM. I wish to convey my deepest condolences to Her Excellency the Governor of South Australia, family members, friends and all those who knew and loved Jennifer. I would like to take this opportunity today to pay tribute to the Hon. Jennifer Cashmore, who was a trailblazer of our state and our country.

Throughout her distinguished career, she made an incredible impact on public policies that shaped the social and economic development of our state. Some honourable members may recall during our debate in this chamber on the motion on the South Australian Museum I mentioned that the Hon. Jennifer Cashmore attended the rally on the steps of Parliament House and opposed the funding cuts and the proposed restructure of the South Australian Museum.

When the Hon. John Gardner acknowledged her presence at the rally during his speech, Jennifer's attendance was applauded loudly by nearly 1,000 South Australians at the rally, welcoming her back to Parliament House for the first time in more than a decade. I remember that day vividly. The Hon. John Gardner knew I was attending the Museum rally and rang me in the morning to inform me that Jennifer would be at the rally in her wheelchair. John asked whether I would be happy to accompany Jennifer during the duration of the rally. I said, 'Of course. It would be my pleasure.'

On the day, I approached Jennifer and said hello and reintroduced myself. She said to me, with her gorgeous signature smile, 'Yes, Jing, I know who you are. We have met. I believe this is the third time we have met. Great to see you again.' I was astounded and amazed at how good her memory was. It was incredibly inspiring to see her strong stand for the South Australian Museum as it was something so important to her and so close to her heart.

It was a coolish day that morning. I noticed that she was getting a bit cold so my husband, Eddie, and I, along with the Hon. Di Laidlaw, formed a human fortress to shield her from the cold wind. While Jennifer looked frail but in good spirits that morning, I never thought that our meeting at the rally would be the last time we would meet.

We were all saddened by the news of the passing of Jennifer on 10 June 2024. It was a terribly sad day for the Liberal Party of South Australia. Not long after the announcement came through about the passing of former Premier Steele Hall, we learnt other sad news about Jennifer's passing through a phone message before the media had published the news.

I did not actually believe that we lost two remarkable Liberal Party giants on the same day, so I went onto the Governor's Facebook page just to be 100 per cent sure. When I read the beautiful tribute by Her Excellency the Governor on her page about her beloved mother, it confirmed Jennifer's sad departure from this world.

I became quite emotional when I heard the news, as I reflected on my own personal loss of my beautiful mama some years ago. Losing someone as significant as my mother was a time of deep sorrow for me. No-one in the world can replace the unique bond and love of a mother. My thoughts and prayers are for family members who are currently mourning the deep loss of their beloved mother. I quote from a statement published on social media on the Governor's Facebook page:

In paying tribute to her late mother, the Governor said she was a remarkable woman and a courageous trailblazer in many areas, including environmental protection, and in drawing attention to the failure of the State Bank of South Australia.

The Hon. Jennifer Cashmore was a lifelong campaigner for women's equality. Through her compassion and dedication to public service she instilled in her three children a strong sense of service and community commitment. Jennifer Cashmore is survived by her three children: the Hon. Frances Adamson AC, Governor of South Australia; Justice Christine Adamson, Judge of Appeal of the New South Wales Supreme Court; and Reverend Stuart Adamson, Associate Dean of Chaplaincy and Spiritual Care at Morling College in Sydney.

The incredible accomplishments and leadership of her three children demonstrate the profound influence and impact she had in their lives and chosen careers. Jennifer was well loved and respected, and she demonstrated that she was a strong and capable political leader and community advocate and, at the same time, a loving and caring mother who provided the best opportunities for her children.

The Hon. Jennifer Cashmore was born in 1937, educated in Adelaide and elected as the member for Coles, now Morialta, in 1977. She became the third woman to be elected to the House of Assembly in South Australia's history. She served her community as a local MP for 16 years until her retirement in 1993. During her time in parliament, Jennifer became the second female member to sit around the cabinet table, from 1979 to 1982. She served as Minister for Health and Minister for Tourism during the Tonkin Liberal government. Between 1982 and 1989 she held several shadow portfolios, including environment and planning, the arts and the economy.

Jennifer Cashmore was a pioneer of women's progress in public life in South Australia. She broke through barriers and took active steps to support those who followed her. In 1991, Jennifer published a book called *A Chance in Life*. The title of the book was inspired by a quote from Robert Menzies in 1972 in which he said, 'The State owes every responsible citizen not only a chance in life but a self respecting life.'

I want to take this opportunity to use two examples that Jennifer described in her book, *A Chance in Life*, in regard to women's voices. She spoke about speaking simply, clearly and being polite. She also spoke about the lesson of trying to see the other person's point of view. I quote:

Remembering that in public life, the other person is nearly always a man, we must also remember that men are not the enemy.

They are our fathers, our brothers, our lovers, our husbands, our friends, and our colleagues, or our customers or voters, whatever the case may be. If we put ourselves in the position of those men who are close to us to see things through their eyes, very often we will take a different approach.

She went on to provide two examples, and I thought honourable members might enjoy knowing these stories that characterised the clarity of mind, intellect and strength of Jennifer as a political leader. In her words, and I quote:

I recall in a vigorous party room discussion on child care policy there was a reluctance to adopt the position which I thought was the correct one. Totally frustrated with my colleagues' inability to see the need for flexible accessible child care, I just burst out: 'Don't you realise that if we simply provide child care but fail to reorganise society so the interests of children are paramount, a whole generation of people, myself included, may never have grandchildren. We'll never have the pleasure of being grandparents, because our daughters and daughters-in-law will simply find it too hard to have both a career and a family. We will end up the losers.' To my amazement, one of the toughest minded of my colleagues whom I would have expected to be the last person to advocate increased child care, said, 'Jennifer's right. I don't think I am ever going to be a grandfather. My daughter is almost past child bearing age and she is absolutely committed to her career.' This personal perspective gave him a totally different insight from his political perspective.

Another story I would like to share, which was also quoted in the book:

Recently I was asked to give a talk to a class of 11 year-old schoolboys on the achievements of South Australian women over the last 150-odd years. Instinct told me that the boys really wouldn't be interested. Somehow I had to make it interesting. I asked which of them had sisters and I asked them to envisage the time before the Married Women's Property Act came into being. How would they have felt had their parents left property to their sister and if their sister, upon marrying, no longer owned that property because the law said it belonged to her husband? They didn't like the thought of that at all.

Then I asked how they would feel if I told half of them they had a vote, they could make the laws, they could earn money and they could decide how the country would be run. The other half would be made to stay at home and do the dishes. They would not have a right to education, to earn an income or to own property. They were outraged at the prospect that anyone could do that to them. But when I explained this had been done to women for centuries, it gave them new understanding.

That is proof of Jennifer's character and who she was. Jennifer also led reform work in South Australia's palliative care laws, which many honourable members have mentioned already. End-of-life law reform of this era in South Australia was world leading and is directly attributable to Jennifer Cashmore's work.

In her book *A Chance in Life* she actually devoted a whole chapter to death and dying, and for someone from a multicultural background I think some of the things that she thought about were really significant. I would like to quote from that:

First, we should understand that the essential issues that need to be resolved are not medical, but ethical. We need to find ways of expressing our human and spiritual values in the decisions that are made about medical treatment of the dying. Doctors and nurses should not be left to make these decisions on their own. The community, through Parliament, must establish the legal framework and provide the resources so that community values, the law and clinical practice are in tune.

The needs and values of patients and their families should be paramount. Their wishes need to be understood and respected as far as humanly possible. We must understand that while we recognise this as important for the living, it is equally important for the dying. This is particularly so in Australia where many people come from cultures different from those of the health professionals who care for them at the end of their lives.

It shows a lot of the empathy and sympathy that Jennifer showed in her work. She continued to do great philanthropic work during her time in parliament, and also in public service. She was, as many honourable members have already mentioned, awarded a Member of the Order of Australia during the Governor-General's Australia Day awards in 1998.

Jennifer was a trailblazer and an inspiring role model for me and, I am sure, for so many. Some people may have wished to know what she thought her role as a politician was, and to honour her legacy and memory I would like to quote her own words. She said this:

As a Member of Parliament, I believe it is my responsibility to try, as often as possible, to say what other people are thinking but perhaps not expressing, so that those I represent feel they have a voice. Another obligation—more difficult by far to fulfil—is actually to make people think. We need to see ourselves not only as individuals but as a very important part of society. When we do that, we are forced to think about the relationship between thought and action, action and reaction. We are forced to think not just about our own lives but about the lives of others we depend on and who depend on us—our families, our employers, our colleagues, our country. In other words, we are forced to think politically. The more people can think politically, the more power they have to influence their future in ways of their own choosing.

These are the words of wisdom and high standards that I believe all honourable members aspire to, and are doing.

Jennifer Cashmore will remain in our hearts and minds as a remarkable human being, a trailblazer in South Australian politics and a dignified woman with a strong voice who spoke clearly and politely, someone with a strong conviction to get things done. We will miss her. We thank you sincerely, the Hon. Jennifer Cashmore, for your incredible contributions to South Australia and to our country.

The Hon. D.G.E. HOOD (16:16): One of the difficulties in speaking down the list on one of these motions, of course, is that much of what I have to say has been traversed by my colleagues. For that reason, my contribution will be fairly concise, but heartfelt nonetheless. For that reason, I join my colleagues in support of this condolence motion on the passing of Jennifer Cashmore AM, who served as a Liberal Party member in the eastern suburbs seat of Coles, now the seat of Morialta, from 1977 to 1993.

Jennifer was the third woman in history to be elected to the other place, as other members have touched on, and was the second to be appointed to cabinet, in 1979, when she served as the Minister for Health and the Minister for Tourism in the Tonkin government. A notable part of Jennifer's legacy, of course, was the fact that she warned of the State Bank collapse and was the first member to raise concerns in parliament pertaining to the lending practices and financial viability of the institution. Reflecting on it in 1992, Jennifer told *The Advertiser*:

In April 1989, I made a major speech highlighting the vulnerability of the government guarantee and the importance of the treasurer in making sure that normal banking requirements were complied with. The warning signals were sounded loudly and clearly in parliament...and yet those concerns were ignored...

Perhaps if Jennifer's apprehensions had been adhered to, South Australia could have avoided decades of grave economic challenges.

Among Jennifer's other achievements, as has been highlighted by my colleagues as well, was the key role she fulfilled in developing the Consent to Medical Treatment and Palliative Care Act and then dedicating much of her life after parliament to supporting the worthy cause of palliative care in our state. Countless South Australians have certainly been beneficiaries of her pioneering work in this area, and I applaud her for it.

In addition to these efforts, Jennifer was the responsible minister who ushered in critical legislation for the establishment of the Olympic Dam mine. She was also commended for her courage in crossing the floor to support the Labor government's tobacco advertising ban in 1988. It was a decade later that Jennifer received the esteemed Order of Australia.

I am aware that as recently as earlier this year Jennifer attended a rally on the steps of parliament, as my colleagues have outlined, to oppose the state government's restructuring of the South Australian Museum. Her passion and resolve to make a difference for the betterment of our state was clearly always a priority to her and continued to her very last days.

I take this opportunity to convey my most sincere condolences to Jennifer's family, particularly to her children, the Hon. Frances Adamson AC, Governor of South Australia; the Hon. Justice Christine Adamson, a judge of the New South Wales Supreme Court; and the Reverend Stuart Adamson, Associate Dean of Chaplaincy and Spiritual Care at Sydney's Morling College. She will be dearly missed, and I wish her family my most sincere condolences.

The Hon. R.P. WORTLEY (16:19): I rise today to express my heartfelt condolences to the family of the Hon. Jennifer Lilian Cashmore AM, a former member of the House of Assembly and former minister of the Crown.

As a person who has spent his life in politics and in the labour movement, both industrially and politically, it was pretty hard not to know of the exploits of Jennifer Cashmore. I can only imagine how challenging it was to be the only woman in the Liberal Party during those times. She supported many causes. In 1989, she drew to the attention of the parliament and the public in general the very precarious financial situation of the State Bank. If only people had listened to her then we may have been able to avoid the catastrophe which was to follow.

Jennifer Cashmore supported many issues which I felt very strongly about. She supported the Tobacco Products Control Act Amendment Bill and she also engaged in great advocacy for palliative care. I can also remember when she made the comment that she would stand in front of bulldozers to stop a development in the Flinders Ranges. So for someone on the left side of politics, you could have nothing but admiration for the member for Coles.

I got to know Jennifer personally around 1994, after she had left politics. Jennifer was appointed to the Centenary of Federation Advisory Committee at the same time as my partner, Dana. This involved doing a lot of travelling around the country, talking to various state governments and people in the community about what projects could be taken on and delivered on the 100 years of federation. So I got to know Jennifer quite well during those days. I recall having dinner at her place with her husband, Stewart Cockburn, at the time. You could tell then that Jennifer, even after politics, was living a very fulfilled and very happy and interesting life.

With that short contribution, I would like to pay my condolences to the family of Jennifer. I also pay my greatest respects. Vale Jennifer Cashmore.

The PRESIDENT: Honourable members, I extend my condolences to the family and friends of the Hon. Jennifer Cashmore. I ask honourable members to stand in their places to carry the motion in silence.

Motion carried by members standing in their places in silence.

Sitting suspended from 16:22 to 16:36.

*Bills***STATUTES AMENDMENT (SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL) BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 16 May 2024.)

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:37): In the final elements of the second reading stage, I want to thank all honourable members who have contributed to this important debate, and I look forward to the committee stage.

Bill read a second time.

Committee Stage

Clauses 1 to 9 passed.

Clause 10.

The Hon. K.J. MAHER: I move:

Amendment No 1 [AG-1]—

Page 5, line 26 [clause 10, inserted section 13A]—Delete 'before SAET under this Act' and substitute:

under this Act (other than proceedings under section 10)

This amendment addresses a technical issue which may inadvertently have resulted in the Supreme Court being able to make more limited ranges of orders on appeal than the South Australian Employment Tribunal could make at first instance. This amendment ensures that the same orders can be made both at first instance at the SAET and on appeal to the Supreme Court. The amendment excludes proceedings under section 10, which concerns the jurisdiction to deal with common law contract disputes. That jurisdiction is shared by the SAET with the District Court, Magistrates Court and Supreme Court. This amendment ensures that the same substantive law is applied, regardless of which court is dealing with a dispute. It is a very good amendment.

Amendment carried; clause as amended passed.

Clauses 11 to 49 passed.

New clause 49A.

The Hon. K.J. MAHER: I move:

Amendment No 2 [AG-1]—

Page 13, after line 22—Insert:

49A—Amendment of section 67—Appeals

Section 67(6)—delete '(including orders for costs)' and substitute:

(but may only make an order for costs if this Act, or a relevant Act, specifically provides for the making of such an order)

The South Australian Employment Tribunal is generally a no-cost jurisdiction where parties bear their own legal costs of the proceeding, unless the SAET Act or another relevant act specifically authorises a costs order. This amendment clarifies that SAET's power to award costs on an appeal to the full bench is subject to the same rules as an award of costs at first instance. This is another very good amendment; it might be the best amendment here.

New clause inserted.

Remaining clauses (50 to 56) and title passed.

Bill reported with amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:42): I move:

That this bill be now read a third time.

Bill read a third time and passed.

RETURN TO WORK (EMPLOYMENT AND PROGRESSIVE INJURIES) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 11 April 2024.)

The Hon. R.B. MARTIN (16:43): This bill proposes important reforms to South Australia's workers compensation scheme. Through the changes it puts forward, we aim to embed greater support for workers who are ready to return to work after an injury, as well as to make our system fairer for a greatly deserving cohort of workers; that is, victims of dust diseases and terminal illnesses.

For quite some years, we have been hearing from our unions and their peak bodies, among others, that reform in this area is needed. This bill is the result of that broad consultation, which was not only with unions, of course, but with a number of stakeholders, including ReturnToWorkSA, members of the legal profession, peak businesses and self-insured bodies.

Because of my own background, because of how important strong unions are for South Australian workers, now as ever, I do want to pay particular tribute to the SDA and branch secretary, Josh Peak, who have demonstrated passion and wisdom in their contributions to the discussion around these reforms.

Under the Return to Work Act, employers in South Australia have a duty to support injured workers who are able to return to work by providing them with suitable employment involving duties that are appropriate for them to undertake so far as is reasonably practicable. Supporting workers' return to suitable duties after an injury is not only good for the South Australians who are returning to work, it reduces financial cost to the scheme and therefore to the taxpayer and it helps to bring down employer premiums. Doing things correctly reduces instances of re-injury whilst enabling people to earn the living that they deserve and to contribute to their workplaces in a way that is safe and appropriate for them.

We should acknowledge that this is not an easy way of law and life to get exactly right, and there have been challenges in various aspects of our scheme. Section 18 of the Return to Work Act 2014, for example, has not worked as well as it ought to have done, and that is what brings us to this discussion. I understand the Select Committee on the Return to Work SA Scheme received a range of submissions and heard evidence from a range of witnesses. The committee has heard that unions and workers find the scheme frustrating and difficult to navigate. They have heard that matters are slower to resolve than they ought to be, leading to delays in outcomes for workers.

The committee heard that some requests for suitable employment are met with unreasonable delay or obstruction. The SDA told the committee that one of the most significant issues is offers of meaningless employment; that is, workers going back to work and assembling boxes that do not get used or stacking things on shelves that do not need to be there. This can then lead to further injury, particularly psychiatric injury, as the worker is deprived of their dignity.

When a worker is ready to return to work to perform suitable and appropriate duties, they need to be supported to do so. It is in everyone's interests for that to be a shared goal and a shared purpose. That is why this bill strengthens the duty of employers to provide suitable employment to workers returning to work after injury. It also makes improvements to dispute resolution processes.

Some of the changes include giving the South Australian Employment Tribunal the power to make payback orders in the event they find an employer has failed to provide suitable employment to an injured worker; requiring labour hire providers and host employers to cooperate to return injured workers to work; enabling an injured worker to be redeployed to a different part or division of a large self-insured employer; making sure a worker's return to work plan cannot be changed to move them

to a different employer without their agreement; and closing technical loopholes which have made it more difficult for injured workers to seek suitable employment.

The bill before us also makes changes in another very important area, and that is towards ensuring that victims of dust diseases and terminal illnesses have fair access to compensation. We know that the need for strong laws in this area remain significant and relevant. New cases of disease arising from exposure to asbestos alone are still being identified in their hundreds each year. In our legislative efforts in relation to engineered stone, this government's intention is to stop disease arising from exposure to respirable crystalline silica from becoming common in the way that asbestos-related disease became.

Under the Return to Work Act, a worker who suffers from a dust disease may have their income support calculated based on their level of earnings at the time of their exposure, rather than at the time when they ceased work. Because dust diseases tend to have a long latency, it could be years or even decades between when a worker is first exposed to dust and when illness compels them to cease work. Their wages are likely to have been substantially lower at the time of the exposure. Having a worker's income support based on the wages at the time they cease work due to illness or at the time of their exposure will enable a fairer reflection of the financial loss they experience as a result of their illness.

Finally, under current arrangements, there are loopholes in the impairment assessment system which may create barriers for workers with a terminal illness to receive an assessment that will be awarded with a lump-sum compensation. This bill seeks to resolve that issue. The fact is we may never have a perfect system. It is a difficult area of law and policy and there is always a balance to be struck in making the system work appropriately for all who engage with it, including workers, employers, the legal profession and others. It is important to get it right.

The changes proposed in the bill before us aim to make a substantial, positive difference in the experience of people who navigate and use our system, especially workers who are greatly deserving of a system which meets their needs and operates in their interests.

I thank all who contributed to the development of this bill and participated in the significant process of consultation that informed it. It represents another step in the Malinauskas Labor government's efforts to bring positive change to the lives of South Australian workers and, in particular, those who have been let down for too long by the system that we are working to improve. I am proud to commend the bill to the chamber.

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

SUMMARY OFFENCES (NAZI SALUTE AND SYMBOLS PROHIBITION) AMENDMENT BILL

Final Stages

The House of Assembly agreed to the bill without any amendment.

At 16:51 the council adjourned to Tuesday 27 August 2024 at 14:15.

*Answers to Questions***SAPOL GENERAL ORDERS**

In reply to **the Hon. T.A. FRANKS** (30 April 2024).

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

Between 1 January 2014 and 14 May 2024, the SAPOL Corporate Policy Unit received and responded to 93 subpoenas requiring production of general orders. SAPOL does not maintain a record of the number of refused requests.

Between 1 January 2014 and 14 May 2024, SAPOL received 31 freedom of information applications for general orders. Over this period one application was refused.

OPERATION ANATIS

In reply to **the Hon. T.A. FRANKS** (14 May 2024).

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

Operation Anatis was established to conduct compliance operations for the South Australian duck hunting season pursuant to the National Parks and Wildlife Act 1972. The name Anatis is Latin for 'duck'.

A total of 29 Department for Environment and Water staff have been involved in compliance activities during the duck hunting season in South Australia since 16 March 2024.

DEW has not conducted any operations in the state of Victoria.

VICTIMS OF CRIME

In reply to **the Hon. L.A. HENDERSON** (15 May 2024).

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

Victims are not required to 'repay' victims of crime compensation. From time to time, victims who receive victims of crime compensation later take civil action against the state. Any further compensation settlement accounts for any previous compensation the victims have received in relation to that same injury or loss.

In the past two years, four recipients of victims of crime compensation resolved civil actions against the state and, as part of that process, their civil action settlement expressly accounted for the victims of crime compensation they had already received for the same injury or loss.

This is to prevent double compensation being paid as is intended by section 29 of the Victims of Crime Act 2001.