LEGISLATIVE COUNCIL

Wednesday, 28 August 2024

The PRESIDENT (Hon. T.J. Stephens) took the chair at 14:18 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

ANSWERS TABLED

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. R.B. MARTIN (14:20): I bring up the 48th report of the committee, 2022-24.

Report received.

Question Time

AMBULANCE RAMPING

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:23): I seek leave to make a brief explanation before asking the Leader of the Government in this place a question about community safety.

Leave granted.

The Hon. N.J. CENTOFANTI: As we all know, the Labor Party were elected into government on the back of the promise to fix ramping, but since then they have delivered the worst ramping figures this state has ever seen. Last month was the worst on record, with 5,539 hours lost to ramping. That figure means that, since being elected, this government has now delivered more than 103,877 hours of ramping, with the time lost showing no sign of abating.

Labor's own unions have publicly stated that they do not have the confidence that this government can fix the ramping crisis. According to the nurses and midwifery union branch secretary, staff and patients had been traumatised and needed counselling. I quote, 'What they're enduring is absolutely horrific,' and, 'It's much like working in a war zone.' This comes as the Ambulance Employees Association's General Secretary, Leah Watkins, has now called on the government, and I quote, 'to stop and reassess all actions they are taking to fix ramping'.

We know that ambulance officers are dismayed that they are, in their own words, being left to rot on the ramp outside hospitals. The safety of the community is at risk when on many occasions in July and again in early August priority 2 patients who should have been seen within 10 minutes were ramped for two to three hours at Flinders Medical Centre. This is, as the AEA described it, unacceptably dangerous to the South Australian community.

My question to the Leader of the Government in this place is: with less than 18 months until the election and ramping worse than it ever has been, when will this government address the serious concerns for community safety that are coming from not just the community but from the hardworking ambulance officers and fix the ramping crisis as they promised?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:25): I thank the honourable member for her question. As the honourable member is aware the health minister sits in another place. As we talk regularly

about this I am pleased to report that this government has given back pay for the last four years before they were paid—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —unlike the former government and certainly—

Members interjecting:

The PRESIDENT: Order! Sit down. I did not hear a word the Attorney said.

Members interjecting:

The PRESIDENT: Order! I am on my feet. The honourable Leader of the Opposition, your second question.

ROYAL ADELAIDE HOSPITAL

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:26): Outrageous.

The PRESIDENT: That's not a question.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Sit down. The honourable Leader of the Opposition.

The Hon. N.J. CENTOFANTI: I'm on my feet. My question is to the Minister for Industrial Relations and Public Sector regarding SafeWork SA.

1. Has the Royal Adelaide Hospital complied with the SafeWork SA improvement notice, as it was due to do on 9 August?

2. Has the minister visited the Royal Adelaide Hospital to ensure the safety of the public sector employees?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:26): I thank the honourable member for her question. I understand the notice that was issued is being followed up by SafeWork SA, and they are working with the hospital.

ROYAL ADELAIDE HOSPITAL

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:27): Supplementary: has the minister visited the Royal Adelaide Hospital himself?

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter! The honourable Leader of the Opposition!

Members interjecting:

The PRESIDENT: Order! I am about to rule that the supplementary question did not arise from the original answer.

The Hon. N.J. Centofanti: Because he didn't answer my question.

The PRESIDENT: Thanks for your conversation piece. That's wonderful.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:27): I'm happy to answer, though. I am very helpful.

The PRESIDENT: Okay. The Attorney-General.

The Hon. K.J. MAHER: I thank the honourable member for her supplementary question. There are, I think, some thousands of notices that SafeWork issues each year covering thousands of workplaces, and my answer is, no, I don't visit every single one of the thousands of places that notices are issued to.

ADMINISTRATION OF GRANTS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:28): I seek leave to make a brief explanation prior to addressing a question to the Attorney-General regarding ICAC reporting.

Leave granted.

The Hon. N.J. CENTOFANTI: An ICAC report entitled 'Evaluation of grants administration' found that an administrative error resulted in a $1 million grant being awarded to a company which had not entered a grant application. Our understanding is that the company had to submit a grant application retrospectively. My questions to the Attorney-General are:

1. When was the Attorney-General made aware of this significant so-called administrative error?

2. Is the Attorney-General aware of any other administrative errors in the awarding of grants since his government has come to office?

3. Will the government commit to auditing all recently awarded grants for any other so-called administrative errors?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:29): I'm happy to answer this very simply. I made a pretty extensive ministerial statement about this yesterday, and I refer the honourable member to that.

Members interjecting:

The PRESIDENT: This is question time, not conversation time.

PICHI RICHI RAILWAY PRESERVATION SOCIETY

The Hon. M. EL DANNAWI (14:29): My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the recent event held in Quorn to celebrate the 50th anniversary of the Pichi Richi Railway Preservation Society?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:30): I thank the honourable member for her question. Over the weekend of 27 and 28 July, I visited stunning Quorn to attend the Pichi Richi Railway's 50th anniversary celebration. The weekend was also attended by Her Excellency the Governor, as well as local MPs Eddie Hughes, the member for Giles, and the member for Stuart.

The weekend marked 50 years since the Pichi Richi Preservation Society ran the first train on the restored railway line from Quorn to Summit and back again, 12 months after the society was first established in July 1973. This was a remarkable achievement for the preservation society, ensuring that the Pichi Richi Railway is still here hopefully for generations to come.

Construction commenced from Port Augusta in 1876, with the railway through the Pichi Richi Pass to Quorn opening in 1879. In its time it reached as far as Alice Springs, and also welcomed *The Ghan* passenger train between 1923 to 1956. Quorn was a vital railway junction, especially during World War II, where military, coal and other traffic placed many demands on the railway. These days, the Pichi Richi Railway is a much loved tourism attraction and can be seen taking passengers through the picturesque Pichi Richi Pass, experiencing train travel as it was a century ago, while getting a close-up view of the Flinders Ranges.

The Pichi Richi Railway is an important tourism offering. Approximately 10,000 people visit the railway every year, taking in the stunning scenery and everything that the Flinders Ranges and the outback have to offer. It was wonderful also to see the Pichi Richi Railway Preservation Society recognised at the 2023 South Australian Tourism Awards, taking out the silver award in the tourist attractions category. I think the award is an absolute testament to the hard work, dedication and passion of the Pichi Richi Railway Preservation Society. It is run by a group of volunteers, and their work cannot be underestimated or overstated. They do everything from customer service to maintaining the tracks, driving the locomotives and maintaining the locomotives.

On the first day of the RailFest I spoke with 23-year-old Jarrod Smythe, a volunteer locomotive superintendent who has been involved with the Pichi Richi Railway for over 13 years. Interest in steam preservation runs in Jarrod's family, as the family has been involved in volunteering in steam locomotive preservation in South Australia for 45 years. Volunteers such as Jarrod are vital to the railway, which would not survive without volunteers for its maintenance and running.

I was also delighted that my own son-in-law was able to visit during the weekend as he, too, has been a long-term volunteer on the Pichi Richi. I should probably clarify that: long-term in Pichi Richi terms might mean 40-odd years, for some of the other volunteers who were there. My son-in-law has, I think, only been a volunteer for about six or eight years.

Regional tourism is vital to our state, providing employment, supporting a range of industries and attracting visitors to our regional towns and communities. To the year ended March 2024, the Flinders Ranges and outback welcomed 710,000 overnight visitors, recorded over three and a half million visitor nights and $598 million in expenditure, making it such a very important contributor to our state's tourism sector, and the Pichi Richi Railway is key to part of that.

Congratulations to the Pichi Richi Railway Preservation Society on the golden anniversary of its first train operations. Over the past 50 years, the value of the Pichi Richi Railway as a significant tourism attraction, drawing visitors to the Flinders Ranges and outback, has been absolutely vital. Thanks to the passion and dedication of the society's wonderful volunteers, the Pichi Richi Railway is still going strong and keeping our South Australian history alive. Well done.

PICHI RICHI RAILWAY PRESERVATION SOCIETY

The Hon. R.A. SIMMS (14:34): Supplementary: did any members of the preservation society raise the potential to expand regional rail with the minister and, if so, how did she reply?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:34): No-one raised that with me over that weekend.

GOVERNMENT ADVERTISING

The Hon. R.A. SIMMS (14:34): I seek leave to make a brief explanation before addressing a question without notice to the minister representing the Treasurer on the topic of government advertising.

Leave granted.

The Hon. R.A. SIMMS: In the financial year of 2022-23, the state government spent $47.6 million on government advertising, which is a record for South Australia. Some of the government's key advertising campaigns include $1.65 million spent on the State Prosperity Project, $1.15 million on promoting their Housing Roadmap, and $742,000 on promoting their budget. My question to the minister representing the Treasurer is: how many new hospital beds could you deliver with $47.6 million? How much public transport infrastructure could be rolled out with $47.6 million? How many public houses could be built with $47.6 million? How many nurses, doctors and teachers could you employ with $47.6 million? Does the government really believe their $47.6 million advertising bill is in the public interest?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:36): I will be more than happy to pass on that question to my colleague in another place.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:36): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries and Regional Development about fruit virus.

Leave granted.

The Hon. J.S. LEE: It was reported that tomato brown rugose fruit virus has been detected for the first time in Australia at two properties in the northern Adelaide Plains. The exotic virus affects

tomatoes, capsicums and chillies, and can have production impacts of around 15 per cent. My questions to the minister are:

1. What steps are being taken by the government to minimise the transmission of the virus?

2. What support structures are in place for the producers in the Adelaide Plains impacted by this virus?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:37): I thank the honourable member for her question. The Department of Primary Industries and Regions (PIRSA) is responding to a detection of tomato brown rugose fruit virus at two properties in the northern Adelaide Plains region. The response comes after PIRSA was contacted by a commercial tomato growing facility on the northern Adelaide Plains to report a suspected positive result from a laboratory test.

Tomato brown rugose fruit virus is an exotic plant disease that affects tomatoes, capsicums and chillies, as the member mentioned in her question. The virus is listed on the National Priority Plant Pests list and is a highly contagious virus. It is listed as a regulated pest in South Australia's Ministerial Notice No. 2, Declared Pests and Quarantine Areas, pursuant to section 4 of the Plant Health Act 2009.

Infected plants will show symptoms such as mosaic patterns, yellowing and deformities on leaves, while fruits develop brown wrinkled spots, deformities and uneven ripening, which can reduce their yield and their marketability. The virus can spread easily through mechanical transmission, including contaminated tools, hands, clothing and direct plant-to-plant contact. It can also be seed borne and transmitted through grafting and irrigation water. The virus is considered a significant threat due to reduced yield and quality of produce.

Response measures are underway in South Australia, with a strong focus on sampling crops to delimit the extent of the spread. I am advised that over 1,000 samples have already been collected to help confirm how far the disease may have spread, with results from those samples pending from the interstate laboratories. PIRSA is working closely with the affected businesses, the Australian government's Department of Agriculture, Fisheries and Forestry, fellow interstate biosecurity agencies and industry. Movement controls and quarantine measures have been implemented for the infected premises to reduce the spread of this disease.

PIRSA is also investigating the source of the outbreak and determining if there is any potential further spread so that effective mitigation measures can be implemented. This detection is subject to consideration under the national Emergency Plant Pest Response Deed, and all state governments, the commonwealth government and 37 industry bodies are signatories to the deed. PIRSA reminds producers and home growers that should they notice anything suspicious with their plants or crops to immediately contact the 24/7 Exotic Plant Pest Hotline. It's important to note that the virus has no known effects on human health.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. F. PANGALLO (14:40): Supplementary: is the minister aware of states or jurisdictions that have suspended tomato exports from South Australia in the wake of the outbreak?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:40): I thank the honourable member for his supplementary. Queensland has suspended tomatoes going into Queensland. Western Australia has suspended only produce coming from the two affected properties.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. F. PANGALLO (14:40): Further supplementary question: is the minister aware that Biosecurity New Zealand has temporarily suspended all Australian imported tomatoes, and what would be the cost to the South Australian tomato industry if there has to be a shutdown?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:40): I thank the honourable member for the supplementary.

Yes, I am also aware of the New Zealand situation. We don't have reason to expect that there will need to be a shutdown of the entire industry. The sampling that is occurring is designed, as I mentioned in my original answer, to determine whether there has been further spread. It would be premature to anticipate that there would need to be such measures as the honourable member has mentioned and therefore the costs are not something that can be considered at this stage.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:41): Supplementary: with the sampling measures underway, when would the minister anticipate all the testing, etc., results to be out?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:41): My understanding is the expectation is at the end of this week or early next week. Some of the original sampling has, of course, already come back, but at this stage the only affected properties are those to which we have already referred.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. F. PANGALLO (14:41): Further supplementary: the minister said that there were a thousand tests carried out. My office has received reports today that PIRSA has run out of test kits. Can she confirm if that's the case or not?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42): Certainly, I haven't had any information to indicate that. If the honourable member has particular information, I would certainly be keen to receive it. It is also worth mentioning that the actual testing goes to interstate laboratories.

NORMAN, MS I.

The Hon. R.B. MARTIN (14:42): My question is to the Attorney-General. Will the Attorney please inform the council about the upcoming retirement of Crown Solicitor Ingrid Norman?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:42): I would be most pleased to and I thank the honourable member for his question. It is with mixed emotions that I inform the council about the upcoming retirement of Ms Ingrid Norman, who served with distinction as our Crown Solicitor in South Australia. I informed the chamber yesterday of the upcoming retirement of Ms Gabrielle Canny from the Legal Services Commission, and this marks another retirement of someone who has been very important and influential in South Australia's legal community.

Ms Norman served as the Crown Solicitor for the past three years and has led the office with distinction, bringing a breadth of experience, expertise and pragmatism to a demanding role. It's no small feat to provide a very brief summary of Ms Norman's expansive and impressive career, but I will go through just some of the highlights of what Ms Norman has contributed to the South Australian legal and justice sector since her admission to practice as a solicitor way back in 1981. When you consider it, that's quite a long time ago; 20 years into the last century was a time even before Rob Lucas served in this chamber back in 1981.

The Hon. C.M. Scriven: Before records were kept!

The Hon. K.J. MAHER: It was; when *Ant Music* was a worldwide hit, or *Bette Davis Eyes*. The very, very first Indiana Jones movie had just come out in 1981, or *On Golden Pond*, which might be more appropriate for the retirement of a Crown Solicitor.

Ingrid's career commenced as a solicitor at Mahoney & Partners, where she worked primarily in the area of motor vehicle accidents and industrial injury claims, both at common law and under the Workers Compensation Act, which was repealed in 1987. This industrial experience set Ms Norman up very well for her next role, and it is a little known fact that her career then led her to the South Australian Salaried Medical Officers Association, better known as SASMOA, as an industrial liaison officer and officer manager—a role she has had good experience in, coming up against it as a solicitor now on the other side for the Crown representing the government.

I should make it clear that despite Ms Norman's brief but impressive work history as an industrial advocate at a union, her ultimate appointment as Crown Solicitor was under a former Liberal government. It is a great testament to Ms Norman that she has not only worked on both sides of the fence industrially, but has also impressed both sides of the political spectrum.

Heading back to private practice after SASMOA, Ms Norman then commenced as a senior lawyer at what is now Norman Waterhouse, engaging in a broad spectrum of work from industrial injury claims to commercial law, family law and medical negligence. It wasn't long before Ms Norman was formally recognised for her experience and exceptional skills, and she was promoted to senior associate, where she acted for the Auditor-General for the purposes of his inquiry into the State Bank of South Australia.

Bringing her time in private practice to an end, Ingrid then commenced employment as a solicitor with the Crown, and she would dedicate the next 31 years of her career to public service. Moving through various senior leadership positions within the Crown Solicitor's Office, Ms Norman held positions as a senior solicitor in the State Bank litigation section, becoming senior solicitor in the civil litigation section, and a managing solicitor outposted to DHS and the Department for Health—in that position likely coming face to face with those she used to work for in her brief time in SASMOA.

Further positions that Ingrid served in with distinction included as managing solicitor outposted to the then Department of Education and Children's Services, and as executive solicitor advising all of government on highly complex public law matters. As Acting Assistant Crown Solicitor, then Assistant Crown Solicitor, Ms Norman's wealth of experience could not have prepared her better for becoming Crown Solicitor in 2021.

I would like to take this opportunity to extend my sincere appreciation and thanks for the work Ingrid Norman has committed to the sector, especially her public service through 31 years at the Crown Solicitor's Office. During her time as Crown Solicitor she has had a significant impact on the betterment of South Australia. I know, from my time as Attorney-General, that I have seen her work on very significant matters, including the South Australian Voice to Parliament, the review of SafeWork and, before that, responses to the COVID-19 pandemic.

Ingrid's presence will be sorely missed at the Crown Solicitor's Office, throughout the whole Attorney-General's Department and throughout the public sector more generally. Her astute and frank advice has been appreciated not just by me but by many ministers. I thank Ingrid for her service and wish her well for the future.

ABORIGINAL REMAINS, RIVERLEA PARK

The Hon. T.A. FRANKS (14:48): I seek leave to make a brief explanation before addressing a question to the Minister for Aboriginal Affairs on the topic of the Riverlea development and Aboriginal heritage consultation.

Leave granted.

The Hon. T.A. FRANKS: After ancestral remains were found within the Riverlea development site, consultation with traditional owners and interested Aboriginal people and organisations was extended to allow further submissions to be made. I understand the issue has gone before the State Aboriginal Heritage Committee and further legal advice is being sought. Of course, these remains must be treated with respect and in line with the wishes of the traditional owners, Aboriginal people and organisations. My questions to the minister are:

1. At what stage is this consultation at, and when will a decision be made as to how the ancestral remains will be managed?

2. Will the Walker Corporation have any obligation to create a reflection centre and memorial garden, as per the wishes of some in the community?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:49): I thank the honourable member for her question, and she was quite right in a number of the ways she characterised the application that is made under

section 23 of the Aboriginal Heritage Act that concerns the Riverlea development at Buckland Park by the Walker Corporation.

This has indeed been a very involved and lengthy process and there has been an extension of consultation with community members to allow for as much input as possible. Certainly, in my couple of decades in various roles dealing with applications under the Aboriginal Heritage Act, this would be the biggest or certainly one of the biggest applications in terms of the amount of time and effort and the number of consultations and the number of submissions that have been made.

This has followed the usual practices of involvement of the provision of legal advice. The State Aboriginal Heritage Committee, as is required under the act, has considered the application that has been made in the views that have been put forward. It is in the final stages of consideration. I would expect in the coming months that that would enable a final decision to be made.

In relation to what conditions will be placed on any potential authorisation, that is not something that I can foreshadow at all. In fact, I suspect that if a member attempted to do that it might give grounds for judicial review for any decision that is eventually made. So, whilst I appreciate the honourable member's question about what conditions might be in place, it is certainly not something that I am able to or should comment on given that a decision has not been made yet.

CFMEU

The Hon. H.M. GIROLAMO (14:51): My question is to the Leader of Government Business regarding the CFMEU. Does the Leader of Government Business have concerns regarding the safety of Labor members of parliament and their staff given the CFMEU's comments that they will cause absolute destruction of the Labor Party?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:51): I am not aware of any specific threat to any particular person.

AGRIFUTURES RURAL WOMEN'S AWARD

The Hon. R.P. WORTLEY (14:51): My question is the Minister for Primary Industries and Regional Development regarding a rural women's award. Will the minister update the chamber about the AgriFutures Rural Women's Award gala dinner and national announcement held last week?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51): I thank the honourable member for his question. Last Tuesday night I had the absolute privilege of joining with a strong contingent of South Australian rural women at the AgriFutures Rural Women's Award gala dinner and national announcement at Parliament House in Canberra in support of Nikki Atkinson who represented South Australia.

Nikki Atkinson is from the Flinders Ranges and is recognised for her innovative skill in creating sustainable wedding dresses and special occasion wear from merino wool. Nikki was named the South Australian winner of the prestigious award in March, and I spoke about Nikki's achievements in this place at that time and it is this honour that led her to represent the state in the national competition.

Most wedding dresses are typically sewed using materials such as polyester and so by using merino wool in a market such as the wedding dress industry it is innovative in that the material creates a more sustainable and environmentally friendly alternative.

I was also very much heartened to see how invested the AgriFutures Rural Women's Award alumni are in continuing to make the time to travel from their homes across Australia to Canberra each year for this special event and to support their fellow finalists. The two South Australian finalists, Susie Williams and Suzi Evans, joined Nikki and I at this event and it was wonderful to share this experience of celebrating the outstanding achievements of rural women across our state and across our country.

Prime Minister Albanese and the newly appointed federal Minister for Agriculture, Julie Collins, were also in attendance and addressed the dinner. Tanya Egerton, an Indigenous affairs advocate representing the Northern Territory, was announced as the national winner and she will

now receive a $20,000 grant to support her work in empowering the entrepreneurial aspirations of Aboriginal and Torres Strait Islander people across remote northern Australia in an ethical and culturally-focused enterprise, the Remote OpShop Project.

The Remote OpShop Project has developed a reuse and recycling hubs format that redirects high-quality and affordable goods from landfill and redistributes these goods to First Nations communities, with the scale of development overseen by the Northern Territory First Nations Leadership Council. I remember one of the particularly interesting facts that was raised during the presentation about that particular project: in quite a short period of time, a call-out went out for goods across the country, and 350,000 items of clothing and household goods, all good quality, were donated in record time. That really is testament to the importance of that sort of project and how much it has been able to attract interest.

The AgriFutures Rural Women's Award Is Australia's leading award in acknowledging and supporting the role that women have in our rural industries, communities and businesses. I am also very pleased to share that applications for the 2025 Rural Women's Award are now open and close on Wednesday 9 October at 12 noon. More information can be found by visiting the AgriFutures website.

Again, congratulations to Nikki for representing our state at this important national event. The state government is proud to support this initiative and I encourage women who live and work in rural South Australia to consider applying for next year's award.

WHYALLA STEELWORKS

The Hon. F. PANGALLO (14:55): I seek leave to make a brief explanation before asking the Minister for Primary Industries and Regional Development, representing the Minister for Energy and Mining in the other place, a question about the Whyalla Steelworks.

Leave granted.

The Hon. F. PANGALLO: The vultures appear to be circling over the steelworks once again, with the hardworking town folk yet again bracing for bad news. The ABC reported recently that the steelworks had cut 48 jobs at the steelworks and that it had entered a series of shutdowns of its blast furnace due to an inability to source enough coking coal.

My sources in Whyalla tell me the shortage is due to the fact that steelworks owner, Sanjeev Gupta, hasn't the funds to pay for the coal in advance. Worse, I am told, Golding contractors is owed more than $70 million, while Veolia, the waste company, is owed around $11 million, and KordaMentha has been in town this week meeting with Golding management to assist them to manage their way through their financial crisis.

There are also reports that workers have been forced to bring their own toilet paper to work and toilets and other common areas aren't being cleaned, as cleaning services have been axed. I am further told a planned meeting tonight among private suppliers to the steelworks—called to discuss the extent of moneys owed—has been called off after the organiser received a threatening call from someone advising him to cancel it. Where there is smoke there is always fire. My questions to the minister are:

1. Is the government in urgent crisis talks with the steelworks or any of its subsidiaries and if not, why not, given the abovementioned information?

2. When was the last time the government met with the company to seek reassurances about its finances and its future, given that the government's Steel Task Force still hasn't been able to provide my office with any minutes or record of any meetings it has had?

3. Is the government in talks with the federal government about financial packages to take an equity share in the steelworks, given its critical role in protecting the country's ability to make its own steel?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:58): I will pass that question on to my colleague in the other place, the Minister for Mining, and bring back a response. While I am on my feet, I would like to take

the opportunity to respond to the same member's earlier question in regard to tomato brown rugose fruit virus and whether testing kits have run out. I have been advised by my department that that is not the case.

CASHLESS DEBIT CARD

The Hon. B.R. HOOD (14:58): I seek leave to make a brief explanation before asking a question of the Attorney-General regarding cashless debit cards.

Leave granted.

The Hon. B.R. HOOD: On Friday night at 10pm in July, the Albanese government quietly released the independent report on the impacts of scrapping the cashless debit card. The University of Adelaide's report findings were unequivocal. Since its abolition, the report found:

- declining levels of child wellbeing and welfare;
- children not being fed or clothed properly due to cash being spent on alcohol and gambling;
- increased instances of unsupervised children on the streets at night; and
- decreased school attendance, particularly in Ceduna.

In every region where the card previously applied, its removal resulted in increased criminal activity reported by businesses, a large increase in people seeking emergency relief services and a rise in alcohol-related violence. My questions to the Attorney-General are:

1. Has the minister read the report?

2. Does he stand by previous comments in this place that the Liberals are misrepresenting the situation in Ceduna?

3. Does the Attorney still maintain the view that the Liberal Party and the Hon. Sarah Game are conflating correlation and causation between the removal of the cashless debit card and increased antisocial issues in Ceduna?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:00): I thank the honourable member for the question. I haven't read the report, but I certainly will and I thank the honourable member for highlighting it. I will be very interested to see whether the report draws a distinction between areas that have never had that card in place and whether there are the corresponding statistics that the honourable member has said are in the report, because it would, of course, need to have that comparison against other places in order to draw any conclusions whatsoever about the removal of the card and any impacts it has had.

What I certainly won't resile from is my disappointment, and certainly the local Aboriginal community leaders' disappointment, in some of the demonising of Aboriginal people that has gone on for purely political gain. To demonise Aboriginal people and to weaponise disadvantage is a deeply unfortunate thing that some do for their own political advantage, and it is certainly not something I endorse.

PURPLE HOUSE

The Hon. J.E. HANSON (15:01): My question is to the Minister for Aboriginal Affairs. Will the minister inform the council about his recent visit to the newly opened Purple House facility in Coober Pedy?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:01): I would be most pleased to do that. I was accompanied by then Minister for Indigenous Australians, the Hon. Linda Burney, and the member for Giles, Eddie Hughes, recently to Coober Pedy for the opening of Purple House. The opening of Purple House in Coober Pedy marks a significant milestone in furthering health care accessibility in remote communities in our state.

Purple House is an Aboriginal-led and operated health service that has played a vital role in providing dialysis treatment to remote communities across the Northern Territory and now in northern South Australia. It is a particularly important initiative, as studies have shown that Aboriginal people are up to 30 times more likely to suffer from chronic kidney disease compared with the general population.

Purple House offers a range of essential services, primarily focusing on dialysis treatment. It operates 18 remote clinics and a mobile dialysis unit known as the Purple Truck. In 2019, the Purple House opened a dialysis centre in Pukatja in the APY lands. Having services on the APY lands allows patients to receive treatment much closer to home and, importantly, this approach helps maintain family ties and cultural practices, reducing the emotional and cultural isolation that often accompanies long-term medical treatment away from home.

The establishment of Purple House in Coober Pedy is an important development for the local community. The Coober Pedy clinic will see approximately eight patients per week, with the potential to increase to 16 at times of high demand. Prior to this, the nearest dialysis services were located in Port Augusta and the APY lands, necessitating long and challenging journeys for patients requiring regular treatment. I know from having visited recently in Coober Pedy that it is not just the patients using the service who will benefit, it is also their family members.

One particular elder talked to me when I visited about the fact that he would spend most of the week in Coober Pedy and then drive down to Port Augusta every weekend for a family member's dialysis, and the location of Purple House in Coober Pedy means that not just the family member can stay there for treatment but he doesn't have to do that five-hour drive every single weekend. The investment in this project underscores a commitment to improving health care access in remote areas and addressing these for Aboriginal people, enhancing overall wellbeing of our community.

SELF-REPRESENTED HEARINGS

The Hon. C. BONAROS (15:04): I seek leave to ask the Attorney-General a question about represented versus self-represented hearings in the criminal jurisdiction.

Leave granted.

The Hon. C. BONAROS: I recently received the response to an FOI requesting five years of comparisons of numbers of represented versus self-represented matters in criminal hearings. Those FOI figures provided indicate that in the Supreme Court there are currently about 396 matters where individuals have been self-represented, compared to 1,991 who are represented. In the District Court, in terms of criminal hearings, there are 11,413 represented versus 2,428 self-represented. In the Magistrates Court, there are 161,755 represented versus 72,000-odd self-represented, and in the Youth Court there are 18,863 represented versus 2,983 self-represented. Obviously, there are more represented than non-represented or self-represented. My questions to the Attorney are:

1. Specifically in relation to the Youth Court, and given that very high number, is he concerned about the almost 3,000 defendants who are appearing before the Youth Court in criminal matters without representation?

2. More broadly across the system, what are some of the reasons that, from a cost perspective, some of those individuals wouldn't have the option of being represented in their matters?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:06): I thank the honourable member for her question. I might answer the second part first, regarding more broadly across the system. Access to justice and having an ability to be represented to provide a proper defence, particularly in the criminal justice system, is an exceptionally important element of our justice system. Certainly, the Legal Services Commission provides—and I can't remember the figures, but I have mentioned them before here in this place—many, many thousands of client interactions each year for people who otherwise wouldn't be able to afford representation in the legal system.

Of course, there are other reasons why people aren't represented in the legal system and in the criminal justice system. There is no doubt there will be those who either would be able to afford

it themselves or would be entitled to representation through legal aid or through the Legal Services Commission representation but who prefer, in their own judgement, that they may be better at representing themselves than they think others might. I think that is almost always a foolish choice, but there are those who prefer to represent themselves, even if they have the means or the ability to have other sources of representation.

More specifically to the Youth Court, overwhelmingly people involved in the Youth Court are represented, as the honourable member's figures indicate. I know, for example, that the Legal Services Commission has a very significant support to litigants through the Youth Court through a duty solicitor program that operates in the Youth Court, which I think is exceptionally well used and exceptionally well received.

Whilst overwhelmingly people are represented, and our legal aid and the Legal Services Commission do a remarkable job of giving access to justice—I might mention that, in the broader justice system, there are services like those provided through JusticeNet and community legal centres—there are those who sometimes, for reasons, prefer to represent themselves rather than have legal representation.

SELF-REPRESENTED HEARINGS

The Hon. C. BONAROS (15:08): Supplementary: does the minister acknowledge that budgetary constraints have also been raised as an issue with the Attorney by the LSC and the ALRM? If so, what is being done to address those in terms of qualifying for, or being eligible for, representation?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:08): I thank the honourable member for her question. Again, I will take the second part first. The Aboriginal Legal Rights Movement certainly have raised budgetary concerns with me. They have traditionally in South Australia, and as is the case I think in every jurisdiction around Australia, received the vast majority, if not all, of their funding from the federal government.

The national funding for legal services is under review at the moment. There has been a report that the federal government published in recent months, and that will form the basis for discussions and negotiations between governments over the coming months. I think the ALRM has had some increase in their funding at a national level, but certainly from my discussions with the ALRM it's not enough to meet their ambitions in what they would like to do to represent Aboriginal people.

The Legal Services Commission receives significant funding from the commonwealth but also from the state of South Australia, and we regularly, as demand increases or there are specific complex expensive cases that particularly defendants need greater funding for, provide that from time to time.

CHILD SEX OFFENDERS

The Hon. L.A. HENDERSON (15:09): I seek leave to make a brief explanation before asking questions of the Attorney-General regarding campaign promises.

Leave granted.

The Hon. L.A. HENDERSON: In 2022, the Labor Party promised to have the toughest laws in Australia for serious child sex offenders and that 'serious child sex offenders would be locked up, and we will throw away the key until they can prove they are no longer a threat to the community'. Given the staggering number of cases before the court around child sex offences, my questions to the minister are:

1. When will the government be introducing indefinite detention?

2. How many child sex offenders have been released before they have served their full sentence since 2022?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:10): I thank the honourable member for her question.

I am very pleased to report—the honourable member may have missed it when it went through this chamber but legislation has passed the Legislative Council for the indefinite detention of serious repeat child sex offenders. It is now in the House of Assembly, and we expect it to pass there certainly within the coming month.

So I thank the honourable member for highlighting the achievements of this government. Usually this sort of question would be asked by one of my colleagues in relation to government achievements, but the honourable member was absolutely right: it was an election commitment to introduce some of the toughest laws on child sex offenders in South Australia, and we have passed them in this chamber. It is unfortunate the honourable member missed the proceedings that were going on before her in the chamber before the winter break, but we have passed these laws in this house—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —and the laws will pass the lower house and we will have the toughest laws of their kind anywhere in Australia.

What this will mean for a serious child sex offender who for the second time is sentenced to a term of imprisonment is that that will become a term of indefinite detention until they can demonstrate they are willing and able to control their sexual instincts. We make no apologies. We don't care what the opposition says. We make no apologies for having the toughest laws of their kind in Australia, and I am glad the member has given me an opportunity to talk about what we have done in this chamber just this year, before the winter break.

I am happy, if she has missed any other significant bits of legislation, for her to ask further questions about the work that we have done in this chamber and to remind her of what we do on a daily basis.

CHILD SEX OFFENDERS

The Hon. L.A. HENDERSON (15:12): Supplementary question: in case the minister missed it, how many child sex offenders have been released before they had served their full sentence since 2022?

The PRESIDENT: I don't know whether to rule it in or out, because you choose whether to answer or don't.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:12): As usual I'm happy to be extraordinarily helpful, not just to you and the chamber but to answer the question. I don't have any such figures.

CALLINGTON SHOW PAVILION

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 the opening of the Callington Show pavilion?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:13): I thank the honourable member for his question. It was an absolute pleasure to be in Callington on a sunny Sunday late last month to officially open the new Callington Show pavilion. It was a great celebration of a project that was several years in the making, and it was also a great example of a tight-knit community working hard together, led by the Callington A&H Society, which identified a need and then worked hard to achieve an outcome that will serve them well for decades to come, with the delivery of the Callington Show pavilion.

Callington itself is somewhat unique in that half of it sits within the Rural City of Murray Bridge and the other half sits in the district council of Mount Barker. Fittingly, both mayors were present—Mount Barker Mayor David Leach and Murray Bridge Mayor Wayne Thorley were both on hand to celebrate this occasion, with both councils contributing funding towards the project. It will, of course, be of benefit to residents in each of their respective councils.

The Callington Show Society received a $50,000 grant from the Thriving Communities program, and it was really incredible to see how the funds have been used to make such a huge difference to this project as, indeed, that fund does for many communities and projects. But the reality is that, despite councils and governments providing funding, these projects don't get off the ground without significant support from local people, whether it be individual community members, businesses, sporting clubs, community groups, show societies, and many more. They are the ones who put their hands in their pockets, who do fundraising, who give countless hours of their own time and their own expertise, which leads to such positive outcomes.

A special mention must go to the Callington A&H Society, an incredible group of people who are very organised and very keen. I am so pleased that their vision is now a reality and that they will have an asset that will serve the Callington Show and the local community well for years to come. The pavilion is expected to be used by the community for gatherings, birthday parties and all sorts of other events outside the show itself. I believe it is also going to be used for trade shows and adds to the already great facilities at the Callington Recreation and Community Centre, which has seen some fantastic improvements in recent years, with the community working together in much the same way as it has for this project to deliver those improvements.

With the pavilion now open and show preparations well underway the stage is set for a fantastic Callington Show on 27 October this year. With free entry for children under 12, $5 entry for children over 13 and adult tickets just $15, I would certainly encourage anyone who wants a reasonably priced day out at one of our state's great country shows to head 45 minutes up the freeway and check out the pavilion and the many attractions for themselves.

BEEF CATTLE INDUSTRY

The Hon. S.L. GAME (15:16): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries and Regional Development regarding the beef cattle industry.

Leave granted.

The Hon. S.L. GAME: Australia's red meat and livestock industry makes a significant contribution to the Australian economy. The South Australian beef industry makes a crucial contribution to the state and underpins substantial economic activity in our regions. South Australia's beef industry faces several significant challenges. Firstly, there are nearly 240,000 fewer beef cattle in South Australia than five years ago, and some 140,000 fewer breeding stock. There are more than 2,700 beef cattle producing businesses in South Australia, with thousands more people employed across the beef supply chain.

Across Australia, average farmgate returns for beef production are lower than for other potential agricultural land uses, including cropping and sheep. A major issue facing the industry is the relatively small number of meat processors. These meat processors dictate the price farmers get for their product and this often results in smaller producers getting squeezed. If farmers don't accept the price they have few options to sell, if any. Major supermarkets have replaced the local butcher which is further reducing the options that farmers have. My questions to the minister are:

1. What is the government doing to protect mum-and-dad farmers from being exploited by processors unwilling to offer a fair stock price?

2. What protections are in place for cattle farmers experiencing predatory behaviour which affects their livelihood?

3. Does the minister support a code of practice for the beef cattle industry in South Australia, similar to what the federal government introduced to regulate the dairy market?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:17): I thank the honourable member for her question. I certainly agree that the cattle industry is an incredibly important industry for our state, both economically but also particularly for the jobs that it provides in our regions. In terms of the specific questions that the member has asked, as far as I am aware I don't recall anyone approaching me to suggest a state-based code of conduct. I am happy to have my office check to see if that is the case.

I have excellent relations with the peak industry body, Livestock SA, and meet frequently with them. As always, I am open to any suggestions that they might come up with. They can be investigated and discussed, and then see whether they are suitable for progression.

TERROR SUSPECTS

The Hon. D.G.E. HOOD (15:18): I seek leave to make a brief explanation before asking questions of the Attorney-General regarding terror suspects in South Australia.

Leave granted.

The Hon. D.G.E. HOOD: On 25 July this year—that is between the last sitting week and this one—a South Australian teenager was arrested by police for allegedly possessing extremist material and instructions for an explosive, which he had accessed while he was at a South Australian school. The teen, who has been charged with a suite of terror offences, was released on home detention bail earlier this month and permitted to return to the classroom where he is said to have accessed the extremist material in the first place.

As part of his bail conditions, the boy has been prohibited from possessing or accessing any electronic device connected to the internet. Importantly, I note that he is actually the third South Australian teenager to be arrested on terror charges in just the last four months. My questions to the Attorney-General are: firstly, given Australia's terror alert was recently raised to probable by the Australian Security Intelligence Organisation, is the Attorney-General concerned about a known radicalised youth attending school in these circumstances and, specifically, the school where he was able to access this material?

Secondly, is the Attorney-General aware of whether the child concerned has actually been attending school and, if so, have the parents of other students in that school been consulted about the child's attendance, and what have they been instructed if so? Thirdly, what action is being taken to ensure the teenager in question is actually adhering to his bail conditions, particularly with regard to accessing the internet, given that most students require an electronic device in order to undertake their schooling these days?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:20): I thank the honourable member for his question and his interest in community safety, which is reflected in a number of the questions that the honourable member asks in this chamber. In relation to the individual the honourable member refers to, given a matter, as the honourable member has said, is before the courts—and I am not aware, but in many of these matters it is often subject to further investigation—I am not going to comment on the specific details of the individual concerned, but I will in relation to the honourable member's latter questions about adherence to conditions.

I know when conditions are placed down the bail authorities are often very diligent in ensuring people comply with conditions, and that would be the expectation no matter who the person is. In relation to questions about terror suspects generally, or radicalisation, of course it is something I think that concerns not just those in government, particularly those with the responsibility for elements of the justice system as I do as Attorney-General, but all ministers generally, and I am sure all of us here and all South Australians.

The world is an increasingly more connected place, and with that comes really complicated areas of radicalisation, as we see not just in Australia but around the world. One thing that I think we can all take a degree of comfort from is just how impressive our intelligence services and our law enforcement organisations work, and work cooperatively when we see these sorts of threats to our safety. The fact that things like this are being detected, that they are being investigated, and they are being prosecuted shows the sophistication of those who monitor these sorts of activities, not just in Australia but around the world, and those who are responsible for their enforcement.

As I said, it is a very different world to how the world was generations ago, but even 10 or 20 years ago the access to information, the ability to share information so much more comprehensively and so much more quickly, and the complexity of what we see in terms of things like radicalisation is more complicated than it has ever been before. So whilst I can't comment specifically on something that is going through the justice system and may be subject to further

investigation, I think we can certainly all take some degree of comfort that these things are being detected, detected at an early stage, acted upon, and that we have a high degree of proficiency in our intelligence organisations, our law enforcement in Australia, that seeks to make sure harm doesn't come to citizens through these activities.

Matters of Interest

ELECTRICITY COSTS

The Hon. D.G.E. HOOD (15:23): I rise to speak on the rising cost of power prices in our state, which are adversely affecting all South Australians. In recent days, members have seen that particular attention has been drawn to the negative impact these costs have had on our small businesses in particular. Indeed, it has been highlighted in *The Advertiser* in two very good examples, which I will allude to in a moment. Under our current state and federal Labor governments, the cost of doing business in our jurisdiction has reached an all-time high, with our smaller enterprises being forced to deal with some of the highest electricity prices in the nation, and indeed not just in the nation but in fact anywhere in the world.

The Advertiser has recently reported that one of our state's most iconic companies, which members would have seen in the publication I think it was yesterday, Nippy's, received a monthly electricity bill that has more than doubled over the past year from $51,600 last June to nearly $110,000 this month—more than doubled. This is despite the fact that Nippy's invested almost $1 million on solar panels, energy-efficient lighting and special pump equipment to actually decrease its power usage. So the bottom line there is that Nippy's is using less power but it is costing them more than double as much.

Nippy's experience is certainly not isolated, of course. Earlier this week, the owner of Ballaboosta cafe informed *The Advertiser* that his power bill had jumped dramatically from $5,800 a quarter last year to approximately $9,200 a quarter this year, which is an increase in the order of 58.6 per cent. These increases are unsustainable. If we want to drive businesses out of this state and out of our nation then that is exactly how to do it.

There are no doubt countless other business owners who would be in a similar position. As members would be well aware, small businesses comprise no less than 98 per cent of all businesses registered in our state, employing some 300,000 South Australians, which account for up to 40 per cent of our total workforce in South Australia. We therefore cannot afford to allow these enterprises, which have relatively low margins in many cases, to cease to exist when South Australia already suffers the highest level of unemployment in the nation.

I note that the wholesale cost of electricity has increased by some 145 per cent, which is a huge impost by any standards, and again I say utterly unsustainable. According to a recent Australian Energy Market Operator's quarter 2 2024 quarterly energy dynamics report, our state's average wholesale power prices have increased by $80 per megawatt hour; that is, they were $55 per megawatt hour and are now $135 per megawatt hour. That is just since the first quarter of this year, but the increase is $80 per megawatt hour from $55 to $135 per megawatt hour—again, utterly unsustainable.

I am also aware that South Australian and Australian household electricity prices were found to have risen considerably faster than those in France, Germany, Japan, Spain, the United Kingdom and the USA, and in fact more than three times the OECD average, according to a recent review.

Dr Geoff Bongers, an adjunct professor at the University of Queensland School of Chemical Engineering, tracked the growth in electricity prices across a selection of developed nations using the most recent data available and he discovered that among the aforementioned countries Australia experienced the greatest increase in the cost of residential electricity at some 32 per cent increase against average growth of just 8 per cent throughout the OECD—that is 32 per cent here in Australia and just 8 per cent across the rest of the OECD on average. Again, this is utterly unsustainable and making our businesses uncompetitive.

The study attributed the steep prices to the closure of power stations, which has led to a sharp decline in the country's reserve generation capacity, causing spikes in costs at times of peak demand. This highlights the fact that Australia has a less diverse mix of technologies in power

generation and, most notably, a reduced reliance on coal and, certainly at the moment, no reliance at all on nuclear energy. I have much more to say on this but time will not permit me from doing it today. I will continue with this theme at my next matter of interest.

GLOBAL LIVEABILITY INDEX

The Hon. R.P. WORTLEY (15:28): For the second year in a row, Adelaide has improved its position high up on the list of the world's most liveable cities. Two years ago, we were the 12th most liveable city in the world, this year we came in at 11. That is based on the Global Liveability Index, an assessment done by the Economist Intelligence Unit, ranking 172 cities from around the world. We are ahead of many major destination cities, including London, Paris, New York and Tokyo, and a long way in front of all US cities. Adelaide is also ahead of Perth and Brisbane. We have been consistently in the top 20 cities—I cannot recall a time when we have not been—and have been as high as third on the list in the past. These ratings are based on five main factors: stability, health care, culture and environment, education, and infrastructure.

There was a time, before the Rann Labor government made sweeping changes, less than 20 years ago, when we would not have been rated very highly at all on the infrastructure measure. Until the Rann government helped Adelaide realise its potential and drag it—sometimes kicking and screaming—into to 21st century, we were a long way behind many other Australian cities.

The changes SA Labor gave the Adelaide CBD and skyline alone took it from a very pleasant but increasingly tired city to a dynamic place, one that not only attracts international visitors but one that makes people want to get out of their homes and spend a day or night out on the town. Improvements include the Torrens Riverbank Precinct and Convention Centre, the laneways, the opened up and revitalised restaurant streets, and the completely revamped and modernised Adelaide Oval, with a footbridge that links into the city centre. These are among the major infrastructure projects that have improved our lifestyle.

Adelaide Oval is a great case in point. Its history and recognition as the best cricket ground in the world was not compromised when it was being upgraded to a destination arena. Major road improvements, including a system that is about to link Gawler to the South Coast on one streamlined expressway, is world-class infrastructure at its best.

Getting around Adelaide is among the most efficient and least expensive tasks in the world. We have the O-Bahn busway from the north-eastern suburbs and the upgraded tram system from the south-west, which now extends past the city. Both programs were the work of Labor governments. That, of course, is just the infrastructure component.

As the capital of South Australia, Adelaide has world-class education and health care, as well as culture and heritage around every corner. This City of Churches is known around the world for its Colonial, Victorian and Federation architecture. We have a rich history but also a thriving modern culture as home to the Adelaide Festival, the Adelaide Fringe, WOMADelaide, the Cabaret Festival, the Tour Down Under, and a range of other artistic and sporting events.

SA Labor cannot take credit for all these events, but we can put up our hands for cultivating and supporting them. Our thriving theatre, arts and sporting landscapes have been given great support and been taken to new levels by Labor, and I am pleased to report that this is continuing under a Malinauskas government. Sometimes it is almost too easy, as a Labor representative, to talk about improvements that have made Adelaide the city it has become. Labor has been at the forefront of most things that make us the 11th most liveable city in the world. Let us hope that by next year we will be back in the top 10.

We can be proud of our very high rating on the world stage. Even those who did not vote for us, and who did not want the footbridge or the Riverbank Precinct or the O-Bahn—the list goes on—now recognise these improvements. While there will always be the argument from the other side about what progress costs, everyone now recognises that these initiatives have been more than worthwhile. They have helped make Adelaide the city it is today, one of the most liveable cities in the world.

PUBLIC TRANSPORT

The Hon. R.A. SIMMS (15:33): The matter I rise to speak on this afternoon is one that will be of interest to all residents of Greater Adelaide who care about reducing carbon emissions and congestion on our roads—that is, of course, public transport policy. The Greens are strong supporters of free public transport for everyone, and I will continue to advocate for that here in this place, but there is a new approach in Germany that is proving popular that I want to draw to members' attention.

Some German states have implemented a policy whereby people can choose to surrender their driving licences in exchange for unlimited access to public transport for an entire year. The program has been very successful so far, with one state seeing about a thousand people relinquishing their driving licences. The free year on public transport allows German residents to travel on all modes of public transport, including train and bus.

Let us consider the benefits of such a scheme for Adelaide. First and foremost, it would improve safety. Fewer vehicles on our roads would significantly reduce the risks of accidents for all road users. By offering an alternative to driving, we can reduce congestion, which we know of course is a major contributor to collisions. I stress that this is not about forcing anybody to give up their licence. It's an optional scheme, but the evidence from Germany demonstrates that people elect to do it when they are given that choice.

There is also a significant economic angle for us to consider here. When you look at the eyewatering amount that the state government is spending on the north-south corridor—I think it is about $15 billion of state and federal government money—it is easy to see what could be achieved if we invested more money into public transport. One tram expert has advised me that one tram line could service the same number of people as the north-south corridor. Asking people to swap their licence for free public transport for a year would enable the state to focus more on public transport infrastructure, rather than simply overspend on excessive road infrastructure.

The program would also be a catalyst for increased usage of public transport, which would then create an incentive and the means to invest in better services, more frequent schedules and new routes. This improvement in public transport would benefit all residents, not just those who participate in the scheme, making our cities more liveable and accessible for everybody. A program like this also creates greater equality. The cost of maintaining and running a car can be a significant barrier for people on low incomes. Offering free public transport essentially puts money back into the pockets of all South Australians.

Let's not underestimate the benefits that could flow from such a scheme. Public transport is not just about getting from A to B, it is about communities. Encouraging more people to use public transport creates opportunities for social interaction and it reduces isolation. This initiative would also align perfectly with our state's environmental goals. By encouraging a shift from private vehicles to public transport, we could significantly reduce our carbon footprint. Fewer cars on the road means lower emissions, less congestion, improved air quality and it is a tangible step towards our state's climate change targets.

This would, of course, require some investment and focus from government and we believe in the Greens that any such scheme should be accompanied by an investment in expanding the public transport network because it has been neglected for a long period of time. This is an initiative that could be rolled out here in South Australia and I suggest is an initiative that the state government could partner with the City of Adelaide to implement.

I think it is something that would, to the point raised by the Hon. Russell Wortley, further cement Adelaide's status as a liveable city. One of the areas where we really lag behind is public transport infrastructure. I had the opportunity to spend the weekend in Sydney. Looking at that state, you do really see that they have a much better public transport network, a far superior network to Adelaide's, and really the state Labor government that has been in power for 30 of the last 50 years here in this state really needs to do something about public transport infrastructure. This is just one idea that I think the government should look at.

AUSTRALASIAN MARTIAL ARTS HALL OF FAME

The Hon. R.B. MARTIN (15:37): A couple of weeks ago, due to an unfortunate bout of illness, I missed the opportunity to attend an event that I had been looking forward to, the Australasian Martial Arts Hall of Fame gala dinner, which was held to celebrate new inductees into the Australian Hall of Fame. I therefore want to use this opportunity today to give a slightly amended version of the speech that I was to give at the event and to place on the record my recognition of the Australasian Martial Arts Hall of Fame and commend its latest round of inductees.

Martial artists know that the ancient traditions they study are practised not only for self-defence but for holistic physical, mental, personal and spiritual development. Martial arts are certainly athletically demanding, but it is widely recognised that martial arts are also a way of training, organising and disciplining the mind and spirit as well as the body.

One of the goals for those who study and practise martial arts is to achieve mastery of themselves. Martial arts teach discipline to keep the mind calm, focused and aware and to help the individual to become the master of their thoughts and emotions. Although martial arts feature competition, I am told that 'There is no losing in martial arts. Either you win, or you learn.' Of course, this is not only true of martial arts. It is a wise way to look at life in general. That is just more evidence that martial arts is a practice of the mind as much as it is of the body.

As a person of a certain vintage, it is hard for me to think about martial arts without also thinking about Bruce Lee. My personal favourite fact about Bruce Lee is that he shares my birthday, but another fact is that, being an exceptional martial artist, he was actually a philosopher at heart. While there are many inspiring quotes attributed to him, one that stands out to me is this: 'I fear not the man who has practised 10,000 kicks once, but I fear the man who has practised one kick 10,000 times.' There is a great deal of wisdom in being the person who has practised one kick 10,000 times and that wisdom is applicable no matter the human pursuit. One conquers the world by first conquering oneself.

Induction into the Australasian Martial Arts Hall of Fame represents the pinnacle of recognition in martial arts across our region for the finest martial artists, administrators, trainers and officials. The honour speaks to the high regard in which inductees are held and the significant impact they have had on their art and the community that surrounds it. Highlighting their exceptional contributions helps us to recognise that in martial arts there is a place and a role for all who are prepared to commit themselves to the discipline and are willing to share it with others, whether through teaching or through being companions on a journey with fellow learners.

With each of this year's inductees having made their individual mark on martial arts already, I have no doubt they will continue to inspire members of future generations to achieve their own greatest potential. I would like to express my sincere regret to the Martial Arts Hall of Fame for being unable to attend their gala, and to commend their hard work towards making the event happen, especially hosting it here in Adelaide where we were honoured to host them and we hope to have the chance to do so again.

I offer my congratulations to each of the hall of fame's new inductees: Peter Tasiopolous of Victoria, Graham McDonnell of Western Australia, Shireen Dindar of Western Australia, South Australia's own Louie Dimou, Rick Rando of the United States, and Scott Harvey from New South Wales. I also commend the South Australians who achieved lifetime achievement recognition on the night for 40-plus years in martial arts: Sensei Craig Swingler, Sensei Trevor Kschammer, Master Brenda Hum, Grandmaster Felix Leong, and Grandmaster Anthony Hockley.

I once again congratulate all of the inductees as well as the organisers and everyone at the Australasian Martial Arts Hall of Fame, and I wish them all the best for the future.

FINANCIAL HARDSHIP

The Hon. H.M. GIROLAMO (15:42): Today I speak once again on the burdens Labor has inflicted on South Australians. The reality today is that South Australians are paying more now than they were two years ago, whether that be for essential services and household items or everything in between. In some cases, we are paying more than the rest of the country.

Recent inflation data reveals that South Australians have endured one of the highest rates of inflation in the country. This was outlined during the June quarter. This is not just a statistic, it is a stark reality. The typical South Australian family is now nearly $25,000 a year worse off since Peter Malinauskas became Premier. This figure is not abstract, it reflects real financial hardships faced by families and businesses every single day.

Financial hardship is not just about dollar signs. For some South Australians, it can mean not turning on the heater in freezing temperatures, choosing between medication or food, not fixing their hot water system, or shutting up shop on a family business. It is a harsh cycle. These realities can lead to detrimental impacts on mental health due to stress and insecurity, the decline of physical health because people cannot afford to see their doctor, and a spillover effect onto our health system.

If the Premier and Treasurer do not believe me, they need look no further than their own social media accounts' comments sections. 'I hope the cost of a GP visit is on the agenda soon,' writes Lorraine on the reel of the Premier's post on his Facebook page on 13 August 2024. Ian said:

> You clowns are the weakness—cost of living up over 45 per cent and power bills up over 55 per cent…Being a true leader is someone who really delivers, not someone who keeps icing a cake with no filling all the time.

Ron writes:

> All you are doing is driving up prices and all your so-called thousands of new homes will never happen. Prices are skyrocketing, materials are in short supply, a lack of trades and building firms going broke, leaving people with half-finished home... I would say your housing road map has gone off the rails!

Matt says:

> Your new rental laws are making investors leave the market. Less investors mean less supply! You rush the laws in to get the headlines and votes, but haven't looked in the repercussions for the changes!

The cost-of-living crisis is hitting South Australians hard, and it is not just housing. Utilities, such as electricity and water bills, are significantly higher here than in the rest of the nation, and the Premier continues to put the burden on already suffering families and businesses. In the last quarter alone utilities in Adelaide rose 10.2 per cent, compared with a national average of 3.6 per cent. Electricity prices have surged by 28.3 per cent since Premier Malinauskas took office. Cody has written:

> Weak! Your incentive has nothing to do with helping anyone. That's why you've allowed the rip off of everyone in this state, with massive increases in rates and utilities, and under delivered in areas such as health, child services and energy.

South Australian families are struggling with skyrocketing costs and, instead of relief, we are seeing the situation worsen. Premier Malinauskas' policies have not only failed to alleviate the cost-of-living burden but have contributed to the rising inflation, which, as highlighted by the RBA, is the true impact of massive overspending by both the federal and state government. A budget is about priorities, and this government has the wrong priorities. I will end my remarks with the comments from Marie:

> Welcome to Labor. The economy is being purposely pushed up by Labor's mismanagement and hard-working families are paying the price. We have a Prime Minister who does not understand economics, and a Premier in South Australia whose priorities for the people is investing into expensive sporting projects. We need an election now.

Marie, I could not have said it better myself.

ENGINEERS

The Hon. M. EL DANNAWI (15:46): During the winter break I had the pleasure of attending an event hosted by Engineers Australia SA. I was given the opportunity to speak on a panel on the topic of migrant engineers and the challenges and opportunities for skilled migrants. It was wonderful to share the room with so many bright, engaging and diverse people and listen to their stories and experiences.

Some stories were told through laughter, others were told through tears. Each story was one of courage and resilience, but there were also stories of disappointment, stories about dealing with complex processes that need to be simplified—simplified in order to increase the participation of our skilled migrants in the workforce, stories about engaging with a system that needs improvements in order to work to its full potential.

One woman, a trained mechanical engineer, spoke about how she had to operate machinery in a factory for over two years to prove that she had the skills to advance her career. One of the speakers was an academic who dedicated her time to volunteering at her children's school to build her confidence after being knocked back from multiple jobs. She now works in a role where she uses her experience to support other women.

Others talked about the countless times they had applied and had been knocked back repeatedly, implicitly due to their visa status. The reality is that we rely on the skill set, experience and knowledge that migrant engineers bring to the sector to help our state grow. This government is pursuing a long-term prosperity plan for South Australia that will require the contribution of engineers. They will be essential to many projects, including the continuous shipbuilding program under the AUKUS agreement, the increase in the state housing stock and many infrastructure projects. These excellent projects will benefit our state and collective future.

We do not just want more engineers, we need more engineers, and if we want them to stay in the state we need to incentivise them to stay here long-term. Almost 60 per cent of engineers in Australia are born offshore. They will experience a higher rate of unemployment and take longer to find a job than their Australian-born peers. Overseas-born female engineers are even worse off, having almost three times the unemployment rate of Australian-born female engineers.

Engineers are not alone in this struggle. The Australian Bureau of Statistics found in 2020 that 57 per cent of skilled visa holders had lost two or more jobs simultaneously since arrival. A study conducted by Monash University in 2021 found that one in four migrants work in a job beneath their skill level.

I know from experience that getting here is one thing but making a life here is another. I know that, to secure a job in Australia that represents your level of expertise, you need local experience, networks and contacts. It was migrant labourers, technicians and engineers who helped to build our country during the postwar immigration. Workers who came from all different parts of the world shaped the modern state we live in, and I am confident this will be the case again.

A fair go is a value we embrace in Australia. I applaud Engineers Australia for their advocacy and the invaluable work they do to support migrant engineers, on both a professional and a personal level, to equip them with the skills they need to advance their career in Australia. I am very excited to see the valuable contribution that those skilled engineers will make to South Australia's future and to hear about the new lives they will forge in Australia. I am so happy that each and every one of the engineers who I met chose our state as their home. Diversity can only make us stronger and more resilient.

SA WATER, STAFF BONUSES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:50): Today, I rise to address an issue of grave concern that demands our immediate attention. The recent revelation by *The Advertiser*, uncovered through a freedom of information request, has exposed a staggering figure: nearly $1 million in bonuses was paid to SA Water staff for their work during the 2022-23 River Murray flood event. This disclosure comes at a time when South Australians are grappling with an unbearable financial burden as water bills continue to rise amid a deepening cost-of-living crisis. The insensitivity of these bonus payments is not only out of touch but represents a profound disconnect from the hardships faced by our community.

South Australians are already reeling from the impact of soaring water bills, a direct result of failed water infrastructure policies. In this context, the news that nearly $1 million has been spent on bonuses for SA Water staff is a stark reminder of the misalignment between government actions and public expectations. The community is struggling and this kind of expenditure is seen as a blatant disregard for the financial presses ordinary South Australians are facing.

It is imperative for the government to provide a full and transparent explanation for why these bonuses were deemed appropriate. At a time when so many South Australians are doing it tough, this expenditure seems not only misplaced but utterly out of touch with the reality of those affected by the floods. Instead of using taxpayer money to enrich bureaucrats, it would have been far more beneficial to allocate these funds directly to the communities devastated by the flood. The decision

to distribute bonuses under these circumstances reveals a troubling level of detachment from the actual needs of people.

Let me be unequivocally clear: while there is no doubt that SA Water staff put in considerable effort during the River Murray flooding, they were by no means the only ones working tirelessly. Numerous other individuals and agencies played critical roles in managing and mitigating the impacts of the disaster. The SES, PIRSA, the Department for Environment and Water and Green Industries all contributed significantly. Local councils along the River Murray, comprising dedicated staff and elected officials, worked around the clock for days, weeks and months to address the flood's acute impact, followed by its aftermath. These councils are still grappling with the extensive clean-up and feel abandoned by the Premier, Peter Malinauskas, and his Labor government.

Equally deserving of acknowledgement are the countless volunteers and volunteer organisations who worked tirelessly, often without compensation, for months on end. Their selfless efforts were vital in supporting affected communities and should not be overlooked. Yet this sacrifice seems to be overshadowed by the government's decision to award bonuses to SA Water staff.

The bonuses issued to SA Water staff represent more than just a financial misstep, they are a direct affront to the river communities still waiting for the government to fulfil its promises of rebuilding. Premier Malinauskas, during the peak of the flood, stood on a levee and assured the public that his government would 'Build back better'. However, the reality is that river communities are struggling to receive the support necessary to rebuild, let alone to rebuild better.

The contrast between the Premier's promises and the current state of these communities is both disgraceful and unacceptable. Furthermore, this situation exacerbates the frustration of those individuals, businesses and groups that were denied relief funding due to the government's narrow and restrictive eligibility criteria. The juxtaposition of rewarding bureaucrats while denying critical support to those in genuine need is not only disheartening but reflects poorly on the government's commitment to equitable and effective disaster relief.

Given these circumstances it is imperative that we demand a thorough review of the decision to award these bonuses. At the very least the government should be reallocating these funds to provide meaningful relief to communities along the River Murray who are still struggling with the aftermath of the floods. This is not merely a request but a necessary step to address the glaring inequities and to restore faith in the government's ability to manage disaster response and recovery effectively.

The Premier and his ministers must demonstrate they are capable of prioritising the needs of their citizens over government rewards. The current situation calls for immediate action to rectify this glaring injustice and to ensure that resources are directed where they are most needed. It is essential that the government reassesses its approach to disaster management and community support, ensuring that those who have borne the brunt of these crises receive the assistance that they rightfully deserve.

The revelation of these bonuses is a stark reminder of the urgent need for a more compassionate and responsible approach to managing public resources, particularly in times of crisis. It is important for the government to act decisively, address the concerns of its constituents and ensure that all efforts are focused on genuinely supporting and rebuilding the communities affected by the floods. The people of South Australia and river communities deserve no less.

Motions

ADELAIDE ROLLER DERBY

The Hon. J.E. HANSON (15:56): I move:

That this council—

1. Acknowledges the world's largest roller derby tournament, The Great Southern Slam, was held in Adelaide between 8 and 10 June 2024;

2. Congratulate The Great Southern Slam operations committee and Adelaide Roller Derby league and board for hosting a successful 2024 tournament, which was also endorsed as the Women's Flat Track Derby Association's (WFTDA) Oceania Regional Championship;

3. Recognises the 775 participants from 45 teams who travelled from across Australia and New Zealand, and the 140 officials who travelled from across Australia, New Zealand and Europe, to compete in and officiate 68 games across the three-day tournament; and

4. Congratulates the Adelaide Roller Derby division 1 team (the Ads) on placing second in both The Great Southern Slam division 1 and the WFTDA Oceania Regional Championships, which resulted in them qualifying for a spot in the WFTDA global championships scheduled to take place on 1-3 November 2024, in Portland, Oregon, USA against 12 other international teams.

It is not often you can actually say this but it is a genuine privilege today to move a motion in support of a very deserving group of world-class athletes. Members may or may not actually be aware that Adelaide is home to an internationally competitive roller derby team. If convention permitted, I would point out that some of its members might be in the gallery today and I would welcome them to parliament—if convention permitted.

The Hon. I.K. Hunter: That would be unparliamentary.

The Hon. J.E. HANSON: That would be unparliamentary, so I would not do that, but if I could I would welcome them to parliament and point out that they are in the gallery.

It would be quite disingenuous of me to pretend that in some way I have been a roller derby fan from way back. I did not know much about the sport until I went along to a match to represent the Minister for Recreation, Sport and Racing in the other place. Leading up to the event, as I contemplated going, it dawned on me that it is something that I have been quite curious to do for quite a long time. I had long driven past where the matches were held and even before I had often wondered what actually happened in a roller derby event.

I knew, obviously, it was something of a contact sport—that is kind of in the name—and I knew that they must have some great deal of athleticism to achieve that. I also knew that roller derby athletes have their own unique pseudonyms, which reflect their individuality whilst contributing, I think, to the pretty vibrant culture of the sport. That was about the extent of my knowledge, frankly.

I did have images in my head of what it might be like, as many probably do, and most of them were way off the mark. I kind of assumed that they sort of ran into each other NFL style and that it was a big part of the game strategy somehow. Well, more fool me, and it really shows, I think, my rugby bias a little bit, as a former player of rugby, because there is actually a great deal more strategy than that in roller derby. It is actually hard to get your head around it when you first see it, that is how much strategy there is. It is a little bit like a chess game.

The good people of the Adelaide Roller Derby are tremendous athletes in a very demanding sport environment. It involves a lot of strategy, a lot of tactics and a great deal—certainly more than I have—of physical conditioning and strength to achieve it. In watching, I realised how much the athletes actually invest in their sport, and not just financially. I also realised how engaged the crowd is in watching it. Those who attend as spectators really get into the game. Frankly, I regret that I did not get around to watching a game sooner.

What I would like members to appreciate in particular is that now, in 2024, is the first time in the 17-year history of the Adelaide Roller Derby that a representative A team—that is the Ads—have an opportunity to compete at the WFTDA global championships, which is the foremost event in an international roller derby—in effect, the big smoke. That is something that South Australians should be aware of, and that is something that we should all be really proud of: a homegrown team competing at the highest level on an international stage. It is a big deal.

Unlike a number of other world-class sporting teams, though, Adelaide Roller Derby is entirely self-funded. Each athlete on this team has paid their way to the tune of thousands of dollars to train and to attend games and tournaments both interstate and overseas. The cost of getting the team to the US to compete in the global championship is pretty significant. The team is, quite reasonably, seeking support from the South Australian community to cover their accommodation expenses, for a start.

Given they are in a position to make history for their league and for South Australia, it is reasonable for those who recognise the value of the opportunity here to pitch in a small amount, and my office and I have done so. There is just so much to love about roller derby. One thing that I love

is that it is a very egalitarian sport. While it is very inclusive to all people, it features a particularly strong representation of women and non-binary people. They are not trying to make a statement in doing that, it is just simply a space where women and non-binary people are not only welcomed but quite rightly celebrated as people and as athletes.

Roller derby is, in my view, significantly underappreciated relative to how good a sport it is and how great a time you can have when you get along to watch a game. I encourage everyone here to do so. The effort that the Ads and the Adelaide Roller Derby have put in to get to this point is greatly worthy of recognition and a great deal of commendation. I might be able to see that there might even be some medals on those people who might be in the gallery here today.

I would like to give each athlete the recognition they richly deserve by naming them here on the record today for *Hansard*. They are: Ainslee Dewett (or MustDash); Alex Knopoff (that is Rage Ruthless); Anita Grace (Crusher Ramone); Ashley Tudo (or simply TUDO, I think in caps); Ashley Wilkinson (Truffles), might be my favourite player but anyway we will keep that; Caitlyn Breyer (Crafty); Didi Whitford (Trinket), might also be a fantastic player just quietly; Erin Maher (Eze-kill); Imogen Lymbery (Invader Scrim); Isabelle Hermes, I hope I am getting that right, (Ankle Grinder); Ivy-Rose Ross-Daebler (IV), and I am going to go with IV but it could be four, it could be either as it depends how much you are into Roman numerals; Jessica Aylett (or Jessica); Laura Higgins (Pinch Assault); Megan Prest (Victoria Bitter), great name; Olivia Smith-Munro (Dark Side of Doom); Rhiannon Gregurke (Grim); Taylah Wilkinson (QT); and Teagan Bassett (Alice Affliction), also a fantastic player just quietly.

In keeping with the reality of what is in front of the Ads going forward: the rest is kind of unwritten, so I thought I would do that, too. The fact is, what we have here is an underappreciated sport by many people in our state. They are champions in their own right, they have proven that much, and now they want to go off and be international champions.

I do encourage everyone here, and it is certainly something which is difficult to do for the purposes of *Hansard*, but I can tell you that these people are great people. They have achieved and invested quite a lot of time and effort and their own resources into getting to where they are today. They deserve recognition but, much more than that, they deserve support.

I would ask everyone, if you can later on—this speech may or may not end up on social media, as sometimes they do, and when they do you will find a link to donate. I encourage you to do so, as much as you can, $2, anywhere ranging up to $2,000. They do not need the world but they do need a little bit to make sure that they can get on the world stage and represent South Australia in the best way and in the kind of way that I think every South Australian would be proud of if they get along to a roller derby game to see it.

That is the second thing I encourage you to do: get along, watch it, it is a really great time. The Hon. Ms Franks and I did, and we did have a great time. We might have gone and had a couple of beers afterwards, too, so it is the kind of sport that leaves you with a great feeling when you leave it, and you cannot say that for every sport these days, can you, Mr President? With that, I end the motion and I congratulate everyone who may or may not be in the gallery once again.

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

Bills

GOVERNMENT ADVERTISING BILL

Introduction and First Reading

The Hon. R.A. SIMMS (16:05): Obtained leave and introduced a bill for an act to regulate government advertising and for other purposes. Read a first time.

Second Reading

The Hon. R.A. SIMMS (16:06): I move:

That this bill be now read a second time.

The Government Advertising Bill that I am introducing today imposes guidelines on government advertising and restricts government advertising in the lead-up to elections. I think it is a bill that

actually reflects the will and desires of the South Australian people, who want to see the best possible standards in place when it comes to spending of public money.

How often do we turn on our devices and see the government of the day spruiking the work that they are doing? Unsurprisingly, we see an increase in this type of spending in the lead-up to an election, where the incumbent government uses this type of advertising to show just how well they are doing and to bolster their chances at the polls. Indeed, one of the concerns of the Greens is that in the lead-up to elections there is a blurred line between government advertising and political party advertising because, of course, governments of both persuasions when they are promoting their agenda are also potentially promoting the political party agenda too.

Expenditure on government advertising has sharply increased under the Malinauskas government. In the 2022 to 2023 financial year, the state government spent a staggering $47.6 million on advertising. That is a record in terms of the expenditure of government advertising. That was up on $6 million on the previous year and represents the third year in a row with record high spending. The previous year there was a dramatic increase from $23.9 million in 2019 to 2020 to $41.2 million in the financial year of 2021 to 2022.

Let's consider this Labor government's advertising bill. Cha-ching! Think about the amount of money they are spending, and let us look at some of Labor's million-dollar items. They have spent $1.15 million on promoting the Housing Roadmap. They call it a road map; it is more a mud map. It was announced a few months ago. It is, in effect, a free kick to developers. It does not pledge any more public housing be built. Instead, it is a free kick to developers but, to add insult to injury, they are using taxpayer money to promote it—$1.15 million.

Surely, in the middle of a housing crisis Labor should be spending that money on actually building more housing rather than telling everybody how great they are. Given we have a huge backlog on maintenance for public housing, how can they justify spending over $1 million on that? I wish the Labor Party stopped talking about housing and actually started building some. We might not find ourselves in such a dire state in South Australia.

In addition to the huge amount of money that has been given to the AFL Gather Round, which we know is an important project for the Premier, they have spent $1.3 million on promoting it, not to mention the SA Magnet State campaign at $2.48 million. But the real doozy I think is the $742,775 that was spent promoting the government's own state budget—again, telling everybody how great they are.

The Labor Party needs to remember that this is not their money, it is taxpayers' money. I think a lot of South Australians would be offended to see their money being spent on a backslapping exercise for the Labor Party. Taxpayers have a right to know where the money is being spent and they need to be assured that the spending is not being used to influence opinion in the lead-up to elections.

Both Labor and Liberal governments and oppositions have tried in the past to tackle this issue and, actually, what the Greens have done is tried to draw on models that both major parties in this place have looked at. In 2019, the then attorney-general, the Hon. Vickie Chapman, introduced her Government Advertising Bill, which required the minister to publish guidelines and then for the Auditor-General to audit all government advertising. It also prohibited ministers or MPs from appearing in any government advertising. Sadly, the bill lapsed when parliament was prorogued.

In 2021, the Hon. Stephen Mullighan, who was then the opposition Treasury spokesperson, introduced his own government advertising bill, and later that week I moved an amendment to the budget measures bill to incorporate the provisions of that bill into the budget. It passed the upper house but, again, it lapsed in the lead-up to the election.

What we have done is taken the ideas that the Hon. Stephen Mullighan advanced in opposition and that I promoted in this place and put them into this bill. I am surprised that the Labor government has been in power now for over two years and they have not taken this issue up. They were very happy to apply that standard to the Liberal government when Labor was in opposition. Well, now they are in power, surely they are going to do it.

I assume what has happened is that it is just on the to-do list and they have not got to it yet. I assume it is sitting in someone's drawer, they are intending to action it and so the Greens are here, of course, as we often are, to help out the government and to remind them that this is a priority because to not action this would be, I suggest, an act of rank hypocrisy and one I think that would appal a lot of South Australians—an example of a government doing something when they are in opposition and then, when they find themselves in office, suddenly jettisoning that commitment.

I cannot imagine that this Malinauskas government would do such a thing. That would be a cynical act, I suggest. Really, the government would have more front than John Martin's to go down that path. So I am assuming this is on the to-do list and I look forward to the government getting on board and backing this bill.

I do want to, though, acknowledge that the Malinauskas government has already published some guidelines voluntarily, with a government advisory committee reviewing all expenditure over $50,000 for government advertising. We welcome that. That is a good transparency measure. But my bill goes further. It takes elements of both bills introduced in previous sessions by the Liberal government and the Labor opposition.

Provisions this bill includes from the Marshall government proposed reforms include a requirement that the minister prepare and publish guidelines for government advertising, prevent any minister or MP from being in advertising, and require the Auditor-General to audit and report on the use of advertising by the government. The bill also incorporates the following provisions from the proposal advanced by the then shadow treasurer, the Hon. Stephen Mullighan. Under this Green bill, no agency will be able to incur more than $10,000 on government advertising unless it is approved by the Auditor-General during the period of 1 July prior to an election, to the date of the election.

The Auditor-General would only be able to approve additional expenditure if it relates to public health, public safety, road and transport works, emergencies, material required to ensure that elections can be conducted, engagement of people in government services and attendance at events, tourism, sale of property, or courses of tertiary institutions. I think it is fair that the Auditor-General should cast an eye over any advertising in the lead-up to the election to ensure that it is appropriate.

The bill goes further than both the previous proposals from the Labor and Liberal parties, and I have also taken up the feedback from a report by the Grattan Institute titled, 'New politics: depoliticising taxpayer funded advertising'. The first of the new additions is to ensure that no advertisements can be allowed that relate to legislation before the parliament, and I think that is appropriate. Under our bill it would not be possible for the government to start advertising a budget that had not even passed the parliament. I think that is fair.

The Grattan report cites examples at both the federal and the state level where governments have used advertising to build support for reforms before they have even been legislated. I think that is an abuse of advertising, when the taxpayer picks up the dime for bills that promote the agenda of the government of the day. I will say that this is not just a Labor Party problem; the Howard government really had form on this. Let us not forget the campaign to promote the GST. They really set the standard when it came to using public money to promote their agenda. We have to do better than that here in South Australia.

Additionally, my bill ensures that social media is captured in these provisions. We all know that legislation can be slow to catch up to technological advances, and we have seen a huge increase in governments using social media to promote their work. A paper from the Australian National University, for instance, called for such a provision to ensure that there were no loopholes in our laws. This bill makes it clear that social media spending is considered advertising.

The final provision of this bill is to explicitly prohibit government advertising from influencing support for a political party. I think that one should really be a no-brainer. Anyone who is in the opposition or on the crossbench could consider that there is an unfair advantage for the government of the day if they use advertising to try to seek support. This bill is clear that the purpose of government advertising is not to influence political outcomes, and it should not be used to advance the political objectives of a political party.

Other jurisdictions have taken action around government advertising. In New South Wales the minister is required to prepare and publish guidelines, and the Auditor-General must do an audit. In Victoria, government advertising must be in the public interest.

I welcome the discussion we are having in South Australia at the moment around transparency and donations reform. This is a real opportunity to clean up politics in our state, and I do commend the Malinauskas government for kicking off that conversation, in particular the Premier for his leadership in wanting to take on donations reform.

However, if we are going to have this conversation we also need to consider government advertising, because if we restrict the work of political parties there is the potential for government advertising to have a disproportionate impact. The Greens will continue to push this issue and I do plan to bring this bill to a vote.

This bill is an opportunity for us to make sure that any government of the day is not able to use their incumbency to influence support for their policies, especially in the lead-up to an election. This is a reform that the Labor Party was very supportive of when they were in opposition, and I hope they will embrace the opportunity the Greens have presented for them to now get on board with this bill and make it a priority.

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

EQUAL OPPORTUNITY (RELIGIOUS BODIES) AMENDMENT BILL

Introduction and First Reading

The Hon. R.A. SIMMS (16:18): Obtained leave and introduced a bill for an act to amend the Equal Opportunity Act 1984. Read a first time.

Second Reading

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

That this bill be now read a second time.

This bill moves to amend the Equal Opportunity Act to remove the exemptions that are currently provided to religious bodies. In 2024, it really is incredible that some forms of discrimination are still permissible under South Australian laws. It is really difficult to comprehend. Our laws allow for certain faith-based institutions to discriminate against the LGBTI community in employment and in accessing services. The Greens believe that no-one should face discrimination based on their sex, their sexual orientation or their gender identity.

A report from Equality Australia, 'Dismissed, Denied and Demeaned', found that discrimination on the basis of gender or sexual orientation is still present in faith-based schools and organisations. The report found that 50 per cent of South Australian schools were showing some evidence of discrimination and were on average more likely to be discriminatory than schools in Victoria, New South Wales or Western Australian. The report ranked South Australia as 'poor' in relation to legislative protections for LGBTI people and showed that South Australian policies tended to drive discrimination underground, rather than to actually hold the agents accountable.

According to the Equality Australia report, more than 70,000 students and 10,000 staff in non-government schools are estimated to be part of the LGBTI community across the country. The report details stories of students who have been forced out of school or teachers who have been fired simply for being who they are. Indeed, I know of people who have spoken to me anonymously over the years who work in the private school system who are living in fear of coming out in their workplace because they believe they could lose their job as a result. I do want to read out some of the examples that have been canvassed in the 'Dismissed, Denied and Demeaned' report. I will read some of those examples to you, Mr President.

The names are not the real names of the respondents, as they have been substituted, but one person who is referred to in the document as Lisa talks about being denied promotion based on her same-sex relationship. Lisa was employed in the catholic education system in New South Wales for 16 years, working her way to the position of assistant principal. When she began her career, she

was married to a man. They later divorced and Lisa began a relationship with a woman. Lisa kept the relationship quiet after they moved in together, but did not hide it.

Lisa needed a year off work after a medical accident in 2018. During this time, her partner handled all communication with the school. When Lisa returned to work, she was told that the new relationship was in breach of her contract and that she could be fired at any time. Despite having an excellent employment record, as evidenced by her many promotions, Lisa was told she could no longer advance in her career within the catholic system. She married her partner a short time later and the school told her colleagues not to attend the wedding or to give her any gifts. Lisa quit her job six months later.

What about the story of Kimberly, 'Say you are single or you are fired'? Kimberly got a job as a PE teacher at a catholic school in regional New South Wales in 2021. After 12 years at the school, Kimberly began dating another female staff member. Following a complaint with a fellow teacher, the couple was called into a meeting with the principal. They were told their same-sex union was against the values of the school and both of them would lose their jobs if they did not formally state that they were not in a relationship.

Kimberly questioned why her relationship was deemed unsuitable and against the catholic ethos when other staff were living in de facto relationships and some women had given birth without being married. Kimberly refused the principal's offer and walked out of his office without a job. She called the union and was told there was nothing that could be done because of the school's religious nature.

The couple met again with the principal the next day and were told they would be welcome back only if they stated they were not a couple, so that the principal could answer honestly if he was questioned about their relationship. Kimberly's partner, who was financially supporting two young children, encouraged her to rethink her position as they returned to work. Kimberly struggled with lying about who she was, so she left her job a few months later.

This one is another example that is disturbing and it comes from South Australia, from 2022. Joanne was shopping with her friends and her wife at a charity store in Adelaide run by a large faith-based organisation. When Joanne asked a staff member for directions to the bathroom, the staff member told her she had to use the male bathroom and referred to her as a fake woman. The staff member then followed Joanne into the bathroom and physically blocked her from attending the female bathroom.

Joanne told the staff member that she had a right to use the female toilet, but she was told that she had no choice. When Joanne came out of the male bathroom, the staff member told her she had to leave the store. As Joanne left the store, she saw the staff member reenacting the exchange with other staff members and laughing about the incident. Joanne wrote a letter to the organisation about her experience but she never received a reply.

What about this example from 2015, discrimination while homeless? In 2015, Harley fled their intimate partner and family violence, seeking accommodation at a refuge provided by a faith-based organisation in Victoria. During their time at the refuge, they were counselled against disclosing their sexuality or wearing rainbow items of clothing. They were told they were going to go to hell by a staff member who said they would pray for God to show them the way. Harley left the refuge and spent three nights sleeping on the streets instead.

In 2021, Harley and their wife sought emergency accommodation from a different faith-based organisation. This time Harley's wife, who is a trans-woman, was told she would need to go to a men's shelter rather than access the same facility as Harley. These are examples of Australians and South Australians being denied their basic rights under our laws.

Many people who have experienced such discrimination under our law are fearful of publicly talking about their experiences. However, some have taken their stories to mainstream media. In addition to the reports canvassed in that document, I will reference some of the examples that have been reported in the media over the last few years.

In August 2021, Southern Vales Christian College was in the media for refusing to hire teachers who identify as being LGBTIQ. In June 2024, a teacher in a religious school in Sydney had

her job terminated after she revealed on a Facebook post that she was in a same-sex relationship—June of this year. In April 2023, the Presbyterian Church argued that they should have the right to bar sexually active LGBTI students from holding leadership roles in the school. In the same month, Dr Karen Pack, a devout Christian, was fired from her teaching job after she announced her engagement to her long-term same-sex partner.

We know that there has been some discussion about finally closing this loophole within federal legislation and that would be preferable in terms of managing this issue. Sadly, though, the Labor Party has squibbed on this reform at every opportunity. When I was in the federal parliament, my push for action on this was back in 2015 and 2016, nearly 10 years ago.

When the Labor Party came to government, they made a commitment under Prime Minister the Hon. Anthony Albanese that they would reform this area. Well, I was bitterly disappointed to see, two weeks ago, the news that the reform has once again been shelved. How gutless is that? How spineless is that?

So it is now up to the states to resolve this issue, and South Australia is lagging significantly behind. Next year, our state will celebrate a significant milestone: the 50th anniversary of the decriminalisation of homosexuality. We were the first state in the country to decriminalise homosexuality and indeed the first place in the commonwealth to implement that significant reform. I do acknowledge the leadership of both sides of politics, Labor and Liberal politicians, who worked to achieve that outcome here in South Australia.

It would be very embarrassing if during that milestone year we still see this kind of discrimination being perpetuated against LGBTI South Australians. I urge Premier Malinauskas to show some leadership here, to not miss that opportunity to finally right this wrong in our laws, otherwise it will be a really sad indictment on South Australia that we led the way on this reform, yet now we are a state that is lagging behind.

The bill the Greens are introducing today has a long history. The origins of this bill rest with the Liberal Party, the Liberal Marshall government. Back in 2020, the Hon. Vicki Chapman undertook public consultation on a bill very similar to this one. The aim of the bill was to address the fact that under South Australian law religious bodies can discriminate against people on the basis of sexual orientation, gender identity, marital or partner status if they have a written policy that states that they intend to discriminate on that basis.

Under section 50 of the existing Equal Opportunity Act discrimination is allowed in the administration of a religious body or any other practice, which includes services provided by a religious body. This means that religious-based organisations are exempt from laws that prevent discrimination on the basis of sexuality or gender identity, potentially resulting in discrimination at work or in accessing services. This bill addresses those two issues.

Finally, this bill removes the exemptions that allow for religious discrimination on the grounds of sexual orientation, gender identity or intersex status in relation to employment or engagement in an education institution or in accessing the provision of services offered by religious institutions. My bill does, however, make it clear that religious bodies would still have the right to appoint people to their order based on their adherence to the precepts of their religion.

I note concerns were raised with the bill drafted by the previous Liberal government that some religious organisations believed this could impede their ability to appoint someone to their order, for instance, a pastor or a minister. We have made it very clear that the provisions with respect to those appointments remain.

Consultation undertaken in relation to the bill drafted for the Hon. Vickie Chapman also showed that there were some other issues with that bill. The Law Society at the time claimed the bill did not strike the right balance in terms of enabling discrimination in employment settings. While they broadly supported the bill, they had concerns the previous drafting did not provide adequate protections to LGBTI students or people accessing financial support, food relief or legal support from faith-based organisations. So my bill addresses those concerns.

The Equality Australia report I referenced earlier found that South Australia was ranked sixth out of the eight states and territories for our discrimination protections in relation to religious organisations. Surely we can do better than that.

Before concluding, I want to address some of the outlandish claims that have been made by opponents of this reform. In particular I want to reference some of the statements made by the Australian Christian Lobby. They love me! I have received lots of great feedback from them over the years, but I will reference some of the comments they have made about this bill, some of the ridiculous claims they have made. I will read from one release dated 3 July 2024, headed, 'Hypocritical Marxist Greens bid to destroy South Australian Christian schooling'. I think they are referring to me, 'Red Rob'. They state:

> The Marxist Greens plan to destroy South Australian schooling.

They praise the Hon. Peter Malinauskas for stating before the last election that he would not change the Equal Opportunity Act. Does the Premier really seek praise from the Australian Christian Lobby? Let us consider some of the statements the Australian Christian Lobby has made in the past. Back in September 2012 the head of the Australian Christian Lobby—and I quote from the article in *The Age* by Jim Wallace—said that, 'Smoking is healthier than the lifestyle that would be promoted by same sex marriage'. The article continues:

> I think we're going to owe smokers a big apology when the homosexual community's own statistics for its health, which it presents when it wants more money, are that it has high rates of drug taking, of suicide, it has the life of a male reduced by up to 20 years, he told the audience.

Let's not forget, of course, the statements made by Lyle Shelton from the Australian Christian Lobby, who likened same-sex marriage to a new stolen generation. Again, I quote from the *Sydney Morning Herald*. When he appeared on Q&A:

> The comparison was drawn by panellist Lyle Shelton, the managing director of the Australian Christian Lobby, who said same-sex marriage would see babies taken from their mother's breast.

What about another Lyle Shelton special, back from 2016. I remember this one:

> The Australian Christian Lobby—

and again I quote from the *Sydney Morning Herald*—

> has compared same-sex marriage and the Safe Schools program to the Holocaust, dubbing them all 'unthinkable things' that happened because societies lacked strong moral guardians.
>
> In a blog post, ACL director Lyle Shelton invoked the rise of Nazi Germany before arguing that Labor leader Bill Shorten's support for Safe Schools reflected 'a failure of those of us who know better'…
>
> 'The cowardice and weakness of Australia's 'gatekeepers' is causing unthinkable things to happen, just as unthinkable things happened in Germany in the 1930s.'

This is crazy stuff. They also came out, back in 2016, and called on the federal government to permanently override antidiscrimination laws to ensure those pushing for a no vote can speak their minds on same-sex marriage. I think they let the cat out of the bag on that one, didn't they: abolish antidiscrimination laws so that you can spread hate, fear, bigotry, homophobia and misinformation.

Finally, they have said, in relation to this bill, that it means that a Christian school can refuse—they refer to the current regime—to hire a person who propagates transgender ideology or who lives contrary to Christian views on marriage. By that I think they are referring to wanting to discriminate against people who are trans or in same-sex relationships. It is really wacky staff. I think members of parliament, when they are considering this bill, need to determine on which side of the debate they want to be on.

I will also reference a press release issued by the Hon. Sarah Game in response to the bill, in which she says that our bill could effectively be used to force schools to employ a teacher who espouses gender fluidity and woke principles. Again, the bill is not about forcing schools to employ anybody. All we are proposing is that schools should not be able to discriminate on the basis of sexuality or gender identity. They should not be able to turn away gay teachers and gay staff, or trans teachers or trans staff. These are organisations that receive public money. Surely they should be subject to the same rules as other institutions.

Again, I urge members to consider the arguments of those who oppose this bill and the arguments of those who are advocating for change. In particular, I urge the Premier to take this issue seriously. He has an opportunity to show real leadership on this issue, national leadership, and cement South Australia's place as a leader in equality, particularly as we head into next year's milestone anniversary.

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

RESIDENTIAL TENANCIES (MINIMUM STANDARDS) AMENDMENT BILL

Introduction and First Reading

The Hon. R.A. SIMMS (16:38): Obtained leave and introduced a bill for an act to amend the Residential Tenancies Act 1995. Read a first time.

Second Reading

The Hon. R.A. SIMMS (16:39): I move:

That this bill be now read a second time.

I am proud to introduce the Residential Tenancies (Minimum Standards) Amendment Bill today. This is an issue that is of great importance to the Greens, and indeed earlier today I joined Uniting Communities, SACOSS and Better Renting at a press conference talking about this bill. I think the fact that the Greens had NGOs coming on board demonstrates the broad community support for the reform that we are seeking to advance today.

One in three South Australians rent their home. Many of them are long-term renters. Many renters are freezing through winter, baking through summer and unable to ensure there is sufficient ventilation keep to keep their homes free from damp and mould. There are currently no requirements for landlords to ensure their homes are healthy to live in. This bill introduces mandatory minimum energy standards to lower energy bills, improve temperature in homes and improve health.

We know how energy prices have been skyrocketing in recent years. We have heard stories about people having to choose between staying warm and eating this winter. Indeed, on Tuesday 7 May the ABC ran a story entitled 'Vulnerable Australians to choose between heating and eating this winter amid cost-of-living crisis'. In the story Anglicare SA's financial counselling and emergency assistance manager Astra Fleetwood said:

Last year we saw an increase in the cost of living and we expect that to continue to worsen.

It's people having to choose whether or not they have food on the table, paying the rent, or paying electricity.

I think we're very much at a crisis point in the community.

There are simple measures that can be implemented to help. Energy efficient appliances, sufficient insulation and the prevention of drafts through suitable seals can make a significant dent on power bills. According to a paper produced by SACOSS, installing insulation, blinds and draft proofing could reduce expenses by over $1,000 each year.

Sadly, renters are powerless when it comes to some of these measures unless landlords choose to implement them. The bill ensures that certain standards are mandatory. A 2017 study found that 90 per cent of renters support mandatory energy efficiency standards. These standards can help renters reduce their energy bills and allow them to stay warm in winter.

Poorly ventilated homes can have a disastrous health impact. Lack of ventilation can increase mould spores in the home and is one of the key triggers for asthma. Asthma Australia's report entitled 'Homes, health and asthma in Australia' found that 50 per cent of people reported some form of mould or dampness in their home in the last 12 months. The biggest barrier to taking action to remove, prevent or reduce the spread of mould was that people could not make the changes they would like because it was not their property. The report from Asthma Australia shows that more needs to be done to protect renters from the adverse health impacts of poorly ventilated homes.

Beyond health and energy bills we also want to make sure renters are not freezing in winter and baking in summer. A report from Better Renting in 2023 measured the real-time temperatures in renters' homes. Their data showed that the average temperature inside these homes was

12.9 degrees, with 90 per cent of participants having a median temperature below the 18 degrees recommended by the World Health Organization. The report includes comments from renters, including this one from Jasmine in Unley:

> My home is very cold during the winter, the indoor temperature is barely any warmer than outside. It's really difficult to warm up the living space.

There was another from Emily in Mount Barker:

> My bed and my kids beds have flannelette sheets and 2 high warmth winter weight quilts on each bed and it's still freezing. I washed my daughter's school jumper and hung it inside, 3 days later it's still wet.

Or there was this one from Coromandel Valley:

> I can't do anything except huddle under the blankets. It takes over my life.

Similarly, in summer renters just cannot keep cool without sufficient ventilation or cooling in their homes. This bill addresses this by ensuring there is sufficient heating and cooling in all rentals.

It would be remiss, of course, for me as a Green not to mention climate change as part of this problem. We know those in lower socio-economic circumstances are the ones being left behind in the transition to renewable energy, and they find it the hardest to adapt to the changes we are seeing as a result of our climate. Improved home energy efficiency will help South Australia to reach its target to reduce emissions and will help climate-proof renters' homes.

Just to give a very brief summary of some of the elements of the bill, the minimum energy standards would ensure that any new residential tenancy agreement would comply with standards for heating, cooling, roof insulation, ventilation and energy-efficient appliances. The landlord would be required to disclose to the tenant the standard of the property in relation to those standards to ensure tenants know what they are getting into when they enter into an agreement. A penalty would apply for noncompliance with the standards and for failing to disclose.

All appliances which use water must comply with ratings as established under the Water Efficiency Labelling and Standards Scheme (WELS) rating, and there would need to be an assurance that they are of a minimum three-star rating. All rentals need to be fitted with an energy efficient heater and cooler. Roof insulation would need to comply with the minimum standards under the federal Building Code.

Under the bill, chimneys, windows, door exhaust fans and ceiling vents must be maintained to prevent drafts and external windows must have flyscreens. It seems like a no-brainer to expect that a property would have flyscreens but, sadly, many do not, but this is vital to allow for ventilation to prevent mould and damp, and also prevents drafts that create high energy bills. These are not unusual or new ideas. In 2017, the South Australian government released a discussion paper on minimum housing standards. Victoria and the ACT both already have them. It works for them and it can work here.

I commend this bill to all sides of politics. The Greens were very proud to work with the Malinauskas government on the biggest reforms to the Residential Tenancies Act in a generation. We passed those changes last year and they are delivering real change for renters in South Australia, but we need to go further, particularly in the middle of this housing crisis. This bill, I think, is a really important part of the puzzle in terms of improving the lives of people who are renting in South Australia.

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

Motions

CHILD PROTECTION

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (16:48): I move:

That this council—

1. Censures the Minister for Child Protection, the Honourable Katrine Hildyard MP; and

2. Calls on her to resign for her failures in managing her portfolio, in particular her failure to deliver the government's commitments for timely legislative reform of the Children and Young People (Safety) Act 2017 to address identified systemic deficiencies.

Child protection is fundamentally important because children represent the future of any society. Ensuring their safety, wellbeing and healthy development is not only a moral imperative but also a societal responsibility. Children are inherently vulnerable due to their age and dependency on adults for care and guidance. Protecting them from harm, abuse, neglect and exploitation is essential to secure their rights to live free from fear and harm and to enable them to reach their full potential.

Furthermore, child protection is crucial for fostering a stable and supportive environment in which children can thrive. When children are safe and protected they are more likely to grow up with a sense of security and confidence which forms the foundation for their physical, emotional, cognitive and social development. This, in turn, contributes to healthier communities and a more productive society as a whole.

Child protection efforts encompass a range of strategies, including legal frameworks, social services, education programs and community support networks. These initiatives, aimed to prevent abuse and neglect, respond effectively to incidents of harm and support families in providing nurturing environments for their children. By investing in child protection, societies invest in their own future by ensuring that the next generation grow up with the opportunities and resources they need to succeed.

Child protection is not only a humanitarian concern but it is also a strategic imperative for building a resilient and prosperous society. It requires a collective effort from governments, communities, families and individuals to create a safe and nurturing environment where every child can thrive. Prioritising child protection ensures that children can grow up in dignity and security, equipped to contribute positively to their communities and to the world at large.

The opposition has consistently advocated for the appointment of a dedicated child protection minister focused solely on South Australia's vulnerable children and the embattled child protection system, which is currently in crisis under the incumbent minister. Regrettably, these calls have been repeatedly disregarded. The minister has failed to meet her own established targets, as evidenced in the 2023-24 budget, to introduce amendments to the Children and Young People (Safety) Act 2017 that are yet to be introduced to this parliament. I note the minister has put a draft bill out for consultation following immense pressure from the opposition, crossbench and the community. It should not take this pressure on the minister to do her job and meet her failed targets.

This failure is deeply concerning, and underscores the urgent need for a minister singularly devoted to addressing these critical issues. This prolonged inaction raises serious questions about her ability to deliver on key legislative objectives, crucial for safeguarding vulnerable children. It highlights the pressing necessity for a minister with the dedication and capability to effectively manage and reform the child protection system.

Throughout our engagement with stakeholders, including organisations, carers and families, we have been deeply moved by their distressing accounts of inadequate support and systemic challenges. Heartbreakingly, some carers have shared stories of relying on charitable assistance just to ensure children receive basic necessities like food, an unacceptable situation in a prosperous society. Financial strain is consistently cited as a major obstacle, exacerbated by broader economic pressures affecting the community at large.

The government's failure to adequately address these concerns, as evidenced by the recent budget measures, underscores its disconnect from the realities faced by carers and ultimately the welfare of vulnerable children. We firmly believe that carers are doing their utmost under challenging circumstances and their dedication is absolutely commendable. Their consistent advocacy for legislative reform, the establishment of a standalone child protection minister and an independent complaints process reflects their deep concern for improving outcomes for South Australia's vulnerable children. These calls should not, and must not, be ignored.

Child protection must unequivocally be the minister's foremost priority. Regardless of personal competence, ensuring the safety and wellbeing of children in state care is paramount. However, recent observations suggest a concerning misalignment of priorities, with the minister

seemingly more engaged in other activities than addressing urgent issues within her portfolio. Such negligence not only represents a failure of duty but also constitutes a betrayal of the trust placed in her by the community, particularly by those reliant on state support for their safety and future.

Instead of genuine reform and prioritising the welfare of children, the current system appears disproportionately focused on child removal and exploitation of foster and kinship carers. This approach not only fails to promote the best interests of children but also perpetuates systemic inefficiencies and injustices within the child protection framework. Immediate and decisive action is needed to honour the commitments made to the community and to rectify long-standing deficiencies in child protection policy and practice.

Financially, the government's mismanagement is starkly evident. Residential care for each child costs taxpayers exorbitant sums annually, far exceeding the costs associated with foster and kinship care, which have demonstrated superior outcomes for children. The failure to adequately support carers financially not only squanders taxpayer resources but also jeopardises the life prospects of children in state care.

Carers who fulfil vital roles under challenging circumstances deserve enhanced support and recognition for their invaluable contributions to society. The financial burdens placed on carers are particularly egregious, with many describing their situation as akin to financial extortion and a circumstance that imperils their ability to sustain their essential voluntary duties. Without immediate redress, more children risk placement in costly and less effective residential care settings, exacerbating systemic inefficiencies and compromising child welfare outcomes.

The minister's inadequate engagement with carers, as evidenced by prolonged delays in providing essential safety equipment, disability supports and medical supplies, further undermines trust and perpetuates systemic deficiencies. Carers rightfully expect and deserve timely and effective support from the government, yet these expectations are consistently and constantly unmet. This pattern of neglect must be rectified to restore faith in the government's commitment to child protection and to ensure the welfare of vulnerable children remains paramount.

The current state of child protection in South Australia demands urgent and comprehensive reform. The appointment of a dedicated child protection minister, coupled with genuine legislative reforms and enhanced support for carers, is imperative to address systemic deficiencies and improve outcomes for vulnerable children. The government must prioritise the welfare of children over bureaucratic inertia and partisan interests, ensuring that every child in state care receives the support and protection they deserve.

The Hon. L.A. HENDERSON (16:55): I rise today to speak in support of the honourable member's motion. Members will be familiar with this document right here. It is the government's budget, and it set a target for the 2024-25 financial year to introduce changes to the Children and Young People (Safety) Act. But the 2023-24 budget set a very similar target to the target that is outlined in this budget. It, too, had a target to introduce amendments to support changes to the Children and Young People (Safety) Act. I feel as if this is deja vu.

Of course, we also know that this target and body of work originated in Labor's 2022-23 budget where the commencement of the full legislative review for this act began. Following the review of this act for this minister, the report has now sat with the minister collecting dust since February 2023 and, despite this featuring as a target in all three of the Labor government's budgets to date and the commitment from this government to introduce changes to the legislation last year, it took the opposition, it took the crossbench and it took members of the community to rally in discontent with the performance of this minister to produce draft legislation.

On the last Wednesday of sitting before the midwinter break, this chamber passed a motion calling on the Malinauskas Labor government to introduce legislation to amend the Children and Young People (Safety) Act, to prioritise children and what is in their best interests in South Australia, a motion that was in the name of the Hon. Tammy Franks that the government did not support, claiming, and I quote, that:

> Due to the notice period given for moving and bringing this motion to a vote, the Labor caucus has been unable to consider the motion, thus the government is not able to support it on that basis.

Well, this motion had been sitting on the *Notice Paper* since the end of 2023—an absolutely pitiful excuse on behalf of the government to not come to the table on an issue as crucial as legislative reform for child protection.

If we fast forward to estimates for the Department for Child Protection—and in case members of this place need to jog their memory as to which day this was, this was the day that the Minister for Child Protection was seen squealing in this chamber, as if to squeal with glee. But the minister was not able to give a definitive timeline on that day as to when this legislative reform would be brought to the parliament.

The Hon. Tammy Franks, the Hon. Connie Bonaros, the Hon. Sarah Game and the opposition all stood together following this call, calling for the minister's resignation. We each gave notice of the same censure motion on the last sitting day before the midwinter break. I think it is safe to say that the Minister for Child Protection was on notice that her performance was lacking, so I find it interesting that, despite this having been a target for the minister in her 2022, 2023 and 2024 budgets, suddenly, magically, we see a draft bill put out for consultation when the minister is staring at a censure motion upon the return of parliament.

The minister has had more than two years to introduce this reform and only now, under immense pressure from the opposition, from the crossbench, from members of the community, is she addressing her failed targets. It should not have taken this, it should not have taken pressure from the opposition, from the crossbench, from the community to get involved, for this minister to bring such crucial legislative reform.

The minister has had no issue in taking her time to get this legislation out for consultation, yet when facing a censure motion she has been able to pull a rabbit out of a hat. However, she is only giving the community one month to consider Labor's proposed changes. She has been sitting on the review of this act for roughly 18 months since February 2023, yet the community gets one month to consider legislative reform that will bring such significant change to the child protection system.

Whilst the minister has released a draft bill for consultation, the community is still left waiting for the legislation to be brought to this parliament. Minister Katrine Hildyard cannot afford to wait to bring this legislation to the parliament any longer, and the opposition will be watching with great interest to hold this minister and this government to account, to ensure that upon the finalisation of the consultation period this legislation is promptly brought to the parliament. It is crucial that the government gets this legislation right, and that long-awaited legislative reform is brought to tackle this in-crisis child protection system.

Of course, we know this is not the only target the minister has failed to deliver from her budget last year. The minister has been able to pull a rabbit out of the hat following criticism from the opposition, and over the midwinter break we saw her launch the Workforce Strategy for the Child Protection and Family Support Sector, and release the refreshed Statement of Commitment to Foster and Kinship Carers for consultation.

However, consider that the 2022-23 budget included a target to begin work on a workforce development strategy, and that the 2023-24 budget set the target to develop a sector-wide child protection workforce strategy. Then, of course, we saw a target in this year's budget to finalise and implement the Workforce Strategy for the Child Protection and Family Sector. One has to wonder what has taken this minister and her department so long to develop and implement a workforce strategy.

The 2023-24 budget provided a target to launch a refreshed Statement of Commitment to Foster and Kinship Carers—and we know our carers are absolutely crucial—but only this week the statement of commitment that appears on the Department for Child Protection's website still had the names and signatures of the former Minister for Child Protection Rachel Sanderson and the former chief executive Cathy Taylor at the bottom of that statement of commitment.

When you compare the draft statement of commitment that has currently been released for consultation with the existing statement of commitment on the DCP website, one has to wonder why it has taken so long for this minister to release this document, particularly in circumstances where

the proposed amendments are modest, do not justify the failure to meet her target, and should not have taken about two and a half years since this government was elected. Whilst the minister has turned her attention to these failed targets, it is the opposition's view that it is too little too late.

The opposition has now been calling for a standalone child protection minister for over two years. As my colleague in the lower house Josh Teague has said, her portfolios of sport, recreation and racing mix with child protection like oil and water. This was due to our belief that this portfolio requires a laser-like focus rather than someone juggling their time with the crucial child protection portfolio, with a child protection system that is in crisis, land with attending sporting matches. We now call for the minister's resignation due to her clear failure to deliver in this space. I have met with many people who are involved in this space—stakeholders, organisations, carers and families—and it is absolutely heartbreaking to hear what is going on and the lack of support that they have told me they are provided with.

Earlier this week, we saw a report about one of the South Australian parliamentary inquiries being inundated with stories of foster carers who were struggling to cover the costs for vulnerable kids. I will share some of this article. It says:

> Foster carers are having to 'survive on Afterpay' as they struggle to cover the everyday costs of taking in children in state care.
>
> In one case a single carer has racked up a $2,000 bill on the high-interest, buy now pay later scheme, and another is using it to afford groceries.

It goes on to say:

> Many have warned it is 'becoming unaffordable' to be a foster carer as the cost of living eats into government payments.

The article goes on to say that a carer has said:

> 'We survive on Afterpay,' wrote one carer, referring to the payment system which allows users to pay for goods in instalments.
>
> One carer of more than 20 years said they 'live week to week' and 'use Afterpay to buy food' on the weeks when they don't receive a government payment.

Why is this the case? This is utterly unacceptable. I hear time and time again about the need for greater support from this government and about the struggle many carers face to pay for basic utilities and bills. I believe carers are doing their best. We would be absolutely lost without them, so it is on this government to make sure they fix this problem, find solutions and deliver support for carers. There is a long list of issues with the child protection system at the moment. The minister's failure to meet targets suggests that she is struggling to juggle her time and focus between child protection and her sports portfolio.

Over the midwinter break, the opposition circulated a petition that is calling for a standalone child protection minister. The petition has gained nearly 3,700 signatures, many people sharing their thoughts on the in-crisis child protection system and I thank those who have joined in this call and who have shared their views. I know that for many in the child protection system, particularly our carers, it takes a lot of bravery to be able to come forward and share their thoughts on how our system can be better improved. I will share a few comments with the chamber that have been passed on. One person says:

> The state of this system is diabolical. This minister has failed in her basic duties and has demonstrably failed to take her role seriously. This Premier must prioritise child welfare over sport and recreation and failure to do so is nothing short of professional negligence.

Another person said:

> I cannot believe that child protection is just lumped in with sport and recreation. That simply devalues the importance of children in care. There can be no more important issue than the wellbeing of children. We need a stand-alone minister.

Another person says:

> It's time for Minister Hildyard to step aside and allow someone else to become a standalone Minister for Child Protection, someone who will dedicate their political career to the most vulnerable children in our state.

Another person says:

Mr Premier, it's time that South Australia had a standalone child protection minister. The portfolio is way too important for it to be a shared ministry.

Another person says:

South Australia desperately needs a standalone child protection minister to directly address children in crisis situations. A standalone child protection minister should also address the lack of child protection workers.

Another says:

Please, for the sake of children, families, carers and the broken system, appoint a standalone minister for the child protection portfolio.

Another says:

It is appalling that the Minister for Child Protection does not have a standalone portfolio. Please rectify this immediately.

Another says:

There needs to be change, so let's start with having a standalone child protection minister, someone whose actions change and listens to what is needed.

I think you get the point. The community is absolutely behind the calls for a standalone child protection minister, as evidenced by many people joining in our calls through our petition.

The opposition's petition calling for a standalone child protection minister shows that many in South Australia's community believe it is untenable for Minister Katrine Hildyard to continue to juggle her sports portfolio with her child protection portfolios, so Minister Katrine Hildyard at this point must do the right thing and resign, step aside and allow someone else to come in and take over and have a singular, dedicated focus on the in-crisis child protection system. We need a child protection minister who is completely focused on our state's most vulnerable children and not someone who is preoccupied with sports.

Katrine Hildyard's lack of urgency in delivering this crucial legislative reform is just another reason why South Australians deserve a standalone child protection minister. We need someone whose sole focus is protecting our most vulnerable. Crises set a test of leadership, and with the child protection system in crisis the Premier must prioritise this portfolio and must appoint a standalone, dedicated child protection minister. We need a show of leadership from the Premier. The ball is squarely in his court.

The Hon. E.S. BOURKE (17:10): I rise on behalf of the government to condemn the motion brought by the honourable member and to outline the mammoth effort and investments that this government is putting into the care and protection of our state's most vulnerable children. The Minister for Child Protection has taken on one of the toughest portfolios a government has to offer and has made significant inroads over the last two years since coming into office.

The Malinauskas government has invested an additional $442 million in the state's child protection and family support system: $128.9 million in the 2022 budget, $26.7 million in the Mid-Year Budget Review, $216.6 million in the 2023 budget and $70 million in the 2024 budget. The government and the minister have undertaken a widespread program of reform and improvement of the system with achievements so far including:

- preparing transformative new legislation to replace the existing Child and Young People (Safety) Act. This legislation, which is currently out for feedback, is significant and speaks to the government's determination to give children the best opportunity to be safe, well, loved and able to thrive, and set out a foundation of framework for transforming change;
- delivering a sector-leading workforce strategy, something the opposition failed to do while in government;
- engaging the entire sector in a nation-leading symposium to develop a 20-year vision for the system with a second symposium to be held later this year;

- slowing the growth of children and young people coming into care from around 9 per cent under the opposition to below 1 per cent;
- increasing carer payments year-on-year since Labor formed government, with the most recent budget delivering a 4.8 per cent increase;
- investing in the Guardian for Children and Young People and re-establishing the Visitor, a role cut by the Liberals while in government;
- investing in family group conferencing, a $13.5 million investment over five years which is showing greater results with 91.5 per cent of families and 90.4 per cent of Aboriginal families continuing to safely care for their children after the family group conferencing as at the end of the 2023-24 financial year, including extended families;
- delivering an Aboriginal peak body led by community;
- increasing the number of frontline staff in the system: 42 social workers to build capacity and 10 Principal Aboriginal Consultants to expand cultural capability;
- overseeing an increase in carer numbers after years of going backwards
- driving policy changes within the department, such as notifications to the minister, something the former member for Adelaide, Rachel Sanderson, never did. Presumably a plausible deniability was preferred;
- updating the Statement of Commitment, out for carer consultation; and
- delivering on the promise to establish the Direct Experience Group, the Carer Council, and Expert Advisory Group to provide insights and advice on the policy and operations of child protection and family support.

We wholeheartedly acknowledge as a government that there is more to be done, and the minister is making all efforts to keep on with tackling the complex issues children and families face. She will not be distracted by the Liberals and those opposite who have no plan and no solution and are only political pointscoring, and refuse to engage in this complex issue of children and families they are confronting. Their track record speaks for itself and does nothing but play petty politics on this very serious issue.

I walked into the chamber and I thought I would give credit to members opposite that maybe they had written their speeches prior to their reshuffle, because it was quite surprising to continue to hear them repeatedly say that they are calling for a dedicated minister for child protection, that we should have someone solely focused on child protection. They repeated this, both members who spoke from the opposition, many times throughout their speeches. It is quite extraordinary they have mentioned this because maybe they forgot that they have been through a reshuffle themselves, where they had an opportunity to take their own advice, to take the advice they have said has been called for by the community, to have a dedicated shadow minister for child protection. That has not been taken.

The three people on your side who have not been given a prize are all Davids. Maybe one of those Davids could have got a shadow portfolio for child protection, but you did not dedicate that.

The Hon. T.A. Franks interjecting:

The Hon. E.S. BOURKE: Pisoni. Options were available—not everyone did get a prize, so someone could become the dedicated child protection shadow representative, but you did not take that advice, instead you have given it to someone who is the shadow attorney-general, the shadow minister for Aboriginal affairs, the shadow minister for child protection, the shadow minister for industrial relations and for the public sector. This is a person who is also in one of our most marginal seats in the state. You cannot tell me that this member is focused on child protection. Maybe you could have taken your own advice and had an opportunity to do what you are advising. I have complete confidence in our minister, the member for Reynell, the Hon. Katrine Hildyard. I know she is doing an incredible job and I do not support those opposite.

The Hon. T.A. FRANKS (17:17): I was not planning to speak to this, although that might surprise members, given that I have a very similar notice of motion not quite yet on the *Notice Paper* formally that I seek to discharge soon. However, listening to the government, they clearly have not learnt the lesson of the eight weeks of the long winter break.

This minister, the Minister for Child Protection, received notice from this chamber in December 2023—not this year, December 2023—that we expected her to keep her and her government's pre-election commitments with regard to legislative reform, pointing out that promises had been made to the sector and, in particular, there had been a review of the act, as was promised and as is required under the act, but that that review had sat in Minister Hildyard's in-tray, having gone out to the stakeholders, having had significant consultation, since February 2023—2023, not 2024!

So in December 2023, given the stakeholders who participated in that consultation had been told that they could expect a legislative reform piece of work, a bill perhaps, before this parliament by the end of 2023, it was reasonably expected, I would have thought, that this council would look to debate and vote on a motion just before the winter break, six months after it was given notice of, condemning the minister for her failure to bring forward that promised legislation.

As the Hon. Laura Henderson and the Hon. Nicola Centofanti have noted, in the debate that night, having been given six months notice that the council had concerns about this minister's performance, the only response from the government late that night, as it finally got to a vote on that late sitting Wednesday, was that they had not had time to consider the motion. Indeed, Minister Hildyard obviously needed more time to provide better briefing notes for her representatives in this place.

Six months later—and so it was little surprise then that the Greens, the opposition, One Nation and SA-Best all stood up the next day and gave notice to this minister that she needed to do her job and keep the Malinauskas government's promises with regard to legislative reform—lo and behold we now have a draft bill that was circulated late in the winter break. But what I will remind government members of is that there was a promise made in regard to independent grievance processes in this department. That is completely lacking in the bill that Minister Hildyard has put out for public consultation, and it is a breach of faith, yet again, with the sector.

The minister could have helped herself by doing the hard work that she needed to do with regard to reforming the thresholds for mandatory notifications, and I am pleased to see that that now is in the bill that is out for the second round of consultation. We look forward to finally seeing a bill from Minister Hildyard before this council and before this parliament. From the Greens' perspective, it is not getting through this parliament without an independent—a truly independent—grievance process for this department. So I again put the minister on notice for her to take that memo.

There has been a lot of talk, and I have little sympathy for the opposition's claims that we need a standalone minister. We do not need a standalone minister; we need a competent minister. This minister drops the ball, not just in this portfolio but also in her other portfolios.

We had a greyhound industry reform inspector in name but not in legislation. Indeed, the other secret consultation that this minister has been doing—because it has been sent out not to the community and not through YourSAy but only to hand-picked people in the greyhound racing industry and those who have been involved in the debate—is a bill that this minister is now planning to bring before the parliament, at some stage yet to be determined, to actually give powers to that greyhound industry reform inspector.

Despite what we said back in December, when the government gave the greyhound racing industry two years' notice—two years' notice—and despite not delivering on a greyhound racing inspector by Easter, as was promised back in December 2023, this minister has now oversighted a greyhound industry reform inspector (a GIRI), who does not have the investigative powers that he needs and that only the parliament can give him. So she does not just drop the ball on child protection, she drops the ball on racing as well, and goodness knows what other matters in her portfolios she has dropped the ball on.

With that, if this went to a vote right now it may well pass. I ask the Labor government to reflect on their condemnation of the motion and separate that from their condemnation of the opposition.

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

MINOR PARTIES IN PARLIAMENT

The Hon. S.L. GAME (17:24): I move:

That this council—

1. Acknowledges unique challenges facing new members from minor parties to establish their parliamentary office within Parliament House and that the government needs to protect their functional establishment in order to uphold democracy;

2. Acknowledges these small parliamentary offices need special protection from major parties that have the potential to operate like a cartel with small business to functionally eradicate them;

3. Acknowledges that members of parliament have the right to be psychologically protected from staff employed in their offices to assist them with their parliamentary duties and that this is especially true in a small parliamentary office where the ability to shift and trade staff does not exist;

4. Acknowledges that independent members and minor parties play a critical role in holding major parties to account and their offices need to be able to run effectively to fulfil their duty to the taxpaying public;

5. Acknowledges that members of minor parties are particularly vulnerable to opportunists who may wish to exploit these employment opportunities for their own gain; and

6. Acknowledges the enormous and critical role that positive, competent parliamentary staff play, especially within a small parliamentary office.

This motion is a result of my own personal experience as an individual attempting to my best abilities to simply earn my keep and do my job, at times successfully, with the assistance of fabulous staff, and at times finding my parliamentary office thwarted with incompetence or deliberate derailment.

The taxpayer deserves better, and members of parliament deserve better too. Unfortunately, these types of employees are found throughout the workforce and wreak havoc on the mental wellbeing and financial viability of business owners and indirectly question and challenge productivity in the Australian economy. If we want a productive economy, we need productive people. If the public want an effective, productive parliamentary representative the member cannot accept lazy, disloyal staff.

Invested, competent staff are invaluable in a small parliamentary office. These dedicated staff deserve significant acknowledgement. Their role is often extremely diverse and involves the ability to be flexible, to multitask and to change focus and direction nimbly. These loyal, steadfast staff are essential in assisting members of parliament to hold firm and survive the storm and solar winds that can be switched on at a moment's notice by major parties.

Establishing a small parliamentary office as a new member with a new party, it seems, is fraught with difficulties. As the first One Nation member of parliament in South Australia, I was warned that the media would try to take me down. Let us be clear: in my opinion it is not the media that are a threat to the establishment of minor parties. Within Parliament House major parties can operate like sharks and cartels, protruding many tentacles overtly and covertly to destroy a new parliamentary office.

I will be shedding insight at a personal level of what has shaped my outlook, but much greater issues are at stake than my own wellbeing. Minor parties play a critical role in holding major parties to account. The members are voted in by the people, and to rob them of their ability to function within Parliament House is to rob the people of their democratic right to representation. When opportunists and cartel-like parties come together, minor parties are particularly vulnerable in their ability to preserve their functional survival for the people who elected them.

Members of parliament with small parliamentary offices that find themselves working intimately with disloyal opportunists, aggressive personalities or incompetent employees who misrepresented their abilities do not have the luxury of larger offices where that individual can be

subtly shifted to a new work environment. More flexible employment options are needed for members with small parliamentary offices, and the government needs to consider mandatory psychological testing and full background checks for staff who work alongside members of parliament.

Employment law, from my observation, operates to protect lazy, disloyal, incompetent staff working alongside members of parliament, while the member of parliament is left hindered in their duties and at risk of being hung out to dry. Let us be clear: the stories that shape my suggestions have been generated by only a few bad eggs. Unfortunately, one bad egg in a small office can have catastrophic consequences.

Politicians are, in my opinion, on a generous salary. This sentiment seems to be shared by the public, and the public and media hold politicians to account and rightly so. What is not so commonly discussed are the generous salaries of staff assisting parliamentary members. What is not scrutinised publicly is the value-add or not to the member and the public of these people paid by the taxpayer.

And, perhaps, why should they be scrutinised? It could be argued they did not sign up for a public position, but perhaps when these staff themselves seek the media out for their own agenda after not having their contract renewed, this thought holds less weight. Either way, the right staff are essential to proper representation of the people, and that is the heart of the matter.

It is important to acknowledge the recent *Advertiser* article in which I featured: 'Game of moans: Ex-staff rebel'. I thank *The Advertiser* for choosing flattering photographs and for seeking and publishing my comments. But it is important for the wonderful staff past and present in my office, in light of that article, to be acknowledged from the outset. These staff, who went above and beyond, do not deserve to be mixed up with complainers who could not do a standard week while pocketing the automatic after-hours loading.

One recommendation is establishing a code of conduct that prevents major parties from employing staff from minor parties for a period of time. Treating the office of minor parties as a free recruitment service is inappropriate, amoral and destructive for democracy.

As a member of parliament who does not work in my staff office and, due to my work commitments, am often not in the parliament building, it is essential to have total trust in one's staff. Initially, I thought having my staff on the same floor as the Liberals seemed like a good thing. But as time went by the One Nation staff office turned into an endless revolving door for Liberals to drop by. Chatter about weekend texts with other Liberal employees began, and joint office tearoom hangouts became the norm for my hand-picked staff.

One of my employees commented to me, 'I am your office manager, but it doesn't matter which party I work for.' I wish I could have dismissed them on the spot. The work from these staff remained competent but the knowledge that I was a lone member without the real support of the people I had chosen to give employment opportunities to hindered my ability to trust my staff, an essential need especially in a small parliamentary office.

When I was informed of my father's death while I was at work, I walked restrained to my staff office to calmly inform them of the event, asked them to cancel a scheduled evening podcast, and with the direction to please not come into my private office, where I sat alone for hours. I knew that I was not amongst friends.

Ultimately, I was proved right, not paranoid, and they left smoothly and jointly to the Liberal Party with well-established relationships. It was unfortunate timing that their effective joint resignations were communicated to me on the day of my father's funeral. I am extremely proud of soldiering on to represent the people of South Australia and to try to restabilise the office. I am not sure many people could have continued to show up to work after such a family tragedy and see their entire former full-time staff on the same work floor employed with a competing party.

I chose not to advertise and not to commit to long-term contracts in this time. I employed several people on short-term contracts to assist me. I remained on good terms with all new employees who I employed at that time. Unfortunately, earlier events would come back to haunt me down the track with a subsequent employee observing and communicating to the staff office, 'If we ever don't like it here, we don't leave, let's just see what's on offer down the hallway.' It has to be on

the record because I do not expect the voting public would expect their elected member to have to continue relying on such an employee until their contract ended. Things need to change.

Small parties do not have the capacity for a smooth recovery after a total office wipeout, like the one my office experienced. It should not be allowed to happen, both for the instability created at the time and the ongoing ripple effects. Some might say that is politics, I call it theft from the taxpayer when an elected member's staff, employed to aid the parliamentarian's office, in fact spend their time grafting for employment with a rival one.

There needs to be greater flexibility and short-term contracts in order to safeguard the member from issues such as disloyalty, incompetence or changes in office resource requirements. The public and media rightly demand the ability to hold politicians to account but when due to employment law or work/office setup the member cannot hold their staff to account, the member is set up to fail.

It is often cited that if the pay were better the public would have better calibre politicians. I disagree, but I do argue that high-quality hardworking people will not stay or be attracted to positions over time if their staff cannot be held to account. The hanging around of well-paid staff doing the minimum until their contracts end has the potential to corrupt a small office in which the member does not operate. Why should the member put up with it, and why should the taxpayer?

I was warned, when writing this, that the public does not care about the feelings of politicians. I am not sure that is true. My nine-year-old son commented sadly, 'Mummy, there was a very bad article about you in the paper. They said bad things but they must be wrong.' He had overheard another adult. My daughters chanted supportably, 'You're the best mummy in the world.' Still, I am a human being, to state the obvious, and my greatest concern will always be my children. I tried to relate to my son, 'This is how some adults behave when you say no to renewing their contracts.'

If you care about politicians' feelings or not, the greater issue here is the waste of taxpayer money when there is a distraction of deliberate chaos by unstable, lazy or disloyal employees. It was reported in *The Advertiser* that my staff office was a shambles. I do know that these comments were ironically made by staff whose contracts I had chosen not to renew, and that is an important part of the context, which I thank the journalist for reporting.

Parliamentary privilege allows me to name the staff who have taken advantage of me, One Nation and the taxpayer, but today I continue to allow them the privilege of anonymity. I must admit, reading *The Advertiser* comments, I cast my thoughts to the person I employed to manage and mentor the office, but who lost the respect of the entire team by announcing they were off for a long lunch with a Tinder date while the others slogged on.

This new team manager, team motivator, failed to do a full working week, which was quickly noticed by their colleagues. Their employment resulted in a verbal argument between themselves and another staff member so serious that I had to pull to the side of the road and seek one of them urgent mental health assistance. The ripple effect was their inability to function within the same office as the team they were managing.

I have had staff decide to work from home at whim, come late, leave early as suited, and from whom I am too scared to request their leave forms for fear of the tantrum that may ensue. Staff refuse to complete leave forms, declaring they will work on the plane as they venture interstate on a holiday. Something has to change.

The risk of reputational damage lies currently solely with the member of parliament. If appointments are incorrect or phone calls not returned, the employee is protected by employment law while the member is hung out to dry. As one stakeholder advised of one employee: 'Be careful. They're a self-promoter', an observation they made. The only option seemed waiting out their contract.

In my opinion, it is true that as a minor conservative party, One Nation has been particularly vulnerable to opportunists and, frankly, imposters pretending to be supporters when the true intention was simply obtaining parliamentary access for their own networking and career opportunities.

It has been raised with me that staff should get psychologically tested. I am not an expert on what that entails, but it seems worthy of consideration. Either way, it is not just staff who have a right to be psychologically safe at work. So does the member. I continue to be harassed and intimidated by a former employee to the extent that I have gone to the police. So serious is the matter, I have decided not to comment further at this stage, for fear of this individual. Psychological testing would help the media also be assured they have greater credibility when talking to a disgruntled ex-employee.

Recruitment is a vital part of getting it right, and while I admit my optimistic outlook on people has played a role, I am not a recruitment expert, and recruiting the right person is difficult even for experienced recruiting firms. It must be acknowledged that once given the keys to Parliament House, and the member is out, attitudes of an employee can change. When this happens, the member needs greater rights to make decisions to preserve their own wellbeing, and that of the office.

I have current hardworking, vibrant employees who have been a great support and full of great ideas, but I ask those few employees who went to *The Advertiser* to ask themselves their role in the situation that they speak of, and perhaps that is why I chose not to renew their contracts.

In closing, the office of minor parties faces unique challenges, including being particularly susceptible to the bad practice of major parties like a cartel wiping out a small business. Small offices are heavily damaged by people who insist on being a square peg in a round hole until their contracts end. I call on the government to ensure that members of parliament in these environments have adequate protection for their own wellbeing and so that their office serves the taxpayer and voting public effectively.

I will be introducing to this chamber legislation that prohibits major parties from employing staff from independent or minor parties for at least six months after completion of their contract. This is to safeguard the taxpayer who assumes their elected member has staff supporting them, not misusing work time to scaffold themselves to a rival party. Secondly, I will be introducing legislation that requires staff working for parliamentarians to be psychologically tested and to have a full background check in the same manner as many other workplaces require before employment.

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

EUROVISION SONG CONTEXT

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

That this council notes that South Australian band Electric Fields are the first duo to represent Australia at the Eurovision song contest and wishes them every success.

(Continued from 15 May 2024.)

The Hon. T.A. FRANKS (17:37): It is my absolute pleasure to bring this motion before this council. For those who do not know, or are about to know, Electric Fields brings together the brilliance and creativity of music producer and composer Michael Ross, with the mesmerising sensitivity of Zaachariaha Fielding, whose rare and beautiful voice has been described as 'taking soul to the stratosphere'.

These two feminine brothers create a striking and haunting merging of live, living traditional culture with electronic music. Co-writing music and delivering an evocative and memorable live performance experience, Electric Fields brings moments of breathtaking beauty and power to the stage, often featuring Zaachariaha's traditional languages of the Anangu Pitjantjatjara Yankunytjatjara people. Electric Fields' music ranges from soulful pop to epic scale electronic works through to intensely intimate story songs.

Electric Fields are known not only here in South Australia but right across not only the nation but the globe. They have played festivals in Poland, Germany, Indonesia, Malaysia, New Zealand, China, Edinburgh and Glasgow, Scotland, London and the UK WOMAD, and closed the Sziget Festival in Budapest.

Electric Fields have really taken what is a wonderful South Australian story to the world stage and so it was my absolute pleasure to move this motion, noting that Electric Fields were the first ever duo to represent Australia in the Eurovision Song Contest this year. They represented Australia at

the 68th Eurovision Song Contest in Sweden with the soulful dance anthem *One Mikali (One Blood).* When they were announced as our representatives, they put out a joint statement that said:

> We are buzzed with euphoria at our chance to share this music with the world. Our music comes from the deepest place in both of us and Eurovision is the most exciting opportunity to bring together our cultures and share the joy of global connection.

They did us proud but unfortunately they were not finalists and were pipped at the post at 11th place, something that was not reflective of their talent or, indeed, the beautiful performance, including Zaachariaha's art as well as the costuming, the composition and, indeed, the entirety of what was a truly Australian production on that stage.

Zaachariaha Fielding hails from Mimili, which is, as we know, a remote community in the Far North of our state. He brought Anangu language into that song as well as English and, given there are only some 4,000 or so speakers of that language, to have that on a world stage was a truly special thing to see. Indeed, popular music can inspire people in a way that speeches like this certainly cannot, but I hope that I go some way to paying tribute.

I have long been a fan of not just Electric Fields but Michael Ross and Zaachariaha Fielding, having met them both in different ways. I met Michael Ross on the steps of this Parliament House at a marriage equality rally where he had written a song and then performed it. We had a wonderful time on the steps that day as part of the then very much growing marriage equality campaign, which I am glad to see is now law right across our nation.

Zaachariaha Fielding might not remember this but I remember him from La Sing, where he would get up and perform on the stage way back when, well before either of them ever went on *X Factor*. Some members of the council and certainly the public might remember that Michael Ross did a performance of Diana Ross's *You Can't Hurry Love* and Zaachariaha did a performance of Tracy Chapman's *Talkin' Bout a Revolution*. Well, we have had a revolution and to see a band like Electric Fields performing globally, representing Australia in the Eurovision Song Contest, is the kind of revolution I want to see because if I cannot dance I do not want your revolution and Electric Fields certainly makes us dance.

I will also take an opportunity to sum-up, but I now invite other members to make a contribution noting, in a slightly unparliamentary way, that Electric Fields, their management and supporters are here in the gallery today.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (17:43): Ngayuku kulintja pukulpa panya Anangu tjutaku Tjukurpa nintini ngua winkingka. It fills me with pride and joy to see Anangu culture and lore shared on the world stage. To see today a motion brought by the Hon. Tammy Franks, it gives great pleasure for me on behalf of the government to support with much applause. We wish to congratulate Electric Fields, to express our sheer pride, joy and delight in seeing this wonderful pair and all they stand for absolutely shine here at home and on the world stage.

I am so glad that if it was parliamentary for me to say so I could comment that Michael and Zaachariaha have joined us today but it is probably not so I shall not do that. But it is a rare thing that we get to express our pride and our joy in how much others' achievements mean to us.

For nearly a decade now Michael and Zaachariaha have been creating joy together through their beautiful music, from the release of their debut album *Inma* to countless nominations and multiple awards won at things from the National Indigenous Music Awards, performances at huge events like Sydney's Gay and Lesbian Mardi Gras, collaborations with the Adelaide Festival, with the Adelaide Symphony Orchestra, and performances at things like WorldPride and AFL grand finals, none less. Electric Fields have gone from strength to strength and show no signs of slowing down.

Their unbelievable music talent is complemented by the beautiful way in which they weave their Yankunytjatjara language into their sound, putting the world's most ancient culture on the world stage. It was exciting but not surprising to learn that Zaachariaha and Michael had been chosen to represent Australia in one of the biggest musical events anywhere in the known universe, Eurovision. Their song *One Milkali*, or *One Blood*, was a beautiful choice for the contest, and it came to life on the stage with colour and vibrancy, which is synonymous with any Electric Fields' performance. It

made me proud to watch these two shine as the rest of the world was able to share in the excitement and joy they bring.

I have spoken many times in this chamber about how important it is to preserve the value of Aboriginal and Torres Strait Islander languages and cultures, and moments like this, when the language and culture is on show with some 160 million people across the globe tuning in, are truly priceless. The duo finished 11th in the contest—I am sure it was rigged in some way, because they should have been a lot higher than that; if I had the power I would launch an investigation, but my power as Attorney-General extends only to this state, I am afraid—but in doing so they have cemented their status as household names and have paved yet another step on their paths to even further greatness.

Electric Fields gives us so much to be excited about, both in terms of what it means in South Australia and in the country, putting outstanding local talent on the map and growing the representation of Aboriginal culture in the world.

I particularly want to say to Michael, 'Thank you for your immense skill, the energy you bring, and the way you platform and enable Aboriginal culture to be shown to the world.' To Zaachariaha, my little nephew—Zaachariaha's dad is my pulka, my brother-in-law; we are tied by family and by obligation to each other—'It fills me with such pride to see you perform on the biggest stages and then a couple of weeks later to be at your family house in Mimili and see you braiding the hair of your sisters at home. You have done remarkably, and we are all so very, very proud of you.' Palya ukari.

The Hon. T.T. NGO (17:47): I rise to speak in support of this motion and celebrate the success of a South Australian musical duo, Electric Fields. As the Hon. Tammy Franks' motion states, this is the first duo to represent Australia at the annual Eurovision contest.

The last time I stood up to speak on Eurovision I sang the whole speech. I am now a bit older and wiser, and I would like to save honourable members from embarrassment, as well as the rest of the public, and I will read my speech this time.

Vocalist Zaachariaha Fielding and keyboard player and producer Michael Ross have represented Australia at the Eurovision Song Contest on more than one occasion. Back in 2014, when the Eurovision contest celebrated its sixtieth birthday, the European Broadcasting Union invited Australia to compete as a wildcard entry. Since then we have not stopped competing on this musical platform.

The year 2014 also happened to be the year the duo Electric Fields was formed, and some five years later they gained widespread recognition after competing in the 2019 Eurovision Song Contest. Electric Fields' music has been described as a fusion of electronic beats, traditional Indigenous sounds and contemporary pop elements. Their music often explores themes of Indigenous identity, culture and empowerment.

In the 2024 Eurovision contest, the duo was joined on stage by Butchulla song man, Fred Leone, who for the first time played the didgeridoo or Yidaki. They performed their newest dance anthem, One Milkali, which loosely translates to 'one blood' and represents the dream for a world where we are all united. At the Eurovision semi-final on 8 May 2024, Electric Fields came first for their performance of the song.

The Labor Malinauskas government has been a big supporter of Electric Fields, as well as other performing artists, through many programs and pathways aimed to support the careers of our musicians and artists. It is especially exciting that this South Australian duo, whose music is deeply rooted in storytelling and incorporates the Pitjantjatjara language in their songs, now has worldwide recognition.

Historically, music has often been used as a medium for advocacy and social impact. The music of Electric Fields highlights some of the issues facing our Aboriginal communities like land rights, identity and social justice which can help to give a voice to marginalised communities. We can be proud that their songs convey personal and communal narratives about the experiences, struggles and joys of Indigenous Australians.

On behalf of the Labor Malinauskas government, I thank them for helping to foster greater understanding of Australia's heritage and for showcasing this heritage in a contemporary and dynamic way, providing positive role models, especially for our young Indigenous Australians. We stand in support of the Hon. Tammy Franks' motion and wish Electric Fields every success in the future.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (17:51): I rise today on behalf of the Liberal Party to support the Hon. Tammy Franks' motion. It is wonderful to have the opportunity to acknowledge South Australian band Electric Fields and congratulate the fabulous duo, Zaachariaha Fielding and Michael Ross, for representing Australia at the 2024 Eurovision song contest.

Growing up in the neighbourhood of Payneham as a teenager, our family home was surrounded by European migrants, and they passionately introduced the colourful Eurovision program to our family in the 1970s. The convergence of multilingual, multicultural and multitalented artists in spectacular, outlandish costumes, a fusion of traditional soulful ballads to modern electrical sounds on the magnificent special effects stage, are some of the hallmarks that make Eurovision perhaps the most eccentric song competition ever to continue to grace our screens.

Eurovision has been held annually since 1956, making it one of the world's longest running international music competitions on television. Why is Australia competing in Eurovision when we are not part of Europe? So many people ask that question but, believe it or not, it is because Australia has been one of the event's biggest markets outside Europe. Australian broadcaster SBS has been covering the contest since 1983—over four decades. Australia has participated in the Eurovision song contest since 2015 and is the only country outside the European broadcasting area to have ever competed in Eurovision.

I recall I moved a motion in Parliament House about Eurovision when Guy Sebastian represented Australia on the Eurovision stage for the first time in 2015 and I also recall the Hon. Tammy Franks spoke in support of my motion. I thank her again for that. Now fast forward to this year and Australia voted for South Australia's very own Electric Fields to represent us on the Eurovision stage. Fabulous vocalist, Zaachariaha Fielding, and keyboard player and producer, Michael Ross, have been performing as Electric Fields since 2015. They blend their soulful pop with upbeat electronics to create the most vibrant and eclectic music.

Today, it is wonderful to have the opportunity to recognise the extraordinary achievements of two amazing artists. Zaachariaha is a multiple award winner and a celebrated South Australian artist from Mimili in the APY lands and, alongside his collaborator, Michael Ross, in Electric Fields, is an artist and musician of great talent.

To see the band Electric Fields perform on the stage at Eurovision in front of more than 160 million viewers throughout the world is just an extraordinary achievement. As a multicultural country where we celebrate and embrace diversity and cultures of the world, it is incredibly significant that Australians are invited to participate in the Eurovision contest.

Congratulations to Electric Fields and well done to Zaachariaha and Michael for their epic performance presenting the song *One Mikali (One Blood)*. This meaningful song is about unity, solidarity and embracing the richness of an Aboriginal language sung for the first time at the Eurovision contest. The performance also featured musician Fred Leone on the yidaki, or didgeridoo, another Eurovision first.

I am so pleased that both Zaachariaha and Michael are here in the gallery together with the management team and lots of fans. It is a great privilege to recognise their well-deserved achievements today in this parliament. I join honourable members and thank them for representing Australia on the world stage and acknowledge their contributions to the arts and music industry locally and internationally. I wish Electric Fields a bright and successful future ahead. Stand tall and be great. Congratulations. It is a great privilege to support this motion.

The Hon. T.A. FRANKS (17:56): It is my great pleasure to thank the contributors tonight for their support of the motion—obviously the motion is going to pass, to put you out of your suspense—

the Hon. Jing Lee, the Hon. Tung Ngo, and the Hon. Kyam Maher, who made a contribution in language, which was also a wonderful thing to see.

I just want to reflect that, in the tradition of what Electric Fields does, they bring people together, they create connection. In Michael's words, he sees Electric Fields as a 'bridge between people'. In Zaachariaha's words they are 'a big collaboration with the universe. We are caretakers of an energy. It is finding its way and we are just the mother and father to do it.'

In that spirit, obviously I commend the motion but I also invite all members of this council to join us in the balcony bar during the dinner break to celebrate the fine work of Electric Fields and their wonderful success and all those who support them. I also want to reflect that it is a long way from the balcony of the Backpackers to the balcony bar, so I will toast you to that. With that, I commend the motion.

Motion carried.

Sitting suspended from 17:58 to 19:46.

INDEPENDENT COMMISSION AGAINST CORRUPTION

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

That this council—

1. Notes that the Inspector for ICAC, Mr Philip Strickland SC, delivered reports to parliament of reviews into investigations into complaints on the following matters investigated by ICAC:
   - (a) review of PIR 18/E17253 and complaint of Mr Michael Fuller, April 2024;
   - (b) review of the investigation and prosecution of Mr Trent Rusby, April 2024;
   - (c) review of the investigation of Chief Superintendent Douglas Barr, April 2024; and
   - (d) the investigation and prosecution of John Hanlon, June 2023.
2. Notes that the parties named in the reports have registered with the Hon. F. Pangallo detailed submissions in writing, complaining that the reviews were attended by:
   - (a) abuse of power;
   - (b) failure to exercise power;
   - (c) failure to provide procedural fairness and natural justice;
   - (d) exceeding jurisdiction;
   - (e) mistakes of fact undermining probity of the reports; and
   - (f) failing to make findings of 'misconduct' and/or 'maladministration' in public administration in the face of clear and undisputed evidence.
3. Calls on the Attorney-General to act on the recommendations contained in the 2021 Report of the Select Committee on Damage, Harm or Adverse Outcomes resulting from ICAC Investigations.
4. Calls on the Attorney-General to order an independent judicial review, with an officer appointed from interstate with the powers of a royal commissioner, into the inspector's reports/reviews/findings in the matters of Mr Hanlon; PIR 18/E17253 and complaint of Mr Michael Fuller; the investigation and prosecution of Mr Trent Rusby; and the investigation of Chief Superintendent Douglas Barr.

This motion is intended to respond to and provide some balance from the perspective of the complainants to the inspector of ICAC's reviews of significant cases. This will include those of Mr Trent Rusby, Chief Inspector Doug Barr, Ian Lawton and Michael Fuller. I have already spoken at length previously on the John Hanlon fiasco, in which I described the inspector's conclusions to him as a snow job, a whitewash, intended to shield ICAC from further damage to its already tarnished reputation.

The inspector's reports into Mr Rusby, Mr Barr, Mr Lawton and Mr Fuller also, in my view, demonstrate an apprehended bias by Mr Strickland and a lack in probity, procedural fairness and, more surprising, a comprehensive investigation of the complaints themselves. Sworn statements were not taken from some of those directly involved in the complaint or individuals who were party to them. They were refused the opportunity to speak directly with the inspector and his deputy,

Mr Plummer. Others were barred from acting as support persons for complainants, including me—I will go into that astonishing aspect later. But you get the feeling that the outcomes were predetermined and that he was just going through the motions to satisfy the obligation. Certainly the complainants have told me it felt like it was all a wasted exercise, a whitewash.

I am quite familiar with the details of each one of those complaints. I am doubtful that a few members in this place would take the time to research them and be able to make some informed comment. I think the inspector and the ICAC have felt safe in that, knowing that no-one else in here, nor in the media, would bother probing the validity of their reports—but I will. I will be the voice for those who remain aggrieved and feel let down by the so-called independent umpire. As we all know, umpires make mistakes. Umpires can get it wrong and umpires can choose to be blind. Their decisions might stand, but at least they can be challenged.

I have found integrity issues with ICAC, the justice system, SAPOL and, more recently, the Police Association and others. To be wilfully blind to these problems condones poor conduct. I note that some members in this chamber acted like proverbial tornado chasers for a headline opportunity when the current commissioner announced her resignation in a huff over the changes to the act, which I moved three years ago and which were unanimously endorsed at the time in both chambers and moved in the house—

The Hon. C. BONAROS: Point of order, Mr Acting President: I do not appreciate the member referring to any other honourable member in this place as, and I quote, 'tornado chasers', whoever it may be that he is referring to. There are protocols and standards in this place, and I expect the speaker and the mover to adhere to them.

The ACTING PRESIDENT (The Hon. R.B. Martin): I appreciate that some colourful language was used, the Hon. Mr Pangallo. Are you willing to withdraw that particular phrase?

The Hon. F. PANGALLO: I will withdraw that, Mr Acting President.

The ACTING PRESIDENT (The Hon. R.B. Martin): Thank you, the Hon. Mr Pangallo.

The Hon. F. PANGALLO: I have heard worse, particularly from the member who just rose.

The Hon. C. BONAROS: Point of order, Mr Acting President: I do not think this is the forum for these sorts of comments to be made by the mover. He can stick to his speech without being disrespectful to other members in this place.

The ACTING PRESIDENT (The Hon. R.B. Martin): Understood. We have a long night ahead of us; let us keep the debate fair.

The Hon. F. PANGALLO: As I said, Mr Acting President, I moved that act three years ago. It was unanimously endorsed at the time in both chambers and moved in the House of Assembly by the then Attorney-General, Vickie Chapman. So I ask: why were these members so oblivious, for the past three years, to Commissioner Vanstone's repetitive calls to make modest changes?

One of these members, the Hon. Ms Game, was not in parliament at the time and appears to have made her mind up because of the media attention the commissioner's resignation attracted. Has she read the act? Does she not see that there is a mandated three-year review set to begin at the end of the year?

I am confident in saying that not one of the members has familiarised themselves with the full detail of the many cases resulting from failed ICAC investigations since its inception in 2013, other than what they may have read in the paper. Nor have they ever met or spoken with any of those who were charged and who endured a horrendous ordeal, only for them to be acquitted or found not guilty, or simply the matter did not stack up and was thrown out of court. These are the sloppy and costly investigations that went nowhere, knowingly breaking international protocols and breaching the sovereignty of another country; withholding or losing exculpatory evidence; charging innocent people with offences; and giving flawed legal briefs and inadmissible evidence to the DPP. There is a lot more.

Much of ICAC's conduct would not have become known had it not been for the select committee, which I chaired, into damage, harms or adverse outcomes resulting from their failed

investigations. Until that committee was formed, these damaged victims had nowhere to turn to air their grievances because the old act forbade that, and they had no confidence in the limited and grossly under-resourced Office of the Reviewer.

I shine a light in dark places where others in this place may be too timid to go. One member warned me in 2020 not to step on powerful toes because they would come after me. And they did, without much success, I may add.

The old 2020 act needed reform. To refresh members' memories, an example was the draconian clause that any offence constituted corruption. Let me repeat that for members in here: any offence. As the first commissioner, Commissioner Lander, once remarked, 'any offence' could mean he could launch an investigation into a minor traffic violation by a public officer like speeding or not wearing a seatbelt. That had to be changed, of course. Would Ms Game or Ms Bonaros like to have been investigated for corruption just because they were caught using their phone in a car or not indicating at an intersection?

I advocate for injustices, and a lot was going unchecked at ICAC. Prominent silks and barristers have recounted their experience in representing clients as being in a star chamber. Can I point out that the catalysts to making the amendments to the act were the botched joint ICAC-SAPOL investigation and prosecution of police officers from Sturt Mantle codenamed Operation Bandicoot; the failed prosecutions of BioSA Chief Executive Jurgen Michaelis, which Mr Michaelis says resulted in more than $300 million lost in investment and economic development to the state; Mr Trent Rusby, who was part of a group from the Department of Transport charged with supposedly stealing an Aladdin's cave of goods if you believe the reporting details that were leaked to *The Advertiser* by ICAC itself; the still unexplained circumstances surrounding the dropping of a fraud investigation into a multimillion dollar cattle station swindle and the handling of the subsequent complaints made against police by an ailing pensioner, Mr Ian Lawton, and his associate, Mr Michael Fuller, a retired and highly skilled barrister; and the tragic suicide of Chief Superintendent Doug Barr during an ICAC nepotism investigation into SAPOL called Recruit 313. Renewal SA executives John Hanlon and Georgina Vasilevski followed those matters.

Before even word of evidence had been taken by the harms committee and two years before the Hanlon matter disintegrated and while the ICAC office was in a shambles, as was found by Strickland, the then new ICAC Ann Vanstone denounced it when she fronted the Crime and Public Integrity Committee for the very first time on 20 December 2020, saying she was not afraid of scrutiny. Let me quote her:

> I confess that I am perplexed at this initiative, absolutely perplexed. I ask myself: what is the point of this? Anyone reading the transcript of *Hansard*—

clearly a reference to my speech to set up the committee—

> might infer that ICAC operates outside a regulatory framework and acts like cowboys and neither of those things is true in the least. Nothing could be further from the truth.

Those words came back to haunt her in her short tenure in the top job. Around that same time ICAC would have still been briefing and providing evidence to the DPP on the Hanlon case. It was doing so right up until it was dropped in 2022.

In her valedictory interview with David Bevan on the ABC back in July, Commissioner Vanstone said this:

> When I started in my position—

in 2020—

> we could brief the Director of Public Prosecutions directly, so we would put a brief together—our legal officers, supervised by me. We would have a conference with the Director of Public Prosecutions person, the prosecutor or the director and we could talk about the matter with them, fully apprise them of the matter, talk about how we saw it going forward, what we thought its strengths and weaknesses were, what we foresaw the defence might be.

She went on to say:

> No-one knows more about the matter than the investigators who have lived and breathed it for six, nine months.

From that I can only assume that Ms Vanstone had been made aware by ICAC's legal officers—those two incompetent Hanlon investigators who lived and breathed the case, Andrew Baker and Amanda Bridge—that there were great problems about the gathering and admissibility of evidence over that bungled trip to Germany to get what were unlawful and inadmissible statements from reluctant German witnesses, in the face of warnings from one of our diplomatic offices in Europe.

After all, this was the biggest case on ICAC's books. Maybe they did not raise it with her at all. So much for fully appraising the matter. We are yet to learn the full story because nobody, not ICAC and not the courts, has even seen Mr Hanlon's defence. We have not seen Mr Hanlon's seven submissions to the inspector. I have asked for them but only Commissioner Vanstone can authorise their release. I ask again here: let's have a look.

We have not seen documents I requested from the Attorney-General from footnotes in Mr Strickland's reports. Commissioner Vanstone will not release the contents of her own inquiry for scrutiny. Why not, if she is not afraid of scrutiny? Whatever was the case, it was inexcusable how the Hanlon matter turned out.

Strickland found impropriety, incompetence and negligence. The ICAC had been mismanaged under Mr Lander in his puzzling and disturbing findings, that no one individual was responsible for appalling, inexplicable and inexcusable conduct and maladministration which put at risk the reputation of the Australian and South Australian governments, that the maladministration was institutionalised.

Strickland found excuses for Lander where he proffered, at another committee meeting, someone else may have found differently. There was no reason under the existing Ombudsman's Act to find an individual culpable. I wonder if Mr Strickland saw a statement on ICAC's website, authored by none other than Mr Lander, titled 'Integrity in Public Administration', in which he excoriates maladministration in public administration. ICAC is part, not an exception, to public administration. Let me quote a few choice words from that article authored by Mr Lander:

> Regrettably, there are public officers who misuse their positions and abuse their powers, and it is important that their conduct is detected and they are prosecuted or disciplined. I have said publicly before that the biggest risk to integrity in South Australian public administration is maladministration. I remain of that view. Maladministration is a scourge, and the harm it causes to the South Australian public administration and, consequently, the South Australian public, should not be underestimated. It is incumbent upon every public authority to work diligently to minimise waste, combat mismanagement, and reduce opportunities for more serious conduct, such as corruption, to go undetected.

Here is the kicker:

> I think the office, ICAC, has made a positive contribution to assisting public authorities to improve integrity in their institutions, and I hope the office continues to do so in the future, but while the office has an important role to play, in the end, the leaders within public administration bear the greatest responsibility. Good leadership is critical to good public administration, and good decision making is critical to good leadership.

So the buck stops at the top with the leader, according to Mr Lander, yet somehow Mr Strickland could not find himself to apply those principles espoused by Mr Lander to Mr Lander himself. This matter alone is extremely egregious, and there are others that I will go into in response to Mr Strickland's superficial reports.

The South Australian ICAC is the only integrity agency in Australia to have such an adverse finding made against it. If it were another government department, heads would have rolled and it would have been restructured. But to some in this place, it does not seem to matter, nor was it the parliament's right to intervene when ICAC was bungling its way through case after case at great cost to taxpayers and destroying the lives and careers of innocent people.

They are still scarred today, even though they were not guilty of any wrongdoing. One is still waiting for his property and documents to be returned years after the matter was thrown out. Even though this person was cleared, they now have problems getting a visa to travel to the United States on business because they must declare if they were ever charged with a criminal offence. Even when you are innocent, the stain of an ICAC investigation is never removed.

Who gives a toss that this integrity agency lacked integrity, failing dismally of ICAC's own key core issues, like conduct and decisions made according to law, and be evidence based, and being responsible for their conduct and decisions. But responsible to whom? As I have said

previously, who guards the guards? Parliament sets the rules and boundaries, not any unelected statutory officer.

None of this was put to Ms Vanstone in that farewell swipe at the parliament and her boss, the Attorney-General, and the Premier. It was not even mentioned that there is a legislated review of the act coming up at the end of this year by the joint party Crime and Public Integrity Policy Committee, where there will be an opportunity to make amendments if they are needed.

In my 53 years in the media covering politics, including my six years as an elected member, I have never seen a statutory officer behave in such a disrespectful manner to the parliament, and to members, bringing all in this place into disrepute and scorn with consistent attacks using her friends in the media or in forums. Can you imagine if other statutory officers behaved in a similar fashion towards parliament about legislation covering their departments that they did not like?

I agree with Commissioner Vanstone when she says ICAC is an important cog in the fight against corruption. I am not opposed to this agency—let's get that clear—and I will commend the agency on several reports they have compiled to better educate and inform public officers about types of corruption. But it needs to be beyond reproach itself, and I chose to be the whistleblower to call it out, for them to clean up their own act, knowing full well that it was not going to win me friends or political points. When there are principles of justice at stake, I will not be silenced because it might get noses out of joint, or politicians too afraid to rock a sensitive boat, and right some wrongs. No fear or favour is how I prefer to work.

I will now move on to address each review in some detail, to put them into some context for the benefit of members who are unfamiliar or have not made themselves familiar with, and to hear their response, which would not otherwise get any traction or consideration. I will start with review of PIR18/E17253 and complaint of Michael Fuller.

There is one important omission from this title: Mr Ian Lawton, who was an integral part of the referral and terms of reference which I had drafted and which the Attorney-General gave to the inspector in March 2023. Why? Because Mr Lawton refused to participate after coming to the realisation that it was looking to become more of a hatchet job predominantly on his associate, Mr Fuller, and his daughter, District Court Judge Joana Fuller, than the merits of their complaint.

Mr Strickland barred me from being a support person for Mr Lawton, as was Mr Fuller, who was not only familiar with the matter and was a complainant but also had extensive legal experience from years of practice as a barrister. Mr Strickland refused to meet with Mr Fuller or to take a sworn statement from him. The kangaroos were being herded into court. Judge Fuller had given compelling evidence to the harms committee that she believed lies had been told to her by police investigating Mr Lawton's claim of fraud when, as a barrister, she had provided them with an opinion that there was a prima facie case for fraud involving the sale of a cattle station, Mount Lyndhurst.

A former DPP investigator also gave evidence to support this. After a police incident report had been raised, the criminal matter was inexplicably dropped. Mr Lawton, with the assistance of Mr Fuller, then filed complaints about how the matter had been managed. These complaints to the Commissioner of Police and the OPI and ICAC were dismissed, much to the dissatisfaction of the complainants.

The alleged swindle of Mr Lawton in that property transaction runs into the millions of dollars. Mr Lawton is today an ailing, penniless pensioner spending his final days in a nursing home with the forlorn hope that one day police will reopen his case. Well, fat chance of that now. Mr Strickland had no authority to examine Mr Lawton's original complaint to SAPOL, the handling of police complaints generally or compliance to the PCD Act. He only had jurisdiction over OPI and the ICAC's review of SAPOL's decision to cease the investigation into the complaint. He did so anyway with amended terms of reference he supplied to the Attorney-General. He also decided to look at the initial police investigation, which was not his task, and he did so sketchily.

In her own report into Mr Strickland's reviews, Commissioner Vanstone says they are fairly described as exhaustive. From my reading and understanding of all those matters, I would describe them as much ado about nothing because many interested parties were not interviewed or had sworn

statements taken from them. I have concluded that what has operated here is the preferment of comity of former judicial office over the execution of statutory office without fear or favour.

However, to the chagrin of the departing Commissioner Vanstone, who told me four years ago that she was not interested in looking at this matter that had already been investigated, I will waste a final few drops of ink on the Lawton saga and I will remind them that it could have been resolved simply and quickly by interrogating SAPOL's complaints management system entries, but nobody did or ever wanted to.

I want to take members through the considered reply response addressed to the President of the Legislative Council and members by Mr Fuller. It reads:

Mr President and honourable members,

The Report was tabled in this House on about 30 April 2024 and contains adverse comment about me and rewording in the Report of material that is responsive to critique by me and which I assert in the result has denied to me proper opportunity to contest.

Through the good offices of the Honourable Frank Pangallo, I make this submission as an appeal to the conscience of each of you to consider what is required in the public interest to remediate the scandalous conduct in law enforcement in this State which I believe will be exposed to the public gaze upon the tabling of this my submission.

It is the case that Review by Strickland has taken since March 2023 to complete and present to me by email dated 10 April 2024 a draft Report comprising (disregarding Appendices) 162 pages and 405 individual paragraphs, and I was only allowed until 22 April 2022 to serve a responsive submission.

To assist me to make a submission informed by documents referred to and relied upon, (but not exhibited to the Draft Report) for the conclusions reached in the Draft Report I requested that I be provided with copies of a number of these documents. Each request was refused—see paragraph 7 of my submission, attached as appendix A.

Hampered by these extremely difficult circumstances imposed upon me by Strickland I nevertheless managed to compile and serve the submission Appendix A.

For the reasons particularised below, I appeal to the conscience of all members, whatever your political persuasion, to give your earnest consideration to the particulars presented in the text below and the accompanying documents Appendices A to F.

I am entirely comfortable in the knowledge that my reasoning will stand critical examination by any competent lawyer and is more than sufficient basis for inquiry by an appropriately constituted Royal Commission.

Particulars:

Background:

1. I was provided with a draft of The Report on 10 April 2024 as it was then proposed and invited to make a submission, which I managed to do under the very tight timelines allowed to me.

2. That submission is attached to this request as Appendix A. It is one and the same submission as appears as appendix F to the report ('My submission').

3. My submission is attached in full for context as I quote passages from it and the paragraphs of the then draft of The Report which I was addressing.

4. My submission was critical of a number of aspects of the Report then in the draft.

5. My justification for the occasional trenchant language and acerbic tone of my submission is the same as for my various complaints over time, to Fraser W. Stroud, then director of OPI, Michael Riches, then deputy IC, Bruce Lander, then IC, Kevin Duggan, then ICAC reviewer, Ann Vanstone, present ICAC, John Sulan, then ICAC reviewer, and now Phillip Strickland, recently resigned ICAC Inspector; and Stephen Plummer, deputy ICAC Inspector.

6. At every turn my complaints have been frustrated by the power of Statutory Officers to ignore my reasoned and detailed submissions to each of them in turn (supported by attached anecdotal communications and references), and their respective individual refusals to engage openly and honestly with me.

7. I prefer to describe my language as the expression of 'righteous anger'.

8. I was and am but one individual with a right of things contesting the might of statutory office to ignore and deride, my only weapon the pen and the wit to use it to effect…

9. But for the support and encouragement of the Hon. Frank Pangallo my contest would not have entered the public arena at all.

10. As I demonstrate hereafter my language was not only appropriate to the circumstances at the time, but appropriate in the result as the material not available to me at the time is now enshrined in The Report, (albeit only by reference and/or extract) and is eminent justification.

11. This material is now part and parcel of The Report and a matter of public record in *Hansard* for all to see.

12. Strickland responded to my critique by material alteration to passages in the Draft Report which are now enshrined in the report.

13. The result is that the door was closed to me for any reply.

14. The processes of dealing with Lawton's complaint on 3 December 2018 to Commissioner Grant Stevens as disclosed in The Report can now be seen to have been employed under the [Commissioner of Police's] direct supervision and was not only a covert management resolution of that complaint, but implemented knowingly in breach of the Section 16 determination, the statutory prescription of the criteria which are only satisfied if the complaint according to its terminology alleges conduct which if proven would not result at its very minimum in disciplinary process.

I want to refer to appendix E and read it into the transcript. The heading is 'Determination pursuant to section 16 of the Police Complaints and Discipline Act 2016'. It reads:

Pursuant to section 16 of the Police Complaints and Discipline Act 2016 I, GRANT STEVENS, Commissioner of Police determine that a complaint, report or allegation relating to the conduct of a designated officer may be dealt with by management resolution in accordance with Part 3 of the Police Complaints and Discipline Act 2016 unless the conduct alleged, if proven, would result in—

(i) termination of the officer's appointment; or

(ii) suspension of the officer's appointment for any period; or

(iii) reduction of the officer's rank, seniority or remuneration; or

(iv) the imposition of a fine.

If a complaint or report consists of more than one allegation that complaint or report may be dealt with by management resolution unless one or more of the allegations would, if proven, result in:

(i) termination of the officer's appointment; or

(ii) suspension of the officer's appointment for any period; or

(iii) reduction of the officer's rank, seniority or remuneration; or

(iv) the imposition of a fine.

This determination is made on the 14th day of August 2017 at Adelaide.

[Signed the] Commissioner of Police.

On the 1st day of September 2017 at Adelaide this determination is approved by the Office for Public Integrity.

It is signed by a CEO of the Office for Public Integrity. I continue:

15. Strickland recites at paras 69, 70, 262, 303, 305, 330 and 333 (amongst others) criticisms of my manner and tone when addressing statutory officers including himself and Plummer.

16. Strickland says variously that my conduct is 'unacceptable', 'threatening in tone and content', 'In some circumstances such conduct could amount to the offence of threatening to cause harm within section 19(2) CLCA (noting harm includes mental harm)…'

17. Strickland recites multiple times extracts of my various exchanges with the ICAC/OPI personae referred to in paragraph 5 above to make his point.

18. Serendipitously I can now call in aid of all these extracts in support of my allegations over time without having to repeat them here in this request to be heard in reply in the same forum in which The Report has been tabled and published.

Under the heading, 'Abuse of Power':

19. Mentioned in The Report at paragraphs 71 to 75 is the initiation of contact by Lawton with Plummer on 15 November 2023 and subsequent vacillation of Lawton on 20 November 2023.

20. Of note and significance to this my submission is an invitation by email dated 24 November 2023 issued by Strickland to Lawton to provide a voluntary statement to Plummer.

21. At this date I remained a director of Lawton's company Gills Bluff Pty Ltd (an acknowledged co-complainant to OPI) and I was his main support person.

22. What I find is disturbing in this invitation. and which should be disturbing to members of this Council also is the rider that, if he brings a support person (his absolute right) he is not permitted to bring either the Hon. Frank Pangallo, a member of this Council, and his Parliamentary supporter or me.

Which is Mr Fuller. Just to repeat that again to make it quite clear: Mr Strickland invited Mr Lawton to bring with him a support person who could either have been somebody of his choice who he trusted or somebody with legal experience, a lawyer. However, he told him that he was not permitted to bring either myself, a member of this council, or Mr Fuller. I still cannot understand why. Mr Fuller goes on:

23. I attach as Appendix B this invitation for all its content.

Let me read appendix B. This is a letter from the Office of the Inspector dated 24 November 2023. It is marked 'strictly confidential', addressed to Mr Ian Lawton, to his email. It says:

Dear Mr Lawton,

RE: Invitation to meet with Deputy Inspector to provide a witness statement

I refer to previous communications in relation to the review I am conducting as a result of the Attorney-General's request and a separate complaint made by Mr Michael Fuller. Both matters relate to a complaint of criminal conduct made to SA Police in May 2018 relating to your purchase of an interest in the Mt Lyndhurst Station in 2013 and subsequent complaints made to the Office for Public Integrity (OPI) and the Independent Commissioner Against Corruption (ICAC) about the termination of the investigation into your complaint.

I would like to invite you to an interview with the Deputy Inspector Stephen Plummer on Wednesday 29 November 2023 at 11am for the purpose of obtaining a voluntary witness statement from you about the following topics:

1. The circumstances in which your complaint was brought to the attention of SA Police, and the OPI.

2. The circumstances in which your complaint has progressed since your complaint to the OPI and how you wish for this office to communicate with you.

Should you wish to accept this invitation please respond to this letter as soon as possible so that appropriate arrangements can be made.

You may bring a legal practitioner who holds a current practising certificate with you to the meeting should you wish to do so. In that event, please advise of the name and contact details of the legal practitioner you have engaged.

If you would like to bring a support person with you to the meeting (whether in addition to, or instead of, a legal practitioner), please advise of the name, contact details and relationship you have with this person to enable this request to be considered.

Neither Mr Michael Fuller nor Mr Frank Pangallo will be permitted to attend the meeting with you.

The information contained within this letter is strictly confidential, pursuant to section 54(3) of the Independent Commission Against Corruption Act 2012 (SA) (the ICAC Act) as is connected to the subject of a review I am currently conducting pursuant to Schedule 4 of the ICAC Act.

Accordingly, it is a criminal offence for you to disclose the information contained in this letter to any person pursuant to section 54(3) of the ICAC Act unless one or more of the following exceptions apply:

(a) the person is authorised in writing by the Commissioner or the Director of OPI, or by a person approved by the Commissioner or the Director of OPI under this section to give an authorisation; or

(b) the disclosure of that information is for the purpose of—

(i) dealing with a matter referred under this Act by the Commission or the Office; or

(ii) a criminal proceeding, a proceeding for the imposition of a penalty or disciplinary action; or

(iii) a person obtaining legal advice or legal representation or for the purposes of determining whether a person is entitled to an indemnity for legal costs; or

(iv) a person obtaining medical or psychological assistance from a medical practitioner or psychologist; or

(v) a person advising their employer; or

(vi) a person advising their business partners or others for whom a relevant fiduciary relationship exists; or

(vii) the management of a workers compensation claim; or

(c) the information relates to the person and is disclosed by the person to a close family member of the person.

I note that for the purposes of subsection (c), a person is a 'close family member or another person' if: one is a spouse of the other or is in a close personal relationship with the other; or one is a parent or grandparent of the other (whether by blood or marriage); or one is a brother or a sister or other (whether by blood or by marriage); or one is a guardian or carer of the other.

I look forward to receiving your response.

Yours faithfully

Philip Strickland SELECT COMMITTEE

Inspector.

24. I can't leave this invitation without noting the threat to Lawton of possible breach of confidentiality provision of the ICAC Act, section 54(3) if he divulges the contents to anyone.

Anyone. This undermines the democratic, fundamental right of even members in this place to engage with constituents. It continues:

25. This threat I say is clearly directed to preventing disclosure to me—

Mr Fuller—

or to Pangallo of the rider to the invitation.

26. Lawton fortunately consulted Karen Stanley solicitor who sought on his behalf a list of topics which might be canvassed in the proposed voluntary statement.

27. By email of 11 December 2023 Strickland provided that list.

28. I attach as Appendix C the email to Stanley dated 11 December 2023.

Allow me to read appendix C. It is dated 11 December 2023, is addressed to Ms Karen Stanley of Stanley Law and was sent by email:

Dear Ms Stanley,

RE: Your client: Ian Lawton

I refer to previous communications.

You have requested that I provide you with a scope of questions and information to be sought from your client when he attends to meet with Deputy Inspector Stephen Plummer on Wednesday 13 December 2023 at 11am. The topics that will be addressed in this statement are:

1. The circumstances in which your client sought assistance from Mr Michael Fuller prior to making his complaint to SA Police in May 2018 alleging criminal conduct;

2. The circumstances in which (then barrister) Ms Joana Fuller was briefed to provide legal advice to your client prior to making his complaint to SA Police in May 2018, alleging criminal conduct;

3. The circumstances in which your client made his complaint to the Commissioner of Police and the Director of Public Prosecutions (DPP) on 3 December 2018 and the role played by Mr Michael Fuller in relation to that complaint;

4. The circumstances in which Mr Michael Fuller was appointed a co-director of your client's company, Gills Bluff Pty Ltd on 9 January 2019, whether he remains a co-director; and what business activities this company carries on;

5. The circumstances in which your client and Mr Michael Fuller made their joint complaint to the OPI in January 2019 and in particular what occurred at the in person meeting with OPI staff members on 29 January 2019;

6. The communications your client had with Detective Chief Superintendent Tom Osborn of SAPOL prior to receiving this letter dated 29 January 2019;

7. Your client's understanding of the content of Detective Chief Superintendent Tom Osborn's letter dated 29 January 2019 and, in particular, his statement that there had been an informal discussion between Detective Della Sala and DPP in the context of the decision to terminate the investigation of his complaint;

8. Your client's understanding of the contents of Chief Inspector Tim Curtis' letter dated 19 February 2019;

9. Your client's understanding of the content of Deputy Commissioner Riches letter dated 3 July 2019 and, in particular, his statement that he was satisfied that SAPOL met with the DPP on three separate occasions and discussed this matter, that the view of two different DPP solicitors was sought and that the views of the DPP form part of the decision to discontinue the investigation into your client's criminal complaint; and

10. Your client's relationship with Mr Michael Fuller subsequent to their joint complaint to the OPI in January 2019 including up until the present date.

Yours faithfully

Philip Strickland SC

Inspector

I go back to Mr Fuller's statement:

29. Mr President and members of the Council you will see from the content of this list how insidious the purpose of this invitation to provide a voluntary statement in reality was.

30. It was directed at obtaining from Lawton any information which might be used in the report by Strickland predominantly to undermine my credibility (but also that of Judge Fuller).

31. The insidious nature of this invitation is incontestable.

32. All this while I am requesting the opportunity to give sworn evidence in support of my complaint.

33. Any questions Strickland might have had concerning my role vis a vis Lawton should have been put to me and my answers given on oath.

34. The reason for this invitation was clearly not to obtain credible evidence from Lawton concerning his complaint but predominantly to obtain evidence, if any was available, tending to show that Lawton had not in relation to any material event or communication exercised any independent judgement.

35. This invitation and its insidious purpose was, and is, an abuse of power and for an improper purpose, as I next in paragraph 36 demonstrate.

Mistake of fact undermining probity of report

36. I was as of 24 November 2023:

(a) a codirector with Lawton of Gills Bluff Pty Ltd (Gills Bluff), the trustee of the Lawton family trust,

(b) both Lawton and I had fiduciary obligations to Gills Bluff and to each other both at common law and under the Corporations Act thereby falling within the exceptions under ICAC Act section 54(3)(b)(vi),

(c) I was an acknowledged complainant to OPI, as was Gills Bluff and Lawton,

(d) I was recognised by Strickland as a person having lodged a relevant complaint in respect of the same subject matter as the referral by the Attorney-General,

(e) I was not a person whose conduct was the subject of inquiry under the referral.

37. I now return to my complaint of denial of opportunity to reply to alterations to the draft report now comprised in The Report and in doing so quote from a particular paragraph 224 as it appeared in the draft report, my critique of that paragraph appears in paragraphs 74, 75 and 76 of Appendix F to The Report (and now Appendix A to this request).

38. I do so for the revelation of a, but not the only, major and inexcusable mistake of fact undermining (I say fatally even considered alone) the probity of all the conclusions in the Report.

39. Draft report paragraph 224 [says, and I quote]: 'There is also no evidence to indicate that the [Commissioner of Police] was personally aware of Mr Lawton's complaint or Mr Osborn's MRP [management resolution].

I will just repeat that again, in the draft report at paragraph 224, Mr Strickland says:

There is no evidence to indicate that the [Commissioner of Police] was personally aware of Mr Lawton's complaint or of Mr Osborn's MRP.

40. My response (paragraphs 75 to 79 inclusive, in Appendix A hereto/Appendix F to The Report) the underlining hereafter is mine for emphasis in this request.'

41. '[Paragraph] 75. It is a conclusion so demonstrably wrong to the point of absurdity in the context of PCDA requirements and the obvious incontrovertible fact known to you that Lawton's complaint was made to the [Commissioner of Police] personally, that he was thereby constituted the 'designated officer'. But there is more that I can and below bring to bear.

42. [Paragraph] 76. This absurd statement cannot be withdrawn. It renders this review a farcical, incompetent exercise proof positive of my allegation that you and Plummer have been since your respective commencement of function by your writings and now by this draft report unfit for office.

43. [Paragraph] 77. After receipt of Lawton's complaint and its acknowledgement of receipt the [Commissioner of Police] then knew everything there was to know about the circumstances of the termination of PIR 18/E 1725 and the gravamen of Lawton's complaint to him.

44. [Paragraph] 78. [The Commissioner of Police] was then required to keep the complainant informed—see section 9 of the PCDA but did not so. [The Commissioner of Police] did not inform Lawton that IIS had recommended that his complaint be dealt with by [management resolution], that OPI had approved that recommendation and that he,[the Commissioner of Police], had implemented that recommendation by the appointment of Osborn.

45. [Paragraph]79. The Commissioner of Police was the person to appoint the 'resolution officer' and must have done so. See section 18(1). He appointed Osborn.

46. I attach as Appendix D the email dated 6 December 2023 from[the Commissioner of Police] to Lawton, personally acknowledging receipt of Lawton's complaint to him.

I will read appendix D. This is an email from Mr Lawton, and it is in relation to correspondence for the commissioner. It is from Ian Lawton, his email address, sent Thursday 6 December 2018 at 9.57pm. It has the subject: 'Correspondence for the commissioner'. Underneath this is the email from the Commissioner of Police himself, from the Office of the Police Commissioner, which, as Mr Fuller has pointed out, Mr Strickland did not believe there was any evidence that the Commissioner of Police had known about this complaint. But here is the evidence; it is this email. It is dated 6 December 2018. It was sent at 4.47pm to Ian Lawton, and the subject: 'Correspondence for the commissioner'.

Dear Mr Lawton,

Following your phone call today, I can confirm your correspondence has been received, and a response will be provided at the earliest opportunity.

Regards,

Commissioner of Police

South Australia Police

Mr Lawton had no other reason but to believe that his complaint had reached the highest level, the Commissioner of Police. It continues:

47. This email was included in the brief of documents accompanying my Complaint to Strickland.

As Mr Fuller points out, it is something that underlines the incompetence in attending the compilation of the report. Continuing:

48. The response, as it appears in The Report to my critique above is contained at paragraph 227 of the report.

I will read from paragraph 227 of that report:

49. There is also no evidence to indicate that the Commissioner of Police was personally aware of Mr Lawton's complaint or of Osborn's MRP.

At paragraph 329 Mr Strickland says:

Mr Fuller's submission to me, containing numerous assertions against the Commissioner of Police personally—

at paragraph 330—

fails to recognise that SAPOL is a very large organisation, and that whilst the Commissioner of Police has ultimate responsibility for many matters under various pieces of legislation, he has the ability to delegate to others…

Then at paragraph 331 Strickland says:

…and cannot be expected to be aware of all correspondence addressed to him, which is received by SAPOL, nor of all complaints being handled by the IIS under the PCD Act.

And then there is a footnote to that paragraph:

50. The added text is highlighted by me in red, firstly for identification as new and, secondly, that the original text of the paragraph is retained as part of a now expanded paragraph. The numbers 329, 330 and 331 are footnote numbers.

51. What competent lawyer, I ask rhetorically, would maintain the demonstrably absurd and then add to the absurd by postulating a possibility for which no evidence exists, and which is excluded in any event by the anecdotal record of the Commissioner of Police's personal response.

52. No competent lawyer of course, I answer.

53. Strickland is exposed as a personality unwilling to admit error and in extremis prepared to postulate the impossible in defence of the indefensible.

54. This is but one example of what can be described at its lowest as incompetence but arguably intellectual dishonesty about which I have more to say.

55. What Strickland does next is not excusable as incompetence but is sophistry writ large. 'Sophistry'—the use of clever but false arguments, especially with the intention of deceiving.

56. The deception practised by Strickland is upon members of this Council, members in 'the other place', and ultimately the public of South Australia…

Under the heading of 'Failure to Make Finding of Misconduct of Clear Evidence':

57. The noting by Strickland at paragraph 154 of The Report of the uploading on 5 February 2019 of the PCDA complaints management system to the OPI case management system of entries relating to a clandestine management resolution process, including a resolution report by Osborn, which in turn included a note of a conciliation meeting which had failed to resolve the complaint. This is highlighted in paragraph 154 of Mr Strickland's report.

58. For confirmation that the resolution report included a note to this effect, see paragraph 159(b) of The Report quoting an extract from email dated 14 February 2019 by an OPI assessor to Curtis of IIS, which includes the following:

'While the OPI considers the complainant's second complaint requires no further action (noting that it concerns the same conduct as that complaint made directly to IIS; and that steps were already taken previously to conciliate the matter), we anticipate the complainant will be awaiting a decision/correspondence in relation to the complaint he made directly to the OPI. Can you advise whether you intend to write to the complainant to inform him that no further action will be taken in relation to his complaint made to OPI?'

59. In the preceding paragraphs 157 and 158 of the Report Strickland notes variously that paragraph 157 available to an OPI assessor conducting a review on 6 February 2019 ([sic of Lawton and my complaint to OPI 29 January) was the IIS assessment (sic of the complaint to the Commissioner of Police 3 December 2018) and an email by Osborn on 5 February 2019 remitting his resolution report to Chief Inspector Curtis.

60. This fixes in place knowledge in OPI of the treatment of Lawton's complaint to the Commissioner of Police dated 3 December 2018 by way of management resolution, including the referral by Osborn to Curtis of a resolution report for recording in the SAPOL complaints management system. This resolution report contains reference to a failed 'conciliation'.

61. A 'conciliation' to which Lawton was not only a party, but completely unaware of the process itself, all the while known by the Commissioner of Police, Curtis of the IIS, the senior assessors at OPI as is exposed in the email to Curtis of 6 February 2019, to be a false entry in the SAPOL complaints management system, uplifted to the OPI case management on 5 February 2019.

62. On 6 February 2019 the OPI senior assessor had before him in the OPI Case Management System all of the details recorded in the SAPOL Complaints Management System, including Osborn's Resolution Report. The OPI's senior assessor is literally telling Curtis 'to bin' the complaint to OPI and explain it to Lawton.

63. At this moment in time all at ICAC and OPI are fixed with the knowledge of a covert and improper response to Lawton's complaint to the Commissioner of Police of 3 December 2018, and, importantly an OPI assessor's facilitation of it.

64. Improper because it is contrary to the mandate in the Section 16 determination.

65. I attach as Appendix E the Section 16 Determination, the text of Lawton's complaint to the Commissioner of Police of 3 December 2018 and my 'heads up to OPI' 25 January 2019.

66. I ask members of the Council to note the allegation by Lawton in his complaint to the Commissioner of Police that, 'I now formally complain (my 2nd complaint) that there is on the facts as presently ascertained a reasonable suspicion that Yeomans, Bolingbroke and (potentially) Della Sala have engaged in corrupt conduct in terminating the investigation of my complaint.

67. I ask members to note the allegation by me in my 'heads up' to OPI on 25 January 2019 '9…upon which the allegations against Superintendent Yeomans and Detective Sergeant Bolingbroke and the Commissioner, Grant Stevens of improper conduct are principally based.

68. There is no room for mistake or misunderstanding by the principals involved in the covert faux management resolution of Lawton's complaint to the Commissioner of Police on 3 December 2018 and my and Lawton's complaint to the OPI of 29 January 2019 and the subsequent cover up of wrongdoing by all at OPI and ICAC.

69. The Section 16 Determination was executed by the Commissioner of Police for SAPOL and Riches for OPI in August/September 2017 pursuant to section 16(1) and (3) PCDA, but was withheld from public knowledge until July 2019 when it was belatedly tabled as required by section 16 (5) PCDA in the House of Assembly by the then Attorney-General.

70. For the benefit of members of council, I attach as Appendix F a copy of section 16 of the PCDA.

I will read appendix F, and this is from the Police Complaints and Discipline Act 2016, 'Making complaints and reports', part 2, 'Assessment of complaints and reports', division 2, under 'Part 3–Certain matters to be resolved by management resolution':

16—Application of Part

(1) This Part applies to matters of the following kinds:

(a) a complaint or report determined by the Commissioner to be a complaint or report that may be dealt with under this Part;

(b) an allegation relating to conduct of a designated officer of a kind determined by the Commissioner to be conduct that may be dealt with under this Part.

(2) The Commissioner may vary or revoke a determination under this section.

(3) On making or varying a determination under this section, the Commissioner must submit the determination or variation (as the case requires) to the OPI for approval.

(4) A determination, or variation of a determination, has effect from the day on which it is approved by the OPI.

(5) The Minister must cause notice of each determination, and each variation of a determination, to be tabled before both Houses of Parliament within 15 sitting days after the day on which it is approved.

So that determination had to be tabled in both houses of parliament within 15 sitting days after the day it was approved, but now we know it was tabled two years later. I will continue:

17—Further matters relating to operation of Part

(1) The Governor may, by regulation—

(a) specify the kinds of complaints, reports and conduct that should, or should not, be the subject of a determination under section 16; and

(b) set out procedures for dealing with matters under this Part (including, to avoid doubt, making provision for the conciliation of complaints); and

(c) make further provisions relating to the operation of this Part.

(2) The Commissioner must, in respect of the operation of this Part, have regard to, and seek to give effect to, the following principles:

(a) the purpose of a management resolution under this Part is to avoid formal disciplinary proceedings by dealing with the matter as a question of educating, and improving the future conduct of, the designated officer concerned;

(b) management resolution of matters under this Part is to be conducted as expeditiously as possible and without undue formality.

18—Dealing with matters by way of management resolution

(1) A matter to which this Part applies is to be dealt with by the Commissioner causing the matter to be referred to…a suitable member of SA Police…(the resolution officer) for resolution in accordance with this Part.

Mr Fuller goes on to say:

71. The conduct by all involved is beyond improper because it is subsequently attended by deceit of Lawton and of me on and after 29 January 2019 by all at OPI and ICAC.

72. In paragraph 158 Strickland quotes from an OPI record by a member of OPI of 22 February 2019, pages 11 to 12, which I now repeat in part, '…I think the course of sending the entire matter for management resolution to review was reasonable.'

73. That this view could be held at OPI from 6 February 2019 and moreover confirmed on 22 February 2019 is beyond belief!

74. We now have an assessor at OPI having on 11 December 2018 approved a recommendation by IIS to refer Lawton's complaint of 3 December 2018 to management resolution, which was knowingly in breach of the statutory instrument Section 16 Determination, an OPI senior assessor on 6 February 2019 directing IIS not to investigate Lawton and my complaint to OPI on 29 January 2019 (alleging improper conduct by the Commissioner of Police—a CLCA offence), and on 22 February 2019 another OPI employee recording in the OPI Case Management System that the resolution by MR of Lawton's original complaint to the Commissioner of Police of 3 December 2018 'was reasonable'.

75. OPI has once again dealt with a complaint (this time to it) not according to its terms, firstly as a new complaint this time against the Commissioner of Police, and secondly alleging the Commissioner of Police is complicit in improper conduct for not having dealt with Lawton's complaint to him at all.

76. Moreover, the OPI assessor implicitly directs Curtis to inform (not OPI to inform) Lawton that 'no further action will be taken in relation to his complaint made directly to the OPI.'

77. I now refer to paragraph 159 of The Report for Strickland's recitation of my contemporaneous response to what I could observe was happening on the surface and my extreme disquiet.

78. I was right to be concerned, as is now revealed in paragraphs 158, 159 of The Report.

79. Strickland quotes my reference to 'Pandora's Box'. The reference was apt then and is now.

80. Strickland in his myopic focus on recharacterizing Osborn's faux management resolution as an 'investigation' has lifted the lid on Pandora's Box and let into the open the miasma of the covert, fraudulent faux management resolution entered into the PCDA Complaints Management System and uplifted to the OPI Case Management System on 5 February 2019.

81. And yet Strickland sees no misconduct in this?

82. I say to members of this Council, beyond comprehension for a senior counsel not to see, properly motivated by, and acting conscientiously in accordance with his ICAC Act Schedule 4.

Under the heading 'Exceeding jurisdiction':

83. Sophistry as defined is writ large. Not incompetence, but intellectual dishonesty intended to deceive members of this Council, members in 'the other place' and, ultimately members of the public of South Australia.

84. There are now 'two strike's against Strickland, independently and in combination, rendering the Report utterly lacking in probity.

85. I next illuminate a 'third strike'.

86. At paragraph 41', Strickland says '41 I have no jurisdiction to examine either Mr Lawton's original complaint to SAPOL or the handling of police complaints generally, or SAPOL's compliance with the PCD Act. I have no jurisdiction to examine the operations of the Reviewer…'

87. Now compare this statement with paragraphs 396 and 397 under the heading 'Conclusion':

88. Paragraph 396. I have found no evidence of dishonesty on the part of SAPOL officers in relation to the termination of Mr Lawton's complaint of criminal conduct.

89. Paragraph 397. I find there was no dishonesty or improper conduct by any relevant SAPOL officer in the decision to terminate the criminal investigation. I, therefore, find that there was no cover up of the conduct of the relevant SAPOL officers by more senior SAPOL officers, the IIS, the OPI or the ICAC.'

90. Absurdity upon absurdity. Within the Report inherently contradictory statements. Firstly the statement (correct) that the Inspector's jurisdiction did not extend to making findings with respect to conduct of SAPOL officers, and then secondly to make the finding quoted in paragraphs 396 and 397.

That is where he said he found no evidence of dishonesty, and there was no dishonesty or improper conduct by relevant officers. It continues:

91. The 'third strike' is now demonstrated. A 'third strike' and you are usually 'out'. He and Plummer are yet to be declared 'out'.

92. Mr President I consider that with the lifting of the lid by Strickland of Pandora's Box there is now exposed a legal conundrum, which I first identified in my complaint to Strickland.

93. There is no investigative body in South Australia that is competent to declare Strickland and Plummer 'out' or to investigate the conduct of all the dramatis personae identified by me herein and in my complaint to Strickland.

94. I will now quote a paragraph from my complaint to Strickland—'63 In respect of the exercise of your compulsory powers I request/require access to the documents produced and to make further submission to you at the end of that point of the process of your enquiry as to your then lack of remit to a body free from conflict and what then is your appropriate action.'

95. Mr President and Members this is precisely what confronts this Parliament now.

96. It cannot be erased from the public record. The miasma is there now for all to see. I have merely highlighted the telltales of the corruption which lies beneath the surface.

97. At paragraph 398 on the back of the extra jurisdictional findings recited above is the commencement of the pillory of me, continued in paragraphs 404, 407, 408 and 409., and finally in Paragraph 410 the spectre of potential prosecution of me is raised!

98. The sophistry employed by Strickland in paragraphs 396 and 397 of The Report enables Strickland to airbrush out of the total picture the knowing manipulation of Lawton's complaint to the Commissioner of Police by IIS, assisted by OPI, put in train by the Commissioner of Police, and implemented by Osborn.

99. This knowing manipulation of Lawton's complaint to the Commissioner of Police we now know was uplifted to the OPI Case Management System on 5 February 2019 and fixed everybody at OPI/ICAC with that knowledge, including[Commissioner] Vanstone on and after her appointment.

100. Vanstone cannot escape responsibility for her part in the suppression of publication to me of the entries in the SAPOL Complaints Management System uplifted to the OPI Case Management System on 5 February 2019.

101. In an appearance before the Crime and Public Integrity Policy Committee on 10 December 2020 at page 687 of the transcript Vanstone was asked by the Chair (Pangallo): 'Have you reviewed that file?' (Sic the Case Management file at OPI relating to Lawton's complaint to the Commissioner of Police and my and Lawton's complaint to OPI.) The answer 'No, and I am not going to.'

102. At this time, 10 December 2020 Vanstone knew what had been uplifted to the OPI Case Management System on 5 February 2019, she was privy to all that conduct exposed in the entries. She had by her answer become a knowing accomplice to the continuing cover up.

103. I made a submission to her on 7 October 202, soon after her appointment as ICAC 'for her eyes only' following which, in the course of a series of exchanges I said to her in an email of 3 November 2020, 'This method was chosen by me to afford you the opportunity to discreetly interrogate the 'Complaints Management System' maintained by IIS and verify for yourself 'proof beyond reasonable doubt' of improper and corrupt conduct by all of the dramatis personae named by me and attendant upon the complaint by Lawton to Stevens of 3 December 2018 and the complaint by Lawton and me', OPI reference No. 2019-002957.'

104. At this time, she knew all that had been uplifted to the OPI Case Management System on 5 February 2019! There is nowhere for her to hide. No escape from complicity in corrupt conduct.

105. From all of this Lawton's complaint to the Commissioner of Police of 3 December 2018 is now revealed as having been dealt with unlawfully under the personal supervision of the Commissioner of Police.

106. That unlawfulness is aggravated by the covert nature of its implementation by Osborn and the deceptive and misleading communications by Osborn with Lawton all with the knowledge and endorsement of the Commissioner of Police.

107. All of this unlawful and covert dealing with Lawton's complaint is known to OPI/ICAC and from the 5 February 2019.

108. None of this obvious unlawfulness has disturbed the conscience of anybody at OPI/ICAC/ICAC Reviewers ever since in response to my complaints over time to each of them.

109. This unlawfulness and the aggravating circumstances attending it is in Strickland's face, but by intellectual trickery is pasted over in his Report.

110. This sophistry, this intellectual trickery I have called out above as now 'three strikes'.

111. There are three strikes identified by me as rendering The Report lacking in probity.

Findings vitiated and unable to stand

112. Against this background is now in stark focus the finding by Strickland (would you believe?) in paragraph 8 of the Report under the heading 'Introduction.'—8. As a result of my review of this matter I found no evidence of corruption, misconduct or maladministration in public administration by ICAC, the OPI, or any employee of ICAC or the OPI.

You might say, Mr Acting President, 'Well, how on earth?' He continues:

> Implications for the Government.
>
> 113. Strickland and the whole of the Inspectorate should metaphorically be sent back to the bunker.
>
> 114. This means in practice that the Inspectorate as currently comprised by Plummer and senior solicitors should be dismantled.
>
> 115. How that might be achieved in practice is a matter for Government.
>
> 116. I rest my case that Strickland and Plummer have at all material times been unfit for the office to which each was appointed.
>
> 117. The implications for the Government to consider are the demonstrable failure of this inspectorate to conduct any competent, dispassionate Review of this referral and my complaint and the jurisdictional limitations on Strickland now exposed for there to be any legitimate finding by Strickland with respect to the conduct of SAPOL officers involved in the termination of the investigation entitled PIR 18/E 1725.
>
> 118. Only a Royal Commission can now satisfy the public interest to enquire into and make findings in the matter that was originally referred to Strickland and now his review and Report as Inspector, namely the matter of the termination of PIR 18/E 1725 recommended by the Select Committee to be the subject of a judicial inquiry.
>
> The Hanlon, Rusby and Barr reviews
>
> 119. Strickland derides me for my impertinence in critiquing his review of 'the Hanlon reference'.
>
> 120. My critique of Strickland's review of the Hanlon reference was made to him and is now incorporated in *Hansard* as part of a speech by Pangallo in the Council on the 21st of February 2024.
>
> 121. I refer to that speech in the tabling of my critique of Strickland's review of the Hanlon reference as if incorporated in the submission as an Appendix hereto.
>
> 122. In closing there are matters of sophistry by Strickland I have observed in reading the reports in the Barr matter and the Trent Rusby matter which reinforce a conclusion I have reached, namely that this Inspectorate has been an imposition upon the taxpayers of this state of several $$millions since its inception January 2023.
>
> 123. This Inspectorate under the stewardship of Strickland, aided and abetted by Plummer has been a shameful episode in the recent legal history in this state.
>
> 124. In the Barr Report Strickland by sophistry has massaged conduct by Lander demonstrably 'cruel and unusual' as that term has been used to describe the death penalty in criminal law into the excusable.
>
> 125. Lander had advised Doug Barr that he would inform Barr within 3 weeks as to an outcome to an investigation into Barr's conduct then completed.
>
> 126. This was in all of the circumstances attendant upon the investigation notification to a person, metaphorically on death row (potentially career-ending findings of, and potential prosecution for, corrupt conduct) that consideration of commutation would be provided in that time.
>
> 127. That commutation was decided (likely within the 3-week period), but advice was delayed by 3months, in which time Doug Barr took his own life.
>
> 128. The Review necessarily for Mrs Barr and family, reopened the emotional wounds barely healed, but with the expectation from the Select Committee hearings, and the fact of the reference itself, that Doug Barr's reputation would be publicly restored.
>
> 129. She reasonably expected that there would be forthcoming some expression of, and acknowledgement of, Lander's contribution to Doug Barr's death in his clearly unconscionable delay.
>
> 130. Any expectation that Mrs Barr might have had was dashed by Strickland excusing Lander's conduct which inflicted upon her then further cruel and unusual punishment.
>
> 131. Shame! Is all I can say.

May I add here, that it has been much reported in media circles and elsewhere, that the investigation into Doug Barr in the Recruit 313 report by ICAC, was justified. Nobody in this place, and nor would I, would ever question the right of ICAC to have investigated the allegations of nepotism that were investigated in the Recruit 313 report. They were quite entitled to do that. They had complaints that the commissioner had to investigate.

The crux of the point here, and the crux of the point that was made at the committee was not so much the justification for that report, it was the fact that Chief Inspector Barr had taken his life, waiting almost three months for something he had expected in three weeks. All the time, Mr Barr was

under enormous strain mentally and physically, not knowing what his future held. Was he going to be charged criminally? Was it the end of his career?

For the committee, it was the actual delay in telling Mr Barr what was going to happen that we took an interest in, not the veracity or the justification for that report; that was fine. The central point of all this was the delay that could have been avoided, and that could have saved Doug Barr's life. That was what was shocking about that, not that it was used, that the report itself being justified was a reason for the changes to the ICAC Act. No, it was not that at all.

The reason we looked into the Doug Barr matter was that inordinate delay in telling him that he was not going to be criminally charged. It may have led to some disciplinary procedures, and that may have come as a relief to him. But not knowing for three months after you have been investigated for a long period of time, not knowing what the outcome was going to be, of course is going to play on somebody's mind. Of course their mental health was going to deteriorate to the point where they start to think, 'Is life worth it? Is it worth it all?'

Tragedy struck the Barr family when Mr Barr decided to take his own life. Could parliament ignore that? Could we not question why there was that delay? We would never have known about that delay or any of the contents of report 313 had that committee not been called. I think the people, the taxpayers, had a right to know. I will continue:

132. Then there is Trent Rusby. Sophistry again.

133. Strickland finds that Lander was wrong to send a brief of evidence to the DPP which he ought to have known 'offered no reasonable prospects of conviction'.

134. By sophistry Strickland excuses that conduct by focusing on the appropriateness of the investigation as not a waste of public resources, and then deliberately ignores the personal consequence of accountability to Lander for incompetence and/or negligence.

135. The conduct by Lander in referring the brief to the DPP was then aggravated by what can only be described as a claim to victory in providing Nigel Hunt—

He was a journalist with *The Advertiser*. He is now media adviser to the Commissioner of Police—

with an exclusive report for publication.

136. Nothing to see according to Strickland. Shame again I say!

I just want to add here in relation to Mr Rusby, but I will take it up when I come to his matter, that I know that in the current debate over changes to the ICAC Act, the commissioner and other supporters of the changes keep bringing up the issue about allowing the commission to refer matters directly to the DPP, to refer their cases directly to the DPP. Well, I have just highlighted two cases where they totally bungled that: the Rusby matter, and also the Hanlon matter. Mr Rusby was totally innocent of charges. He should never have been referred, yet his reputation has been totally destroyed, although the inspector did not think that was necessarily so.

That was part of the reason that parliament decided that perhaps the briefs should first go to the police to try to ensure that all the t's were crossed and the i's were dotted, that all the possible available evidence had been gathered, that there were no anomalies, that there were no oversights before they could then lay criminal charges. That was the reason for that and I have just highlighted two cases why it was a mistake sending them to the DPP because ICAC could not get their act together and as a consequence of that caused embarrassment to the Office of the DPP when they took those matters into court. Mr Fuller continues:

137. Institutional/systemic organisational failure in private or not-for-profit sectors is universally attributed to failure of leadership and without exception results in either in forced resignation or dismissal of the leadership team.

I can say here that this place often acknowledges recognition of the ministerial responsibility for serious error in public administration portfolios regardless of actual knowledge. As I said earlier, where there is a case of wrongdoing, whether it is the minister or by a statutory officer in that minister's department, heads usually roll and that there is a restructure. There is accountability for leadership failure in the private sector as well. Mr Fuller continues:

139. But not here in the public administration sector in the form of the entity of ICAC/OPI, is there any accountability for institutional or individual failure as found by Strickland.

140. What is then accorded to ICAC and its leadership team by sophistry is special treatment in the conclusions of Strickland across four discrete reviews that nobody is accountable!

Now, who can believe that: nobody is accountable? He continues:

141. The result is when all four reports are viewed in holistic context, no single person, including, but especially, the leadership team is held individually accountable when evidence of misconduct and/or maladministration abounds.

142. When misconduct and maladministration abound in ICAC/OPI and are found to be 'institutionalised' (Hanlon Report) the leadership team must necessarily be accountable individually and collectively.

143. This is what is exposed in all four Reports despite the sophistry employed by Strickland to deny the obvious.

144. The Inspectorate was supposed to be the oiled whetstone against which any corrosion in ICAC was to be removed and ICAC rendered continuing fit for purpose. Instead, this Inspectorate has turned out to be just a wet stone.

145. If I may be so bold Mr President, the cause for the very public failures of ICAC, the resultant major change to the ICAC Act in September 2021 removing jurisdiction from ICAC over misconduct and maladministration in public administration, the institution of the Select Committee to inquire into the harm caused by these failures and its several recommendations, can be traced back to the personal requirements in the ICAC Act for eligibility for appointment to the office of ICAC.

146. I refer to section 8(3)(a) ICAC Act. The mandated eligibility requirement is that a candidate must be a legal practitioner of at least 7 years standing or a former judge of a superior court.

147. These former judges obviously have first class intellects, but just as obviously have had no experience in governance of any corporation or private sector organisation, including people management.

148. Herein lies the problem and the explanation for all of ICAC failures under the stewardship of Lander and now of Vanstone.

149. What is required is an amendment to Sect 8(3)(a) ICAC Act to mandate as a minimum requirement that to be eligible the candidate must have had experience as an officer of an investigative body at a high level of governance and that a legal qualification is an advantage.

That is signed 'Michael John Fuller' on 19.6.2024. Before I finish off, a postscript was sent to me by Mr Fuller following the resignation of the current commissioner. It is a postscript dated 19.6.2024. He says:

Mr President…

Since the date of my Submission was composed ICAC Vanstone has given notice of resignation as ICAC effective from 6/09/2024.

I have also had an opportunity to read:

(a) a report by her to this Council and the House of Assembly entitled, 'Commissioner's response to the three reports of the Inspector tabled 30 April 2024', (which for reference I attach as Appendix G, and

(b) a transcript of an interview of her by David Bevan ABC Radio Adelaide following the announcement of her resignation, which for reference I attach as Appendix H.

On page 4 of Appendix G is the comment [attributed to Commissioner Vanstone]

'The scope of the Inspector's review can be fairly described as exhaustive.'

On page 8 of Appendix G is Vanstone's summary of the history of reviews of my complaints over time and the review and report on my complaint to Strickland, in which she says, 'None has found any evidence of corruption, misconduct or maladministration. Enough time has been spent and ink spilled on this matter.'

Vanstone does not include reference to my ultimate complaint to her in October 2020 which she has ever since resolutely declined and refused to consider. Her reason, as expressed in the quotation above she has consistently maintained in various fora over time since October 2020.

She misdirects herself when she includes amongst the list of persons to whom I have complained and who have not found 'any evidence of corruption, misconduct or maladministration…a Parliamentary Committee.'

The Select Committee constituted by this Council (the 'Harms' committee) to enquire into the then recent and very public failures of ICAC Lander is testament to her error.

After lodging my complaint with her in a subsequent email to her on 3 November 2020 I labelled her refusal to act on it as 'wilful blindness' and for her reference I quoted a passage to her from the joint judgement of the High Court in R v Crabbe [1985] HCA 22.

I also said to her in that email, 'If you had the honesty to do so, I challenge you to do this, (sic interrogate the SAPOL Complaints Management System entries) and report to me the result.

You either know already or are fearful of enquiring for the knowledge you will acquire as a result.'

That wilful blindness (at least) in her, if not complicity in unlawful conduct (and before her) in former ICAC Lander, Riches and Stroud is no longer a matter of allegation by me, but now a matter of record in the extracts from the OPI Case Management System cited by Strickland in the Report.

We know now courtesy of the Report and those extracts from the OPI Case Management System that she has damned herself by her public utterances and the continuing failure to self-report in the face of my complaint to her of systemic unlawful conduct in OPI and former ICAC Lander.

The unlawful conduct in which she has been, and is now complicit, is by SAPOL (in the person of Commissioner of Police Stevens, IIS and Osborn) in a fraudulent, unlawful and clandestine Management Resolution of Lawton's complaint to the Commissioner of Police 3 December 2018.

The persons against whom I say, based upon the entries in the OPI Case Management System alone, a strong prima facie case of complicity in unlawful conduct exists are (at this time yet to be identified) senior assessors (2) and Stroud at OPI, Lander, Riches, Duggan, Sulan and now Vanstone.

Proof beyond reasonable doubt is likely to be exposed upon production of all the entries in the OPI Case Management System uplifted from the SAPOL Complaints Management System on 5 February 2019.

Importantly for the case now against Vanstone she has read Strickland's Report into my complaint and publicly commented on it. She therefore can be taken to have read the extracts quoted from the Case Management System if not the whole file OPI Ref—2019 002957.

Vanstone cannot now exculpate herself but can mitigate her own offending by belatedly performing her ethical and statutory obligation to self-report to you Mr Attorney-General and for you to now implement the recommendation of the Harms committee by the establishment of if not a Royal Commission, an Independent Judicial Enquiry.

That enquiry must now inevitably include an examination of the conduct of Strickland and his Inspectorate of the four views reported to and tabled in both houses of the SA parliament.

One example in the Report is sufficient to establish the need to examine the conduct of Strickland.

The example is the quotations from the OPI Case Management System in the Report above which inculpate (not exculpate) all at ICAC and OPI including now Vanstone.

For Strickland to author the Report and advance the quotations in it from the OPI Case Management System as exculpatory, on the strength of an opinion by the (unnamed) author of the email of 22 February 2019 is sophistry writ large.

By any criteria, for that opinion to be held, let alone expressed, as evidence exculpatory as Strickland asserts, of OPI complicity in the approbation of the fraudulent, unlawful and covert management resolution of Lawton's complaint to the Commissioner of Police, 3 December 2018, is case enough against him and the lack of probity of the Report.

You, Mr Attorney-General, allowed the review by Strickland by your reference to him of 'PIR 18/E 1725' to continue, notwithstanding advice by Strickland to you that he had no jurisdiction to enquire into and make findings in relation to the police conduct in and about the circumstances of the termination by SAPOL of 'PIR 1/8E 1725'.

In that you share responsibility for the fiasco which is the Report.

My submission and this postscript articulate a fully particularised indictment of participation in criminal conduct by all those, Commissioner of Police, ISS and Osborn at SAPOL, Stroud and assessors at OPI, ICAC Reviewers Duggan and Sulan, Lander, Riches, Vanstone at ICAC, and latterly Strickland.

Upon the tabling of my Submission and this Postscript by the Hon. Frank Pangallo they will then constitute a public record in *Hansard* to be interrogated by any person having an interest in the eradication of corruption in SAPOL and in ICAC/OPI, the latter paradoxically the very bodies constituted to combat corruption in public administration.

I am fully confident that my analyses will stand the test of interrogation by any open minded and competent lawyer.

There will also be a spotlight focused on you Mr Attorney-General and your government to do or not to do the right thing in the interest of the public of South Australia.

That is signed Michael Fuller, 20 August 2024. For the assistance of Hansard, to enable them to follow what I have read out in these statements this evening, I am asking that I table that complete report. It contains all that I have read out.

The ACTING PRESIDENT (The Hon. R.B. Martin): Mr Pangallo, I understand that you have actually already read it into *Hansard*.

The Hon. F. PANGALLO: I am just asking that for the assistance of Hansard. If the Clerk considers that it is tabled, I am happy.

The ACTING PRESIDENT (The Hon. R.B. Martin): So you will provide it to Hansard. Is that what you are suggesting?

The Hon. F. PANGALLO: I can provide it to Hansard to assist them.

The ACTING PRESIDENT (The Hon. R.B. Martin): If you are comfortable with that, I think that would assist them.

The Hon. F. PANGALLO: Okay. I am conscious of the time here tonight and that other members would like to speak on other business. I still have more to say about this motion and I seek leave to conclude my remarks until the next sitting week.

Leave granted; debate adjourned.

Parliamentary Committees

SELECT COMMITTEE ON RECYCLING OF SOFT PLASTICS AND OTHER RECYCLABLE MATERIAL

The Hon. H.M. GIROLAMO (21:57): I move:

That the report of the select committee be noted.

On 3 May 2023, I moved a motion in this place to establish a select committee to address the alarming, widespread concern at the inability to recycle soft plastics. I would like to remind the chamber of this important need for this committee, and I thank the chamber for their support. A special thankyou to the committee membership: my colleagues the Hon. Justin Hanson, the Hon. Michelle Lensink, the Hon. Tung Ngo, and the Hon. Rob Simms. I appreciate all of your genuine interest in this important issue, the time you have dedicated to understanding the problem and your willingness to collaborate.

After the collapse of REDCycle in November 2022, widespread stockpiling of soft plastics was reported across industry and communities. The situation was worsened by increased online shopping as a result of COVID-19 and the disastrous fire at a key partner. In response to the end of the only program in Australia that worked to address the issue, major supermarkets formed a task force to manage the stockpile and a plan to return to in-store collection.

A key element that we have focused on is the 2021 National Plastic Plan that reports that 70 billion pieces of soft plastic are used annually. With previous investments from state and federal governments in recycling modernisation, we knew that it was important to have a collaborative approach here in South Australia to ensure a long-term solution.

As a committee we knew that a successful recycling system required strong infrastructure for collection, sorting and processing and, most importantly, economic viability. Today, I can confidently affirm that this problem can be solved. This report can be implemented and will achieve results.

A total of 40 written submissions were received, seven hearings were held to receive oral evidence and four site visits were conducted. Thank you to all those who donated their time and expertise to the committee: your evidence was integral to the inquiry, and it is due to your efforts that I can stand here today in parliament to table this report.

Last week, on Wednesday 21 August, the committee members and secretarial staff finalised the inquiry. I thank the committee secretary, Ms Robyn Schutte, and research officer, Ms Mary Bloomfield, for their assistance. Our journey towards effective recycling began by considering the

redesign of soft plastic products. The committee has emphasised the need for a whole-of-cycle design approach. It is essential that producers and manufacturers take responsibility for soft plastics they introduce to the market. This means rethinking of design, improving traceability and implementing the significant recommendations that this committee has put forward.

We advocate for a phasing out of certain polymers, adopting a robust product stewardship scheme and promoting the commonwealth government's national framework for recycled content traceability guideline. There is broad support for a new soft plastics recycling scheme here in South Australia, and we have seen promising results from the Curby trials that have occurred across the state. However, to truly make a difference we must expand kerbside services and significantly improve our recycling infrastructure. This means investing in more mechanical and advanced recycling facilities, and ensuring that businesses have incentives to use collected soft plastics efficiently.

It is also crucial to support material recovery facilities in managing increased volumes and types of soft plastic waste. The soft plastics task force is spearheading new trails in South Australia, and the committee recommends that Green Industries SA follow-up on these initiatives and support the task force where possible.

It is vital that we reintroduce return-to-store services for soft plastics, which were formerly provided by REDcycle, to ensure seamless and effective recycling processes. The recent co-contribution by the federal government to Recycling Plastics Australia is welcomed. However, to step up and scale up operations effectively in South Australia the South Australian government must invest in end markets. Without viable end markets our recycling efforts will fall short.

We advocate for the redevelopment of a whole-of-state-government procurement policy that supports waste reduction strategies and stimulates end markets for recycling. The Minister for Climate, Environment and Water must acknowledge that government investment is needed in end market solutions for this to be a sustainable industry.

Our efforts to reduce plastic waste extend beyond recycling. The Single-use and Other Plastic Products (Waste Avoidance) Act 2020 has been instrumental in cutting down single-use plastics. I thank the previous Liberal government, in particular former minister for environment, the Hon. David Speirs MP, who paved the way for a reduction in plastic in South Australia.

We must continue to investigate further bans in single-use plastics and expand our efforts to include the commercial industry and agricultural sector as well. Providing incentives for innovation in compostable products will also play a crucial role in reducing the amount of soft plastic waste going into landfill. Education and community engagement are also key components of our strategy and recommendations that have been put forward.

The South Australian government must collaborate with and support local governments to raise awareness about soft plastic waste and the importance of waste reduction. The implementation of the 2025 national packaging targets must be transparent, and we must keep the public informed about the process and outcomes.

Finally, it is essential that the commonwealth states and territories continue to collaborate on packaging regulation and national environment protection measures. Achieving the 2025 national packaging targets requires a united effort, an ongoing commitment from all levels of government. This challenge is not confined to one sector or region. It requires a multifaceted response from local, state and national levels. Our commitment to addressing this issue can be realised through the leadership of the South Australian government and the development of a comprehensive soft plastics waste strategy.

Tackling the issue of soft plastics waste is a complex but achievable goal. It requires leadership, innovation and a collaborative approach. Tonight, I call on Premier Malinauskas and Minister Close to take this report seriously and to implement these sensible, well-designed, bipartisan recommendations.

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

Motions

PEREGRINE CORPORATION

The Hon. R.B. MARTIN (22:04): I move:

That this council—

1. Recognises that 2024 marks the 40th anniversary of the Peregrine Corporation;

2. Acknowledges the significant contribution the Peregrine Corporation and the Shahin family have made to South Australia; and

3. Commends the Peregrine Corporation and the Shahin family for being true South Australian success stories.

The year 2024 marks 40 years since a family of Palestinian refugees left Lebanon, arrived in Adelaide and bought a single petrol station in Woodville Park. If the story ended there, it would already be a compelling tale, one that speaks of great resilience and a strong determination to forge a path through grim adversity to a better future. In fact, it is just one chapter in the remarkable human story behind a family who have become South Australian icons, the Shahins: the late Fathi and his wife, Salwa; their children, Khalil, Samir, Yasser and Amal; and their many grandchildren and extended family members. Most South Australians will know them as the family who have built the Peregrine Corporation business empire.

The family's journey has been a truly extraordinary one. To understand where the greatest meaning lies in their story, one must appreciate its beginning. The year 1948 saw the Shahin family, like a great many Palestinians, lose their homes and their way of life. Their village, Qabba'a, was barraged with mortars and depopulated. Its residents were forced to flee with what little they could carry.

Fathi, then aged 10, crossed into Lebanon on foot with his family. They settled in Beirut and Fathi ultimately gained accounting qualifications and worked for the United Nations for 27 years as an accountant and an auditor. This in itself was a tremendous achievement, because for Palestinian refugees Lebanon offers very limited opportunity.

It remains the case today, as it was then, that the overwhelming majority of Palestinians in Lebanon cannot gain Lebanese citizenship, which would entitle them to government services such as health and education. Palestinians remain prohibited from owning property, as they were then, and from entering a broad range of professions, including medicine and law. An overwhelming majority of Palestinian refugees in Lebanon are informally employed in low-wage jobs. A UN report in October 2022 stated that 93 per cent of Palestinian refugees in Lebanon are living in poverty.

One must be able to imagine living under systemic marginalisation; a lack of civic, social and economic opportunity; and a lack of belonging and freedom in order to appreciate the Shahin family's single-minded determination to succeed and to thrive. Arriving here in Adelaide was the new beginning that they sought, but Fathi could not find work. With their savings diminishing, he applied for dozens of jobs. Nobody would employ him, he later said, because he was too old. We must also acknowledge that racial prejudice, too, played a significant role in his experience. Fathi said, in an interview in 1994:

> I had to do something for my family. I bought that service station, and we had to make sure that it worked. The only way we understand that a business is successful is by hard work. For us, we grew up with a culture where if you don't work, you starve.

So of course the family began working to not only to make their business succeed but to expand. Within four years of buying that first service station, the Shahins had two other service stations and two gift shops—and the business continued to grow and grow.

Prior to announcing OTR's sale to Viva Energy last year, the Peregrine Corporation owned about 200 petrol and convenience stores across South Australia, along with the Bend Motorsport Park, Peregrine Property, Reliable Petroleum and more.

The family story is an extraordinary one in many different ways. It is also a deeply South Australian story, because the Shahins are, like many of us, parochial people in that they are very passionate about, and highly committed to, South Australia as their home and as the home of their

business. Our state gave the Shahin family the opportunities they sought and the true sense of belonging that every human being deserves. In return, the family give back to South Australia and not just by employing thousands of people. The family engages in philanthropic work through the Shahin Charity Trust across a range of endeavours without ever seeking public recognition for doing so.

A visible example of their community mindedness, though, can be found in The Bend Motorsport Park. Now known by another name, it will always be The Bend to me. Developed and funded primarily by the Peregrine Corporation, The Bend is an award-winning world-class motorsport facility featuring, in fact, the second longest permanent circuit in the world. It hosts everything from significant international events to local people who just want to give motor racing a crack.

The extensive complex is a linchpin in the family's efforts to make South Australia the pre-eminent destination for motorsport in the nation. They are bringing their own passion for motorsport and their ambitions for South Australia to a significant strategy of investment to build a unique economic and cultural sector for the state. These endeavours are not motivated by profit but by the desire to create something meaningful and long-lasting for our state.

The family follows other diverse passions as well, and I think one of the most poetic chapters in their long and remarkable journey is one of the most recent. Khalil Shahin, along with his own family, has this year purchased Aileron Station, a property around 130 kilometres north of Alice Springs that is over one million acres in size, along with 5,000 head of cattle and a very large farm nearby to grow feed.

As Khalil is an agricultural engineer by training, this acquisition represents the realisation of a long-held dream. The striking poignancy of the Shahin family in only one generation going from being legally unable to own land to owning a mind-bendingly vast amount of land cannot be lost on anyone. In all the rich history of our state and among the generations of people who have found their place here I love that it is a family of refugees from Palestine who have written one of the great South Australian success stories.

I am honoured to have the opportunity to put on record the extraordinary tale of this one-of-a-kind South Australian family. I commend the Shahins and the Peregrine Corporation not only on 40 years of service but on the incredible resilience and determination that have led them to achieve it.

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

Bills

INDEPENDENT COMMISSION AGAINST CORRUPTION (ICAC RECOMMENDATIONS) AMENDMENT BILL

Introduction and First Reading

The Hon. S.L. GAME (22:12): Obtained leave and introduced a bill for an act to amend the Independent Commission Against Corruption Act 2012. Read a first time.

Second Reading

The Hon. S.L. GAME (22:13): I move:

That this bill be now read a second time.

I rise to address the shambolic state of South Australia's Independent Commission Against Corruption and to put forward sensible, practical and achievable steps to help salvage the reputation of ICAC and that of South Australia as a state that takes the integrity of its public service seriously.

Since being established and especially from 2021 onwards that reputation has taken a battering, and the events of early July 2024, when we witnessed the sudden resignation of Ann Vanstone KC, just four years into her planned seven-year term as ICAC commissioner, have only added further weight to the South Australian public's worrying perception that ICAC has been deliberately reduced to a toothless tiger with the aim of letting public servants, particularly high-powered ones, off the hook. This cannot stand, and it is the responsibility of all members inside

both this chamber and the lower house to right the past wrongs as soon as possible and take the first steps towards rebuilding our reputation.

South Australia's ICAC was a statutory office created in 2012 and tasked with the crucial role of identifying and dealing with corruption, maladministration and misconduct across our state's vast public administration. That role was perhaps best summarised by ICAC itself in the 2020-21 annual report, which said that the body existed to preserve and promote public integrity in public administration through proactive prevention and education initiatives, the investigation of corruption in public administration and the investigation or referral of misconduct or maladministration in public administration.

Established alongside ICAC was the Office of Public Integrity, functions of which included assessing and receiving complaints about public administration, plus reports of misconduct, maladministration and corruption. Importantly, in the context of what was to come, it was also required to refer reports of such behaviour to ICAC.

To be clear, I do not wish to return South Australia to that original legislation and acknowledge that a case was built for reform. However, the manner of Ms Vanstone's departure from the commissioner's role needs to be considered, in particular the reasons behind her decision. Ms Vanstone said that the 2020-21 amendments had damaged the scheme under the guise of making it more effective and efficient.

Among other things, the changes narrowed the definition of corruption and, according to the Law Society of South Australia, had effectively meant a suite of dishonesty offences suddenly fell outside of ICAC's reach to investigate in the context of public administration. These included theft, money laundering, deception, dishonest dealings with documents, and dishonest exploitation of positions of advantage.

Back in late 2021, when these changes were being rushed through parliament in an unusually rare show of bipartisanship for such a high profile issue, Ms Vanstone raised a number of concerns about how the new look ICAC would operate. She said its amended powers would effectively help to shelter MPs from ICAC, limit the criminal offences ICAC could investigate, and hinder ICAC's ability to speak publicly.

These concerns were echoed by Ms Vanstone when she resigned recently, and again when I met with her in late July. In my view, the commissioner appears to have taken an exceptionally balanced view on ICAC and what its powers should and should not entail. She has clearly, after some reflection, considered that the first iteration of ICAC contained some flaws. Subsequently, and importantly, in suggesting these modest changes she was not demanding a return to the first body, and nor are we.

Instead, I am acknowledging the strengths and weaknesses of the current iteration of ICAC and suggesting a better refined model. Unfortunately, the state government's apparent unwillingness to consider these measures, described as modest reforms, has led to our commissioner resigning part way through her term. Ms Vanstone outlined her suggested changes to me in written and verbal form and, importantly, she wishes to restore the following to the definition of corruption: (a) theft of property or deception by a public officer; and (b) an offence of violence by a police officer on a member of the public.

In addition, the policy committee, a joint committee, has suggested that the definition of corruption be narrowed to an offence that carries a two-year or greater jail term. Ms Vanstone told me that she considers this a sensible recommendation, and it sounds pretty sensible to me. The commissioner has labelled it absurd that ICAC is not allowed to speak to prosecutors, meaning they are denied access to the expertise and knowledge of the commission's investigators who best know the matter at hand. Instead, ICAC investigations must be handed over to SAPOL, which decides whether or not it should be referred to the Director of Public Prosecutions.

I agree with the commissioner, this is absurd, and the significance of this anomaly, which puts us out of step with other states, was again highlighted as recently as yesterday when five ICAC reports were tabled. Surely the ICAC has more expertise and resources than SAPOL to make these

decisions, and this extra responsibility is foisted upon SAPOL at a time when we constantly hear about shortages of police staff impacting their operations.

We also believe the law should allow the commission to refer a matter to the Director of Public Prosecutions for the director to consider whether charges should be laid rather than having to refer to SAPOL first, as is required currently as a kind of intermediary. Ms Vanstone also made mention of our ICAC being gagged—that is, it cannot tell the public what it has uncovered. Again, this could go to a negative perception about transparency and accountability in South Australia, also referenced by Ms Vanstone.

The public has a right to know if there is a problem in the public sector, and remember, people are not named. It is important to understand that ICAC investigations are often preventative exercises, even if corruption is not found. For example, if ICAC finds that people are pushing boundaries they pass on the information relevant to that, then departments develop policies to rein in those behaviours. These departments often thank ICAC for nipping these potential problems in the bud—no investigation is wasted.

In addition, preventing ICAC from reporting its activities only adds further weight to the unhealthy misconception that the body is not doing much. In reality, there is plenty of worthwhile work going on but the law prevents the public from understanding this, so the law should be changed to allow the commission to make public statements about a corruption investigation regardless of whether or not the commission is satisfied that criminal disciplinary or penalty proceedings will result from that investigation.

Section 39A of the act now requires the commission to advise each person who was the subject of an investigation of the outcome of that investigation. That requirement is appropriate when the person knows they are being investigated. It presents very real dangers when an investigation concludes without the subject ever knowing of it. As an example, imagine a dangerous gang member being investigated, not having an offence pinned to him but then learning of the investigation and subsequently seeking retribution on whoever he suspected of dobbing him in.

As I continue, I remind those present that ICAC can no longer initiate its own investigations. The Office for Public Integrity must now do this. This is inefficient but also creates the potential for problems when other law enforcement bodies identify corruption that they wish to share with the commission for investigation. Ms Vanstone tells me these agencies are often reluctant to share such information with the Office for Public Integrity as it is not a law enforcement body.

I must highlight the situation that can see the public required to pay the legal fees of someone convicted by an offence no longer covered by ICAC. It seems the state government is not across this anomaly as the outgoing commissioner is because, despite what the Attorney-General has said to the media, it is in fact that government employees, including MPs, are reimbursed for costs associated with engaging an independent legal practitioner when they have been subjected to an ICAC investigation.

If someone is found guilty of an offence outside of those very few corruption offences, they are entitled to have their legal fees repaid, and that is not a decision at the discretion of the Attorney-General. I believe this is an obvious flaw in the current ICAC legislation and an unfair burden on South Australian taxpayers, so I suggest reimbursement should simply be precluded where there is material adverse findings made.

The bottom line is that Ms Vanstone is adamant that corruption has become more likely since the 2021 amendments, and navigation around these matters more cumbersome and expensive. Therefore, I call on this chamber to support moves contained in this bill that aim to return our ICAC to the status functionality and effectiveness it deserves for the state's taxpayers. I note that the Hon. Connie Bonaros will also be moving a similar bill, and I put on the record that my concern is simply to work collaboratively with the member to obtain the best outcome going forward.

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

Motions

CHILDHOOD DEMENTIA

The Hon. S.L. GAME (22:22): I move:

That this council—

1. Acknowledges the chronic, life-limiting condition of childhood dementia, a genetic disorder that progressively robs children of their ability to write, read, talk, walk, and play, ultimately leading to the loss of life at a tragically young age;

2. Recognises the significant hardship faced by families with children suffering from childhood dementia, which can affect multiple children in the same family;

3. Emphasises the urgency of finding a cure, as every year, around 50,000 infants worldwide are born with conditions that lead to childhood dementia, and currently, there is no effective treatment, nor cure;

4. Highlights the concerning disparity in the funding of research into childhood dementia, which currently receives just one-fifth of the funding designated for childhood cancer, despite claiming the lives of a comparable number of children annually;

5. Acknowledges a $250,000 research grant secured by the office of the Hon. Sarah Game from the South Australian government, matched by the Little Heroes Foundation, to provide a total of $500,000 to the childhood dementia researchers at Flinders University, and that this funding represents a critical step towards hope and progress;

6. Calls upon the state government to continue its efforts to bridge this gap in funding by committing further financial support to childhood dementia research, thereby offering hope to over 2,300 children living with childhood dementia in Australia; and

7. Urges all members of this council and the wider public to join in supporting efforts to increase funding and awareness for childhood dementia research, so that no child has to face a future without hope.

I rise today to move this motion, which acknowledges the devastating impact of childhood dementia, a genetic disorder that robs our children of the very essence of life, and calls for adequate funding to support research. Although relatively little is known about childhood dementia, it is a terrible illness that gradually impairs a child's capacity for writing, reading, speaking, walking, and playing, eventually ending in their premature death. Imagine watching a child gradually lose the skills that they had once mastered—a heart-wrenching process that no family should have to endure.

Children with dementia experience memory loss, confusion, trouble concentrating, learning and communicating, personality changes, severely disturbed sleep, behavioural issues such as hyperactivity, and emotional issues like anxiety and fear. Further, 50 per cent of children with dementia will die by just the age of 10. It is important to recognise the profound hardship that families face when their child or children are diagnosed with this condition. For these families, the diagnosis is not just a medical term; it is a life sentence that affects every aspect of their lives.

Every year, around 50,000 infants worldwide are born with conditions that will lead to childhood dementia. Despite this, there is no effective treatment, no cure, and only a desperate hope that research will one day change this grim reality. This urgency to find a cure is not just a scientific challenge, it is a moral imperative, yet childhood dementia remains grossly underfunded. While childhood cancer, a similarly devastating condition, receives significant financial support, childhood dementia receives only a fifth of that funding, despite claiming just as many lives each year. This disparity in funding is unacceptable and it is time to step up and bridge the gap.

Today, I am proud to highlight the quarter of a million dollars research grant our office secured from the South Australian Labor government, which has been matched by the Little Heroes Foundation, resulting in a total of $500,000 dedicated to the researchers at Flinders University. This hard-won funding represents a critical step towards hope and progress but it is only the beginning.

I am also pleased to inform the council of my participation in the Detained for Dementia initiative. Sponsored by the Little Heroes Foundation, this event takes place tonight and will highlight the struggles faced by children living with childhood dementia. So I stand and encourage donations for this significant event. Meanwhile, I call upon the state government to continue its effort to support

this vital research. With over 2,300 children in Australia currently living with childhood dementia, we cannot afford to be complacent.

I urge all members of this council to support this motion to increase funding and awareness for childhood dementia research so that no child has to face a future without hope. I commend this motion to the house.

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

Bills

INDEPENDENT COMMISSION AGAINST CORRUPTION (ICAC RECOMMENDATIONS) AMENDMENT BILL

Introduction and First Reading

The Hon. C. BONAROS (22:25): Obtained leave and introduced a bill for an act to amend the Independent Commission Against Corruption Act 2012. Read a first time.

Second Reading

The Hon. C. BONAROS (22:26): I move:

That this bill be now read a second time.

In September 2021, this parliament made a mistake. I made a mistake. The parliament's mistake was to rush through changes to our state's integrity laws with no debate, no consultation with the Commissioner, the Hon. Ann Vanstone KC, or the then Ombudsman, Mr Wayne Lines, and with inadequate time to read and understand the proposed changes. An extraordinarily complex legal scheme that very few of us understood in its original form was gutted off the back of what has been proven to be false narratives circulated in this place and the other.

The new scheme, it was claimed, would be more effective and efficient, but as it turns out was just another false narrative. My mistake was that I supported something based on assurances given to me by my colleagues. My former colleague was the then self-appointed lead and I was not involved in the discussions that resulted in the drafting of the bill and certainly not the final product that passed this parliament. That is a mistake I made and one that I am willing to own.

The final version of the Independent Commissioner Against Corruption (CPIPC Recommendations) Amendment Bill 2021 was only advanced in this place a short time before its passage and did not reflect the original bill filed weeks earlier. I did not have time to absorb the proposed changes or the reasons for making them. Despite the outcome of the vote being predetermined outside of this chamber, I was wrong to not have asked questions within it, to not have objected to the unprecedented haste with which such complicated reforms were progressing. Again, I own that mistake. I have learnt a valuable lesson and when I make a mistake I endeavour to own it, not repeat it, and, where possible, to make amends.

Today, I have introduced the Independent Commission Against Corruption (ICAC Recommendations) Amendment Bill 2024 to make amends. The changes this bill proposes reflect the most modest request made by the commissioner, the person best placed to know precisely how the scheme is working or not working. This bill will inject efficiency and effectiveness into the scheme and ensure that the public interest is at the heart of our public integrity regime.

The 2021 amendments to the ICAC Act removed deception and dishonesty offences from the definition of corruption. Theft of public property or deception by a public officer is not currently corruption, even where it results in significant financial loss to a public authority. An offence of violence by a police officer on a member of the public was also removed. It is difficult to comprehend, on any person's reading, that such conduct is not in fact corruption.

This bill seeks to amend the definition of corruption to recapture such offending. However, it will accord with a recommendation made by the Crime and Public Integrity Policy Committee to narrow the offences to those punishable by imprisonment for two years or more. In the interests of efficiency, the bill will also reinstate the commission's ability to investigate incidental offences. Incidental offences are offences connected to corrupt activity but are not in themselves corrupt offences. This is to avoid the need to run concurrent investigations by the commission and SAPOL.

For reasons that escape me, the 2021 amendments removed the commission's ability to directly brief the Director of Public Prosecutions. It has been stated that this was a recommendation in the report of the Crime and Public Integrity Policy Committee, but that report contained no such recommendation. The commissioner, a former Deputy Crown Prosecutor and Supreme Court Justice, must now provide her brief to police, where a senior constable might be asked to familiarise themselves with it and decide whether they think it should be referred to the DPP.

I have heard the Premier and the Attorney-General make comments to the effect that this is required because the police have expertise in making such adjudications, but that argument does not survive even the most basic scrutiny. The primary reason that anti-corruption agencies are established is because it is recognised that police do not have this expertise. The South Australian ICAC is the only anti-corruption body in Australia precluded from referring a matter to the Director of Public Prosecutions. Every other South Australian investigatory body—and, in fact, anyone—can refer a matter to the director for consideration.

Prior to the 2021 amendments, the Full Court of the Supreme Court, in hearing an appeal about whether the commissioner had acted beyond their powers by referring a matter to the director, found that the commissioner did have the capacity to refer to the director, stating:

> If the Act did not give to the Commissioner the capacity to refer a matter for prosecution to the Director, but made the Commissioner dependent on the decision of SAPOL whether to prosecute or refer a matter for prosecution, the mischief to which the Act was directed would not be achieved.

Ten months later, the parliament expressly removed the capacity for the commission to make such a referral. The amendments purported to implement recommendations of the report of the Crime and Public Integrity Policy Committee into matters of public integrity in South Australia. However, that report did not contain any such recommendation for the removal of the capacity to refer a matter to the director.

The consequences of this are significant. First, it is hard to argue that we have an ICAC when that commission is completely dependent on SAPOL for any decision about whether a matter is referred to the DPP for consideration, just like it is dependent on the Office for Public Integrity as to whether it receives a referral for investigation. Second, the double handling of what is often voluminous amounts of information is a waste of public resources—resources the police could, without doubt, use elsewhere.

Third, the transfer of an investigation file and brief to police and the locking out of commission investigators results in a loss of expertise not just in relation to the file but in understanding corruption matters. We now have a ludicrous situation where prosecutors are forbidden from directly communicating with the commission and must use SAPOL as an intermediary. Fourth, the commission has said publicly that adding the additional step of sending an investigation file and brief to SAPOL can cause a delay of up to a year.

One final point I will make is that I cannot fathom how it is more appropriate for a police officer to determine whether to refer a matter for prosecution when the person of interest in the matter might just be a police officer. We are now the only jurisdiction in Australia with this limitation, despite the fact that anti-corruption commissioners of all states and territories have declared it to be one of the 12 fundamental principles necessary for anti-corruption and integrity agencies to independently and effectively undertake their respective functions.

In a report tabled in this place yesterday by the ICAC, the commissioner highlighted this is not just her view: the 2021 amendments to the ICAC Act also created the Office of the Inspector to review the commission's activities. In the inspector's annual report for 2022-23, he recommended that the commission's power to refer matters directly to the director should be reinstated, citing that referrals to SAPOL have caused significant inefficiencies and duplication of working costs.

With respect, the facts speak for themselves. The current position is not defensible—it is out of step with every other anti-corruption agency in the nation, it is out of step with international best practice and it is out of step with the Jakarta convention, to which we are a signatory. For all these reasons, the bill will expressly provide for the commission to directly refer its matter to the DPP.

The South Australian ICAC has always been the most secretive of the nation's anti-corruption agencies. Despite rhetoric swinging between the ICAC being too secret whilst at the same time not being secret enough, the parliament in 2021 removed its ability to communicate effectively and transparently by limiting what it could make a public statement about and constraining the commission's power to make a public report to parliament by disallowing any suggestions of criminal or civil liability. This bill reinstates the commission's ability to more effectively communicate with the public about its operations by reinstating the previous sections 25 and 42.

The commissioner has raised that the current requirement to advise a person who was the subject of an investigation of the outcome of that investigation has given rise to a serious unintended consequence. The commissioner has informed me that, where a person knows they are being investigated, it is plainly appropriate to communicate with them about the investigation and its outcome.

However, advising a person who was none the wiser of such an investigation causes unnecessary stress, but more significantly poses serious safety issues for whistleblowers. It will often be obvious who the whistleblower is and in some cases, where the person of interest is a member of an organised crime group, poses a particular danger to the life of a whistleblower. I am also informed that in complying with section 39A a commissioner/officer will be in breach of section 8 of the Public Interest Disclosure Act 2018. The bill seeks to amend section 39A so the commissioner will have the discretion to advise a person of a concluded investigation into their conduct if they were not aware of the investigation.

The bill seeks to reinstall the commissioner's ability to commence an investigation on his or her own initiative. At present, the commissioner can only commence an investigation if the Office for Public Integrity refers a matter to her. The South Australian commission is the only anti-corruption agency in the country that cannot commence an investigation of its own initiative. The bill seeks to remove the intelligence blindfold from the commission by giving the commission access to relevant complaints and reports, data and other information held by investigative bodies and inquiry agencies.

I save the best for last. The bill seeks to remove the provision that allows some public officers, including those who occupy this parliament, to have their legal expenses reimbursed from public funds, unless they are convicted of an indictable offence that constitutes corruption in public administration.

I do not know why we are so afraid of an appropriately empowered commission. I know it has been argued that the 2021 amendments have not been in place long enough to know if they are working. None of the changes provided for in this bill would benefit from a single extra day of time. I ask the question: how many public officers need to be reimbursed for their legal expenses before we reach some arbitrary time period to know if that is a good idea or not? And that includes us as politicians in this place.

It is important now, as a matter of public record, to distinguish between fact and fiction, especially in relation to what has been said publicly regarding the need or otherwise for these reforms. I might add as a matter of public record in this place that the fact that there are three notices of motion on the *Notice Paper*—this one and ones from the Hon. Rob Simms and the Hon. Sarah Game—and public comments by the opposition indicating that we went too far, is very telling.

I have consulted, sought feedback and made requests for clarification on many of the comments made publicly and will now reflect on some of those for the purposes of the public record. I will start with comments made at the beginning of the month by the Hon. Frank Pangallo on ABC where it was stated:

> Now Frank Pangallo, who is one of the authors of these biggest changes, says that this is all getting ahead of itself because the changes have built into them a review, and we are only maybe six months or more away from the review.

There is no mandated review in the legislation. It is unclear what the honourable member is talking about with respect to that review. If it is a review that exists under a committee process, that is not a mandated review that exists within the ICAC Act. Again on 2 August it has been reported:

> However, Mr Pangallo said that new legislation was not needed and that concerned MPs should make submissions to a mandated review of the legislation later this year.

For the record, there is a yearly review of the operations of the commissioner, but this is an entirely different thing. The commissioner, the former Ombudsman and the Director of the Office for Public Integrity have requested an independent review of the legislative scheme to ensure it is operating efficiently and effectively. The former ICAC inspector, Mr Strickland SC, also called for such a review. There is no mandated review and it is unclear again whether the review the member referred to or imagines could or would be independent.

On 29 July, there was an interview with the Premier with David Bevan on ABC. In that interview it was stated, 'Well, it was the Marshall government that introduced them, but regardless, yes, we supported them.' As did I. The reason why we supported them was because there was a growing body of evidence around the country, and South Australia was no exception, that natural justice was not naturally being afforded to people in every circumstance that people would reasonably expect. The Premier goes on:

> Those changes to the ICAC Act have barely been in effect. I mean, it is less than two years. The ICAC Commissioner has made a number of suggestions. Some I think are worthy of contemplation more than others, but at the same time we didn't ever commit, nor have we ever committed, to revisiting or having a wholesale examination or revisiting a piece of legislation that hasn't been in effect for even two years.

This begs the question of when natural justice has not been afforded to a person the subject of an ICAC investigation, and it would be useful if we could have particular examples of that. Natural justice or procedural fairness would apply in circumstances where the commission intended to publish information about a person or to make a finding against someone. That person would have the right to be heard, and nobody has ever claimed they were not afforded the right to be heard. Also, the commission has never had the power to make findings of corruption because corruption is dealt with by the court.

Procedural fairness does not apply to any matters referred for prosecution by any investigatory body, including the commission and police. When the commission had jurisdiction over serious or systemic misconduct and maladministration, it could make findings in relation to that conduct, but nobody has ever claimed that procedural fairness was not afforded. There are only three occasions where information about investigations of this type were published, namely, Oakden, Gillman and Adelaide University.

Both the Premier and the Attorney have said that the changes to the act are too new to know whether they are working. The changes are almost three years old. We have heard that they might be around two years old, but they are almost three years old. We have heard it said that some parts of the legislation have only been in effect for two years, but I think it is important to clarify that the only provision that is two years old is the establishment of the inspector to replace the reviewer. The commissioner is not requesting any changes to this provision.

The modest changes requested by the commissioner will not be afforded more clarity by waiting another year or two. If we do wait another year or two, then it may just be that we have more of an issue around those costs. I am going back and forth here, but again, on David Bevan's show the Premier said:

> I would never seek to put words in the ICAC commissioner's mouth, but her position has been that the requirement that the ICAC would have to refer something to police in advance of it going to the DPP is something that the commissioner has expressed reservations about. This is the opinion to which she is clearly entitled, but it is the government's view, and it has been the parliament's view, that actually that represents a good process by ensuring that the ICAC does an investigation, hands it over to the police. The police have all the resources and they inform the function on a more regular basis than the ICAC of actually making sure everything is tied up in a best or fit-for-purpose format for the DPP to then do its piece of work.

I have already raised the issue around the referral to the police, but the long and short of it is, as has been indicated, anti-corruption bodies are established in recognition that police do not have the expertise that current corruption matters require. One of the fundamental principles that I have referred to, by the commissioners of Australia's 10 anti-corruption agencies, is the ability to refer matters to a prosecuting authority. The ICAC inspector has also recommended that this is necessary, as has the Centre for Public Integrity. There have been claims that this is a good process, but it adds about a year to the criminal justice process, and the longer the process takes the less likely it is that a conviction will ensue.

On 29 August, again on David Bevan's show, the Premier is quoted as saying:

> …how comprehensive and intrusive these powers are and have the capacity to be, and what's important is that when we take rights away from public servants because—let me give you, for instance, I mean, I am using an example here, but a train driver who doesn't fill out their time sheet properly is afforded less rights than what a murderer can be. I mean, what the ICAC does is take away rights from those who are suspected of doing the wrong thing in a way that doesn't occur to every other person in the community. So it's not about—they are actually very substantial investigative powers that, over hundreds of years, through our system of criminal justice have determined the state shouldn't have.

The commission has only one power that the police do not have, and that is the power of examination. As the commissioner has said, the power is rarely used and almost never used against a person of interest. If it is used against a person of interest, nothing that person says can be used against them.

The commissioner told David Bevan on radio recently that she had conducted one examination in the last year. The feedback that I have is—I think this is just a logical position actually—how on earth is a train driver incorrectly filling out a timesheet afforded less rights than a murderer? A mistake on a timesheet is not a criminal offence. If timesheets are deceptively and dishonestly representing an employee's time, then it might be a criminal offence, but how that would transpire in less rights than a murderer remains unclear to me.

Just on that issue—we have canvassed the issue of costs—if that murderer that we are talking about was to be convicted, they would not be reimbursed their legal costs if they are instead found guilty of manslaughter, but a public officer guilty of an offence that is no longer corruption will, under the changes, be entitled to get their costs back.

In another interview with David Bevan, again on the same day, the Premier said:

> Bruce Lander came into the studio and said, 'Oh yes there's corruption everywhere' and I think they're pretty big statements for people to make.

There were further quotes from there. I have asked if Bruce Lander has ever said that. In fact, what I have been told that he has consistently said is that South Australia does not have any systemic corruption and was nothing like the New South Wales and Queensland. He did say that South Australia had a problem with systemic maladministration, which has since been removed from the commission's jurisdiction. In the 2017-18 annual report, the former commissioner said:

> Investigations undertaken during this reporting period have reinforced my view that maladministration remains the biggest threat to public institutions in this state.
>
> Maladministration infects numerous public institutions and results in significant and unnecessary loss of public money. Corruption and maladministration are inextricably linked. Maladministration, by way of poor practices, policies, procedures or poor oversight and management, creates the opportunities for corruption to occur.
>
> It is why, quite rightly in my opinion, I am also empowered to investigate serious or systemic maladministration in public administration.

In the former commissioner's Looking Back report published in 2019, he said:

> Over six years of operation I have concluded that South Australia does not have a public administration that is systemically corrupt. There are of course corrupt individuals but the administration itself is not corrupt. However, South Australia does have a public administration that is plagued by maladministration and very poor conduct, both of which foster environments that make individual corruption possible and in some instances make it extremely difficult to detect corruption. In many ways the harm caused by maladministration is probably far more significant than the harm caused by instances of corruption detected in this state.

There are further comments to that effect made again by the same commissioner in 2020.

In July of this year the Attorney said, 'I know there are a great range of views within the legal profession, within the justice system, about how our integrity agencies should operate.' He goes on to be asked, 'Vanstone says the regime is fractured and silly. Do you think it's fractured and silly?' The response to that is, 'No, I would take a different view and I think people who are involved with other integrity agencies take a different view than that.'

There are not a lot of different views across the jurisdictions in terms of those. The community, public officers, the Law Society, academia and the Centre for Public Integrity have all expressed very similar views. I do not think it is fair to say that agencies have a different view, which

is clear from the principles that have been published by Australia's 10 anti-corruption agencies, which are entirely consistent.

We then have further conversation around the issue of legal expenses. I note that I did ask a question in this place when we heard of the matter concerning a medical professional and his ability, or otherwise, to be reimbursed legal costs. The difference in views that are being expressed is advice that that is a legislated entitlement that exists under the current scheme versus the other view that is being espoused—that there is a discretion. The advice that many of us have received is that there is no such discretion: there is a legal entitlement in instances for legal costs to be reimbursed.

That same interview goes on to talk about the fact that those provisions have only been in place for two years. As I said previously, there was only one provision that has been in place for less than two years. We then go on to talk about:

> I think the police have a huge amount of experience. They do it on a day-to-day basis dozens of times in terms of putting briefs of evidence together for the DPP and understanding what is the DPP's needs.
>
> The motivation behind the changes that were made to the ICAC referring to the police and then to the DPP were made so that police could bring their experience to bear on those. The DPP will ultimately decide whether something gets prosecuted, but now it has the lens of the police looking over it and to see if it should be prosecuted.

As I said previously, the very reason anti-corruption agencies were established here and in every other jurisdiction was that the police do not have that expertise. That is why those commissions have been created. It is difficult to fathom how a constable has more experience in constructing a brief than the level of expertise that we have in our ICAC. As I mentioned before, we have had a former deputy DPP and Supreme Court justice serving on that position. It is difficult to understand how it is that police would have more experience. But putting that aside, there is also, again, the issue of delays.

There are comments from the Hon. Frank Pangallo that the ICAC hasn't been gagged as she claims and that in fact they still retain the powers they had. There is also this:

> Now, I don't think anyone needs any reminding of the many failures of ICAC—the costly investigations, image and reputations, ruined lives and suicides. They have had very few successes out of hundreds of millions of dollars spent. The place was found to have been an—

and the next part of the audio is unclear, but then it says—

> shambles by the since departed inspector of ICAC, who made an adverse finding against the agency in his report into the Hanlon matter, and I have already said in parliament it was a bit of a snow job because he also tried to work very hard to protect the agency in itself from more serious criticisms. And I can tell you, Graham, to this day the changes continue to have widespread support, particularly from the legal fraternity.

Well, that legal fraternity does not include the Law Society, for one, or the Centre for Public Integrity or any other anti-corruption agency that exists in the nation. ICAC have not retained the powers they had, and that is very important to note. The ICAC cannot receive a complaint; make a referral to the DPP; start an investigation on their own motion; make a public statement about an investigation, unless no corruption was found; make frank and transparent reports to parliament; or investigate misconduct and maladministration. They have not retained any of those powers.

We have heard about suicides, and it is a tragic, tragic story. We have heard lots of discussion around a very tragic case involving a suicide. That is tragic. It is tragic. It is tragic that somebody has taken their own life. In terms of the 'multiple suicides', though, that we have had referred to, there is only the one, who the inspector found was investigated appropriately.

In relation to some of the other points that have been raised, there has been commentary that intermediary steps of providing briefs to police is required because ICAC can conduct compulsory hearings. The commissioner has said that she would not ordinarily examine a person of interest because there is little utility to wit. There are safeguards built into the act to ensure that compulsorily acquired material is not used to incriminate a person. These safeguards were taken from those in the legislation governing the Australian crime commission because they also have the power.

Finally, again, and I think I may have already mentioned this, there are comments that were made today as well that the bill reflected the recommendations or was based on the CPIP Committee inquiry, but I make the point again that there were no recommendations for two critical elements in relation to those changes, namely, the current definition of corruption and the issue of costs.

This morning, I pointed to two examples of other agencies, and it applies to every other agency, and this is the most recent example I am going to give, where referrals can be made directly to the DPP. If SafeWork identifies a breach, they refer that directly to the DPP. If Fisheries detects a breach in terms of the number of a species caught, or whatever the case may be, they can direct that directly to the DPP, as can any other agency.

The only matters referred to the DPP are those that carry penalties. It is not fair to say, it is not accurate to say, that those agencies ought to be able to refer matters to the DPP directly, but the anti-corruption agency in this state, ICAC, should not be able to make referrals directly to the DPP. That point does not make any sense to me. I am yet to understand fully what was meant by the comments. The fact remains that other agencies already have that ability. The only agency that has lost that ability in this jurisdiction is our anti-corruption agency.

They are the points that I wanted to clarify in relation to the commentary that I have heard. I am obviously very willing to listen to comments made back in relation to those as we proceed through this debate. I will, at this point, seek to table documents that have been provided to me, and I am sure other members. There are four documents in total: the anti-corruption outline of the fundamental principles, a letter requesting a review for the integrity scheme, a further letter in relation to the issue of costs and, of course, the letter that I and other members received in relation to these reforms.

Leave granted.

The Hon. C. BONAROS: In summing-up, nobody has suggested that we revert back to the original ICAC legislation. I am not suggesting that we revert back to the original ICAC legislation, and for good reason. I think the public sentiment around this issue has been overwhelming and indeed damning. When I say that we made a mistake in this place, I say that genuinely because that is what the public has told us.

I have not heard or found many people out there, and I do not think the callers in and feedback that those radio stations have had either, have said otherwise in terms of: have we done anything in here in 2021 that instilled public confidence in the way that we went about these largely complex laws? The overwhelming response to that question is no. There are obviously changes in here that I know there is no appetite for in this place. What I am saying, what I have said publicly, and what I am saying today is, if we did not pass the pub test in 2021 then let's just have the debate around the changes now—let's have a debate.

An honourable member interjecting:

The Hon. C. BONAROS: Well, it passed the public confidence test, perhaps, is a better reflection than the pub test, but we did not do anything to instil confidence in this place about the way we went about those laws. The timing did not, the process did not, none of it did. I know there are changes in there that are contentious. I am under no illusion that many of those changes are still going to be contentious when they are debated, but I think we owe it to the South Australian people to have that debate in here in a thorough and robust way. That is the purpose of this bill, and I think that is the purpose of the bill that the Hon. Rob Simms and the Hon. Sarah Game have proposed, and the sentiment that has been expressed by others.

Nobody is saying go back to the original bill, but we have to acknowledge—I am not speaking for anyone else, I am speaking for myself. I am saying the feedback to us is that we went too far. The feedback to us is that nothing we did in here on that occasion instilled public confidence in our processes. The response to that then ought to be not to revert back to but at least contemplate and consider the modest changes and the not so modest changes, if that is how you perceive them, that have been put to us time and time again and have a debate around them. That is the purpose of this bill. That is what I am seeking to do, and that is what I am hoping this chamber will engage in.

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

STATUTES AMENDMENT (GAMBLING - OPENING HOURS AND SIGNAGE) BILL

Introduction and First Reading

The Hon. C. BONAROS (23:07): Obtained leave and introduced a bill for an act to amend the Casino Act 1997 and the Gaming Machines Act 1992. Read a first time.

STATUTES AMENDMENT (GAMBLING - MANDATORY PRE-COMMITMENT SYSTEM) BILL

Introduction and First Reading

The Hon. C. BONAROS (23:08): Obtained leave and introduced a bill for an act to amend the Casino Act 1997 and the Gaming Machines Act 1992. Read a first time.

GAMBLING ADMINISTRATION (LIMITATION ON ADVERTISING) AMENDMENT BILL

Introduction and First Reading

The Hon. C. BONAROS (23:09): Obtained leave and introduced a bill for an act to amend the Gambling Administration Act 2019. Read a first time.

Motions

LOCAL AND LIVE CREATIVE VENUES

The Hon. T.A. FRANKS (23:11): I move:

1. That a select committee of the Legislative Council be established to inquire into and report on local and live creative venues, with particular reference to:
   - (a) the impacts of, and reasons for, recent loss of live music and local creative venues in South Australia;
   - (b) understanding the cultural, social, economic and other contributions made by local and live creative venues;
   - (c) supporting South Australian artists and creatives with venues and spaces where they can develop their craft, audiences and communities;
   - (d) understanding the types of cultural infrastructure needed for a healthy art, culture and creative sector in South Australia;
   - (e) protecting local and live creative venues and performance spaces; and
   - (f) any other related matters.
2. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

I rise to speak on this motion calling for a select committee to be established to inquire and report on live and local creative venues—not just live music but especially live music: creative industries. Again and again, we hear of local and live venues who are struggling and closing their doors. These venues are the home of live music, performances, cabaret, comedy, concerts, galleries and our broader creative culture. These spaces represent much more than just the physical space that they inhabit; they are the spaces that fuel creativity in this state. These spaces grow culture, and culture needs a home.

As many of you would know in this council, I have a particular interest in local live music. My staff have written a note that says that I have fond memories of going to local gigs. I still go to gigs, actually, even though I am much older now, but I have been to a fair few more gigs in my youth than I go to right now. This is where we get to hear a range of music, some of which we love and some not so much.

The experience of going to see a local gig at a live music venue, listening to local bands or seeing a local comedian or going to a show where we do not know what is going to happen, is formative for so many of us. These venues become communities. They are where we find our people, our tribes, and it is no surprise that they form such an important part of many people's lives. Local and live venues have been hit from so many angles. COVID hit them hard. They are being left behind with a focus on so-called major events.

These venues and the local artists who perform and create in them are being left to fend for themselves at the moment. We know that they are struggling. The Australasian Performing Rights Association has published some sombre statistics. South Australia's rate of live music venue closures is the second highest of all of the states in Australia. We now have 27 per cent fewer licensed live music venues than we had compared with 2018. Out of COVID, our live music industry is really struggling.

That number represents more than just hundreds of closed doors; it is the loss of opportunity for artists to get even a foot in the door. It is the loss of community, it is the loss of audiences, it is the loss of a rite of passage for many young people.

I am pleased that the Cranker is now facing a much more certain future. Indeed, I have spent far too much time in the Cranker, and I hope to spend a fair bit of time there in the future. I do congratulate the Malinauskas government for ensuring that the Cranker does have a future.

However, even if they are to relocate for a time as part of that process, it has to be acknowledged that the public outcry, the hours of time—the hundreds of hours of time—and the thousands of people that went into protecting it are not able to be replicated for every venue. There does need to be other supports put in place and, in order to do that, we need to hear from those venues about how they are operating, how they are facing the current post-COVID struggle and what it is that they need from the government and from the parliament.

Other creative spaces have had impacts far beyond their physical footprint, spaces like the Mill, which I encourage all members of this council to go visit. The Mill provides studio spaces for artists and designers to create. They offer residencies, affordable photography studios, a small performance space, a black room, a black space, a sound studio, a gallery, and even a little bit of yoga if you like that. These spaces have become hubs, and socialising becomes collaboration with these artists. It leads to diverse and innovative arts practices. It is something that is incredibly important to our community and is currently under threat.

We need these spaces, from large venues where the performers aspire to eventually perform to those tiny corner galleries that allow an artist the opportunity to take those first steps or to exhibit their first works and create their craft, to hone their craft and to actually be part of a community that creates a better culture for us all.

While I call for this inquiry tonight into venues, I also have a motion here that considers temporary creative venues, those that form part of the Fringe, such as, for example, Gluttony or the Garden of Unearthly Delights. These large-scale temporary venues do create an ecosystem and they are distinct from bricks and mortar venues, but they do also face similar challenges and so we need to hear their voices as well.

We also seem to see larger music festivals suffer currently. Obviously, we have seen the news of Harvest Rock for this year being the latest festival in this country to pull the plug. There is a live music and a creative industries ecosystem in crisis right now. This parliament deserves and should afford that sector to have their voices heard. We are seeing live and local venues struggle at every level. Unless we take the time to understand what is happening and what is required, we are only going to watch it get worse. We must ensure that culture has a home and that we give culture a home.

That is why I move this motion tonight, and I will note that, for example, the See It LIVE Music Activation Fund recipients of recent years include some wonderful venues such as the Wheatsheaf Hotel, the Ancient World, Grace Emily Hotel, Jive, the Semaphore Workers Club, Rhino Room and the Lowlife Bar, Murray Delta Juke Joint, the Three Brothers Arms, Exeter Hotel, Big Easy Radio, Lion Arts Factory, UniBar Adelaide, Broadcast Bar, the Gov, Arthur Art Bar, Woodshed, Nexus Arts, My Lover Cindi, Confession, and Prompt Creative Centre, who quite rightly were awarded and received significant amounts of money from the state government to see them thrive.

But I would say that My Lover Cindi has gone under and Confession only now operates on an events basis and is not open week to week. They are just two of the sorts of venues that we should be seeing continue to thrive but, despite the fact that they were given a government grant, they have gone under in the last year.

Confession, for example, was a cabaret venue, so it does not fit the definition of a live music venue in terms of a live music pub. It had arts and it had culture, and now it can only continue to operate on a events basis. It is not open in the regular way that it was. Again, Broadcast Bar or Arthur Art Bar hold art shows, and even the Cranker, which has been much celebrated for its live music contribution—and I celebrate that as well—actually provides a really important stage, that small stage, for live comedy.

Unless we look at arts as more than just a band on a stage on a Friday or Saturday night we are going to lose the cultural hubs that these bricks-and-mortar venues provide, because arts and culture is much more than bricks and mortar, but it certainly needs a home of bricks and mortar as well. That is why I move this motion tonight and I trust that the government, having come to the party to save the Cranker, will see a reason to save our live culture as well. With that, I commend the motion.

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

BIOSECURITY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (23:21): I move:

That this council—

1. Notes the imperative importance of world-leading biosecurity measures for food and fibre security in South Australia;

2. Recognises that a whole-of-sector and state approach to biosecurity is crucial to the health and safety of our natural landscape and primary production; and

3. Acknowledges that South Australia's $18.5 billion agriculture, horticulture, fishing and forestry industries are best served by the management and eradication of invasive species.

Tonight I rise to address the chamber on a matter of paramount importance to South Australia's economic stability and future; that is, the health and security of our $18.5 billion primary industries sector. This sector not only drives our state's economic engine but also supports over half of our state's exports. The threats we face are significant and multifaceted, and it is imperative that we address these threats with urgency and clarity.

In recent years, our producers have been besieged by multiple major biosecurity issues. I acknowledge that the minister gave notice of the introduction of the biosecurity bill yesterday in this place. The opposition is looking forward to assessing that piece of legislation, the process of which, of course, began under the former Liberal government. I do note that it has taken the current minister two years to table that bill despite it being a priority and target in the 2022-23 budget. This inaction and sluggish response is unfortunately what we have come to expect under this current Labor government and this minister.

While the arrival of varroa mite and avian influenza are obviously not directly attributable to the actions of the Labor government, the government's response—or perhaps the lack thereof—has been slow and lacking urgency. This lack of effective action has left our primary industries vulnerable and has sown seeds of doubt amongst many producers out in the community who are talking to me.

Let us delve into the pressing issues facing our sector. First is the varroa mite, which presents potential losses for many parts of the agriculture sector in this state if we are not properly prepared. The varroa mite is an insidious parasite affecting honey bees and represents a significant threat to not only our beekeeping industry but also our horticulture and agriculture sectors that rely on the bee industry for pollination. This pest has recently been detected near Mildura, just 170 kilometres from South Australia's border. Given the close proximity of this incursion to the border, it is pertinent to question the adequacy of our current response and preparedness.

Despite the gravity of the situation, the minister's response to queries about the outbreak have been troublingly indifferent. When asked recently on the radio about the impact of the outbreak on the government's approach, and whether it would prompt an increase in surveillance, the minister's reply was equivocal: 'Look, at this stage, no'. This lack of urgency is unlikely to give confidence to industry stakeholders.

The management of varroa mite will be neither quick nor inexpensive. If it becomes established and eradication is no longer feasible, this transition will be challenging and costly for our apiarists. To date there has been no clear communication about who will bear the costs associated with this incursion. The apiarists are left in the dark, with no assurance regarding financial support or strategic guidance.

Moreover, the establishment of the South Australian Varroa Industry Advisory Committee has been a slow-moving process. Although this committee is intended to advise the Department of Primary Industries and Regions during the transition to a management phase, it was only set up after persistent questioning from the opposition. This committee includes representatives from the Beekeepers' Society of South Australia, the South Australian Apiarists' Association and the Australian Honey Bee Industry Council. Yet, despite this committee's formation in September 2023, crucial documents, such as the Varroa Mite Response Plan, have only just been released, despite varroa mite now being detected just over the border and right on our doorstep.

We now have a rushed consultation process, with industry having only three weeks to make a contribution to that response plan. This reveals a lack of transparency, preparedness and meaningful engagement with industry stakeholders. The consultation process is rushed, because the minister has sat on her hands for the best part of the year and it is not good enough.

Turning to avian influenza, we face a persistent threat that is dynamic in nature and has a real prospect of unfolding into a crisis. The minister herself has characterised this situation as continuing and evolving. Yet, an FOI request has revealed a troubling lack of correspondence between the minister and the Chief Veterinary Officer. This communication gap at critical times with such an important issue raises concerns about the government's management and oversight of the situation.

The avian influenza outbreak has particularly affected poultry produced in free-range conditions, exposing them to wild bird populations that often carry the virus asymptomatically and infect free-range poultry via contact. Industry representatives have raised alarm about the risks posed under these conditions, and a lack of preparedness or decisive government action. For example, the absence of voluntary housing orders and exemptions from the ACCC has been a point of contention.

The impact on the industry interstate has been severe—over two million chickens have been euthanised, leading to unstable egg prices and significant financial losses. This has a flow-on effect in the cost-of-living crisis that has extended to South Australia. The delay in returning a question on the frequency of surveillance and testing of wild bird population further demonstrates the minister's lack of organisation and commitment to addressing this critical issue. This action to date gives little confidence that the government is prepared to handle an incursion of avian influenza effectively.

Fruit fly continues to be a major problem for South Australian fruit producers, a sector worth $1.3 billion to our horticultural industry. Historically, as well as today, the approach to management of fruit fly has enjoyed multipartisan support, reflecting its absolute importance to our state's economy, but we need to ensure that confidence remains in the program, and when issues have been raised with the opposition, despite these serious concerns, the minister has steadfastly refused to commission an independent review of fruit fly policies and procedures. This refusal to act undermines confidence in our biosecurity efforts, and again signals a lack of transparency by this Labor government.

Foot-and-mouth disease remains a critical risk to Australia's animal health and trade. While the federal government has asserted that it has robust response plans and conducts regular exercises to test these plans, the situation on the ground appears less reassuring. The 2022 incursion in Indonesia exposed significant weaknesses in our local response systems. For example, the delay in the federal government's frontline biosecurity measures, such as foot mats at airports and the like, presented an increased risk to our farming communities across the nation and across this state. Then, the recent removal of the sanitation entry mats at Adelaide Airport, despite their low cost and moderate effectiveness, further highlights a troubling lack of commitment to biosecurity.

The minister's and the government's response to these important biosecurity threats has been marked by inconsistency and lack of urgency. We face a situation where vital aspects of our

$18.5 billion-dollar primary industries sector may be exposed. These issues we have discussed—varroa mite, avian influenza, fruit fly, and foot-and-mouth disease—represent significant threats to our state's economic health and food security.

It is essential that we hold the government and the minister accountable for the current state of affairs and demand a more effective, transparent and proactive approach to managing these threats. Our primary industries are the backbone of South Australia's economy and they deserve robust protection and decisive action. We must ensure that the government acts in the best interests of our producers, maintains rigorous biosecurity standards, and provides clear, timely and actionable plans to address these critical issues.

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

MEALS ON WHEELS

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

That this council—

1. Recognises that 2024 marks the 70th anniversary of Meals on Wheels;

2. Commemorates the work of Doris Taylor in establishing Meals on Wheels;

3. Acknowledges the importance of Meals on Wheels as a social institution that supports the wellbeing of some of South Australia's most vulnerable residents; and

4. Commends the essential work of all Meals on Wheels staff, volunteers and members.

(Continued from 19 June 2024.)

The Hon. D.G.E. HOOD (23:30): I rise to speak in support of this motion which urges the council to recognise that 2024 marks the 70th anniversary of Meals on Wheels. It seeks to commemorate the work of Doris Taylor in establishing Meals on Wheels. It seeks to acknowledge the importance of Meals on Wheels as a social institution that supports the wellbeing of some of South Australia's most vulnerable residents. It also seeks to commend the essential work of all Meals on Wheels staff, volunteers and members. I wholeheartedly support all the tenets of this motion.

Meals on Wheels Australia is a vital national association working alongside its member organisations, as well as peak bodies, providers and services across every state and territory in Australia. Committed to supporting the wellbeing and interests of primarily older Australians, although not necessarily so, Meals on Wheels Australia works with these groups and the community to raise awareness and to lobby for action around the importance of good nutrition and also, importantly, social connection.

South Australia's own Doris Taylor, a dedicated advocate for the elderly and the isolated, established the volunteer-run Meals on Wheels in Adelaide in 1954. So for over 70 years now Meals on Wheels has played a crucial role nationally in supporting the health and wellbeing of over 200,000 Australians annually across the member network of over 590 service locations. The Meals on Wheels kitchen opened in Port Adelaide on 9 August 1954, with other kitchens soon established in our state at Norwood, Hindmarsh and Woodville. Just 10 years after it commenced its important work, Meals on Wheels had already served its one millionth meal.

As the mover of the motion outlined, Meals on Wheels is a not-for-profit community-based volunteer organisation helping South Australians to live independently in their own homes by providing nutritious three-course meals on weekdays and frozen meals for weekends and public holidays. It is a service that is available to any South Australian who may find it challenging to shop, prepare meals for themselves or something in that order. The elderly, people with a disability, those recovering from surgery and carers are all eligible to become clients of Meals on Wheels. It is quite extraordinary that this organisation does not means test and that there are actually no waiting lists for its clientele.

Meals on Wheels is a program that ensures that those who are unable to prepare meals for themselves are not left to face hunger or malnutrition, which is imperative and particularly important, especially given the cost-of-living pressures that are being felt by the most vulnerable, in particular, in our society at the present time. The impact of Meals on Wheels, however, certainly extends far

beyond the provision of nutritious food. It fosters a connection to the broader community and is therefore a lifeline for many of our elderly and vulnerable citizens, which is the reason it boasts the motto, 'More than just a meal,' because it is more than just a meal. It is so much more than that.

In fact, the volunteers who deliver meals seek to ensure that every recipient is okay through personal contact. The importance of Meals on Wheels cannot therefore be overstated. In addition to providing food, it offers independence, dignity and security to a more vulnerable population. For some, the daily visit from a Meals on Wheels volunteer may be the only social interaction they have, making this service a crucial element in combatting loneliness and social isolation.

Meals on Wheels has become a cornerstone of our community and no doubt many in this chamber, including myself, would have known loved ones who have been its beneficiaries at one time or another. I wholeheartedly commend this motion to the council and commend the member for bringing it to our attention.

The Hon. S.L. GAME (23:34): I rise briefly to support the recognition of the 70th anniversary of Meals on Wheels and join with the honourable member in commemorating the incredible work of Doris Taylor. Meals on Wheels continues to provide a vital service for many of our most vulnerable and elderly South Australians, and much of this valuable work is contingent upon the service of volunteers. Without this service, many of our most isolated would not only go hungry but would also be deprived of an important form of social contact.

Since 1954, Meals on Wheels has delivered 50 million meals, so I join with the honourable members in expressing my gratitude for this remarkable achievement and contribution to the South Australian community. May this valuable and essential work continue long into the future, providing millions more meals as well as a strong sense of community and social connection for all involved in this great work.

The Hon. T.T. NGO (23:35): I also rise to speak in support of this motion. As we all know, Meals on Wheels does such important and extraordinary work in our communities. Meal services play a vital role in people's lives, removing the burden of grocery shopping, meal planning and cooking for the many people who need this essential help. A large number of elderly people want to remain in their own homes as they age, and Meals on Wheels helps them to do so.

The social interaction that comes through volunteers engaging with clients helps to reduce feelings of isolation and loneliness. In fact, only recently I was chatting with an elderly lady who lives a few streets away from me. Mrs Joy Way, who is almost 95 years old, told me she had volunteered for Meals on Wheels for 30 years, only retiring four years ago when she turned 90 in 2020.

Joy remembers the big earthenware urns used to serve the soup that were placed in the boots of cars, along with large eskies used to transport food. She told me how she always looked into her clients' fridges to make sure previous meals had been eaten and that there was fresh food. If there were concerns, these would be followed up with head office.

Joy described how the people she met on her deliveries would tell her how much they looked forward to her visits because of the conversations she shared, as well as her hugs. Joy had fond memories of two particular ladies, who told her they always enjoyed seeing her and having a hug. Meeting Joy recently and hearing about her 30 years of volunteering with Meals on Wheels really highlighted to me how lucky we are to have people like Joy in our communities.

She mentioned that, when she retired at age 90, she received a beautiful mantel clock for her service to Meals on Wheels. She told me how the clock came with a card, which included the following words, and I quote:

> Volunteers do not necessarily have the time; they have the heart.

On that note, I want to thank the network of past and present volunteers at Meals on Wheels. I think I can speak on behalf of all members of the South Australian parliament when I say: never underestimate the enormity of your contribution. As you deliver meals you are also connecting with people who treasure those moments of conversation and social interaction. However brief they may be, they mean something.

I want to thank the Hon. Reggie Martin for acknowledging the founder of this social institution, Doris Taylor, and for recognising and commending Meals on Wheels and the invaluable service of staff, volunteers and members.

The Hon. R.B. MARTIN (23:39): I would like to start by paying my thanks to the Hon. Sarah Game for her contribution; to the Hon. Dennis Hood, the always erudite and generous contributor, for his very kind words about Meals on Wheels; and a special thanks to my good friend the Hon. Tung Ngo for that personal story and the good timing to run into someone who has done such great work for Meals on Wheels for such a long time. To still be volunteering at the age of 90 is quite an amazing tale, so thank you, Tung, for that personal story.

A lot of people in South Australia and Australia know about Meals on Wheels, as I did, but what I did not know about was the amazing story behind its formation and that of Doris Taylor. I would like to place on the record my thanks for a very talented young man named Isaac Solomon, a university student from the University of South Australia, who brought Doris Taylor's life to my attention. It is an amazing tale: a woman who faced great challenge and adversity, who rose above it and created this lasting legacy in establishing Meals on Wheels.

I think the highest honour we can give someone is to acknowledge that they have left the place better than they found it, and when it comes to Doris Taylor that is certainly the case. I commend this motion to the house.

Motion carried.

PAYROLL TAX RELIEF

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

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

(Continued from 19 June 2024.)

The Hon. H.M. GIROLAMO (23:41): I move to amend the motion as follows:

Paragraph 3—After 'threshold' insert ', which was lifted by the previous Liberal government from $600,000,'

Tonight, I rise in full support of the motion put forward by the Hon. Connie Bonaros. I thank her for her continued interest and dedication to this important topic, a topic I am also very passionate about. Payroll tax reforms last occurred in 2019 under the previous Liberal government, hence my amendment that I have tabled today. It is time to ensure that we take another look at these reforms.

Businesses are struggling and dying every day under the burden of payroll tax. Many are having to pay payroll tax for the first time, not because of massive expansion or major profits but

purely because of major wage growth and bracket creep. This tax in its current form is a significant burden on South Australian businesses, stifling growth, disincentivising employment and potentially increasing the skills shortage in what is already of great concern in our state.

The South Australian Chamber of Commerce released a discussion paper earlier this year on 24 March, highlighting the urgent need for payroll tax reform. This is not just a matter of financial policy. It is about the livelihoods of South Australians, the viability of our businesses and the future economic prospects of our state.

We are not alone in calling for reforms. On 10 April, our colleague the Hon. Connie Bonaros brought an excellent motion to the Legislative Council, seeking to establish a select committee to inquire into payroll tax. Unfortunately, despite support from the opposition, this motion failed, as it was not supported by Labor and the Greens. This was a missed opportunity to thoroughly examine and address the pressing concerns of our business community.

The reality is that the current $1.5 million payroll tax threshold has remained stagnant for five long years. During this time, wages and superannuation costs have escalated, placing an increasing financial strain on businesses. Yet, despite these rising costs, the threshold has not been adjusted. This has created a situation where businesses are penalised for growth. Every new employee brings them closer to a tax that undermines their profitability and their ability to contribute to the state's economy.

On 27 May, the Liberal opposition announced a policy position to create an increase in the payroll tax threshold to $2.1 million, a move that will create much-needed relief to businesses and encourage them to expand and hire more employees. Additionally, we proposed exempting apprentices and trainees from payroll tax. This policy is designed not only to reduce the financial burden on businesses but also to address the skills shortage by incentivising the hiring of new-to-industry employees. This will be a key policy for us to champion in the lead-up to the 2026 election.

On 18 June, we announced our intention to axe the GP payroll tax proposed by this government. This tax will be devastating right across the healthcare system. By removing this burden we will aim to reduce the costs of seeing a GP, therefore alleviating the pressure on an already struggling health system.

The motion before us today supports the call from the business sector and from GPs. It is aligned to the policies that the Liberal Party has already announced. I urge all members to support this motion. Let us send a clear message that we stand with South Australian businesses and that we support economic growth, job creation and a fairer tax system.

The Hon. S.L. GAME (23:45): I rise briefly to fully support the honourable member's motion for the Malinauskas government to take immediate and effective action on payroll tax reform. Given recent increases in wages, it makes perfect sense to raise the current payroll tax threshold for South Australian businesses. We need to encourage and reward South Australian businesses that employ more workers and that continue investing in our people and economy. Payroll tax prevents businesses from expanding their operations, so I fully support calls for the current government to take action and reduce the burdensome tax for South Australian business, especially for businesses operating within the allied health sector.

We are all living through a cost-of-living crisis. Consumer spending is shifting and many businesses are struggling to stay afloat. In such a challenging economic climate, payroll tax relief could mean the difference between survival and going under. The government should be incentivising business growth with tax relief, not penalising growth with payroll tax. I fully support the honourable member's motion and join her in calling on the Malinauskas government to bring much-needed tax relief to the South Australian business community.

The Hon. R.A. SIMMS (23:46): I rise to speak very briefly in support of this motion on payroll tax by the Hon. Connie Bonaros and indicate that the Greens will be supporting the motion. Earlier this year, the Greens listened to the calls of the Royal Australian College of General Practitioners when they argued for an end to payroll tax for GPs, and we supported the honourable Connie Bonaros's motion that passed this place in April in response to that issue. Indeed, I also put forward

a motion on that important issue. Great minds often think alike on the crossbench, it seems, when it comes to these issues.

The motion notes that the business community is calling for payroll tax reform. It is fair to say that the Greens have a nuanced view on this issue. I do not necessarily support the calls of the business community in terms of the need to totally overhaul payroll tax. Indeed, it is my view that big corporations should pay more payroll tax. We have advocated for that previously, and I wrote to the Treasurer in the lead-up to the state budget advancing that position. But we certainly do not want to see payroll tax making it more difficult for small and emerging businesses to get off the ground in our state.

I should point out that it is the big corporations that are making millions or potentially billions of dollars in profit that we should be targeting here. They should not be given relief in their responsibility to provide for the greater good of the state. The money that comes from taxing big business can provide the funding we require for public services and social programs such as better health care; public schooling; trains, buses and even regional rail; and infrastructure that supports liveable cities and towns.

It is also the view of the Greens that we need to look at reform in terms of ensuring that gig economy businesses are subject to payroll tax. That was a recommendation out of the parliamentary inquiry into the gig economy, and I look forward to the government responding to that. This motion is a call to the Malinauskas government to support small businesses in remaining viable and maintaining their objectives and, of course, also looking at this issue in respect of GPs. We therefore support it on that basis.

In the interests of time, I might take this opportunity to indicate that the Greens will not be supporting the backslapping amendments of the Liberals, giving themselves a pat on the back for their time in government. We will not be a party to that, but I am happy to support the Hon. Connie Bonaros's motion.

The Hon. J.E. HANSON (23:49): Who does not like talking about payroll tax at 11.50 in the evening? Payroll tax is one of the more efficient state taxes and made up around 30 per cent of South Australia's taxation revenue in 2022-23, representing a significant source of funding for the many vital services provided by the government, including education, health, transport and infrastructure.

South Australia has one of the most competitive payroll tax regimes in the nation, with the second highest exemption threshold of $1.5 million in wages and one of the lowest standard taxation rates at 4.95 per cent. After surcharge levies applied in other jurisdictions are considered, South Australia has the lowest standard top payroll tax rate.

The Commonwealth Grants Commission's (CGC) measure of tax effort provides an indication of how a jurisdiction's effective tax rate differs from the average of all Australian jurisdictions and can be used as an indicator of tax competitiveness. In its most recent 2024 Update, the CGC assessed South Australia's payroll tax effort in 2022-23 as below the national average. In 2022-23, it is estimated that approximately $911 million in payroll tax relief was provided to businesses, including around $567 million associated with the existence of an exemption threshold, deduction and phased tax rate. I will not go into what that is because it is really late.

Australian states and territories have harmonised a number of key areas of payroll tax administration, including grouping provisions. These provisions ensure tax equity across businesses such that two businesses with the same level of taxable wages would be subject to the same payroll tax liability irrespective of corporate structure.

The government has not changed the legal application of payroll tax, including to general practitioners. The current contractor provisions of the Payroll Tax Act 2009 have been in place for many years and reflect a harmonised approach across other jurisdictions.

The government acknowledges that a number of medical practices have not accurately understood the contractor provisions within the Payroll Tax Act 2009 and have therefore needed time to fully understand those obligations, which are theirs. In recognition of this, the government worked with the Royal Australian College of General Practitioners and agreed to provide an amnesty to general practitioner medical practices to 30 June 2024.

Any eligible medical practice that registered with RevenueSA during the amnesty period will not be required to pay payroll tax on payments made to contracted general practitioners up to 30 June 2024 and for the previous five years. The government's provision of an amnesty is more generous than other jurisdictions, including Victoria, the Northern Territory and Tasmania, which have not offered similar amnesties.

The Hon. C. BONAROS (23:52): I do not quite know where to start with the last contribution, but I might start with the other contributions first. I thank all honourable members for their contributions today and for their support for this motion.

I might start with the opposition's contribution. I know that this is an issue that we share our similar views on and I am grateful for their support. In relation to the amendment itself, and in the spirit of hopefully getting this amendment up, I do not want to politicise the motion but I will say this: there is no question that that increase in the threshold that was moved that increased the threshold to $1.5 million from $600,000 made a significant impact.

The issue has since been the creep effect. We know what the issues are. If we had another increase to $2.1 million perhaps then we could maintain the success of that previous one, but we have whittled that down. There have been five wage increases, three super increases, inflation, and so effectively we have worn down the very positive impact that that threshold had—but we are still lucky to have it. That was a good move by the government at the time and one that ought to be acknowledged.

In relation to the Hon. Rob Simms' comments—I am trying to go as quickly as I can—in relation to those big corporations, we are not that different in our views in relation to that. The issue that we now have, because of payroll tax, is that we are capturing small and medium size businesses and we should not be capturing those businesses. It was never the intention to be capturing them.

Every time that payroll tax comes up for those small and medium businesses, mark my words, when you are looking at those hospitality venues that have closed their doors, payroll tax is a factor. I know people who run hospitality venues, and every time they are doing their payroll tax liabilities they are doing their level best to stay just under the bracket, so that they can actually afford to keep their doors open. That is a reality. The creep effect is real, and it is impacting businesses across the state.

The Hon. Sarah Game has spoken positively in favour of these changes, and I thank her for that, and I think that is a genuine view of everyone in this chamber. In relation to the government's contribution, I will say this: if you think for one moment that anyone is going to accept the response that has been given in relation to the GPs or the allied health professionals, then you are very mistaken.

They have been on the record to say, at best, under those changes, it will be a $5 increase to patients for visiting their GP. At worst, it will be a $20 increase. We have clinics all over the state now, and particularly in our regions, who are double-tapping those bills. Patients are double-tapping, so that they can pay what the clinic would otherwise have to fork out in payroll tax.

In relation to the amnesty itself, we need to be crystal clear about what was offered. There was a 12-month amnesty offered. I think 252 clinics signed up to that. Never in a million years did 252 of them expect that they were handing over their information to Treasury only to be told—and each and everyone of them got the same response—'And by the way you are liable for payroll tax.' That is the response they got at the end of it—every single one.

The ones who did not sign up to that amnesty will be retrospectively liable for payroll tax for five years, and nobody can put a number on two things: you cannot put a number on how much revenue this new measure is going to bring in, and you cannot put a number on how many did not sign up to the amnesty. It was inevitably pressure and well-run campaigns by the AMA and the RACGP that saw that concession come in, but both have acknowledged publicly that it was a concession, a middle ground, and it is not going to prevent the impact on GPs and their clinics, particularly in the regions. The quotes are between $5 to $10 at best, $10 to $20 at worst. That is the hits to patients' pockets.

Payroll tax in this jurisdiction is currently sitting at $1.7 billion a year, the forward estimates $1.97 billion a year—$5 million a day in payroll tax. You could be taking that extra that you did not anticipate getting—we cannot put a number on how much extra is going to come in from the GPs—and looking at incentives that are going to offer some relief to all these businesses, GPs, specialists, allied health professionals, and small and medium businesses included, but we are not doing that. We are taking that extra money, putting it into government coffers, and spending it on whatever it is we are spending it on.

There has not been any genuine reform about this. I tried this before in terms of an inquiry, but I genuinely want the government to take on board the criticisms that are being levelled at them, and engage in a process that will look at the sorts of reforms that other jurisdictions have implemented, that will look at the sorts of reforms that the Business Chamber of Commerce, the former Business SA, has recommended here.

Regional discounts of 50 per cent in Victoria have resulted in $157 million extra dollars in businesses' pockets. That is a $157 million saving to businesses that has generated more employment and more economic activity for those areas. It is 1.2 per cent at the moment in the regions of Victoria who pay payroll tax; that is the rate that they are paying. What the government has lost in revenue has been made up for in leaps and bounds in terms of economic activity and revenue.

I am genuinely hopeful that, despite what we have just heard from the honourable member, this motion will pass and the Labor government will put some genuine effort into having not a Treasury and Finance review, not a government review but a Productivity Commission review. We all know the benefits of those sorts of reviews. What has happened across the board in terms of allied health professions has just highlighted that issue even further.

I make a point in relation to that. There is an entire allied health profession out there. The only ones who got the benefit of an amnesty—and well done to them for negotiating it—were GPs and specialists. Obviously, that is where most of the political pressure came from. But when you are a patient, and you need to go to see a physio, and a physio is impacted by those same changes and you cannot afford the physio's bill, inevitably you are going to end up back at that GP paying a separate fee to cover their payroll tax if you can afford the consult. In the worst case, you are going to end up back in an emergency department.

Overall, when it comes to the health crisis, no amount of money that you are going to recoup in payroll tax is going to outdo the impact that this is going to have on the health crisis in this state. Everyone who knows something about this issue will say that. I am not saying it, they are saying it. They are saying it publicly, they are saying it in inquiries; that is the feedback we are getting. If we want to get real about dealing with issues that impact small and medium businesses, if we want to get real about making a dent in the health crisis, then looking at windfall gains (and unintended ones at that) from payroll tax is not and cannot be the solution.

I will leave it there, because I appreciate the hour, but I am very hopeful that that is enough to convince the opposition. It is a good move, we all acknowledge that, and I am very hopeful that that is enough to impress upon members the importance of a systemic review. The Productivity Commission I think—and from what we have heard everyone thinks—is well placed to undertake that review. With those words, I commend the motion and urge all honourable members to support it.

Amendment negatived; motion carried.

ERSIN TATAR

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Expresses its concern and dissatisfaction regarding the recent visit to Australia by Ersin Tatar, the leader of the self-proclaimed 'Turkish Republic of Northern Cyprus' (‘TRNC’), which constitutes the Turkish-occupied northern part of Cyprus;

2. Notes South Australia does not recognise the legitimacy of the TRNC;

3. Notes United Nations Security Council Resolutions 541 and 550 which call upon all states not to recognise the purported state of TRNC;

4. Recognises that as the first leader of this entity to visit Australia, the visit was not cause for celebration;

5. Recognises the distress felt by Australians of Cypriot and Greek heritage due to Ersin Tatar's visit;

6. Acknowledges the historical suffering of many refugees who lost their homes, land, and possessions following the invasion of Northern Cyprus by Turkish forces in 1974;

7. Acknowledges the ongoing pain of those whose loved ones have been missing since the invasion;

8. Supports the communities affected by the historical events in Cyprus;

9. Notes the advice of the federal government to all members of parliament and state governments to refrain from engaging or meeting with Ersin Tatar during his visit to Australia or otherwise; and

10. Calls on the state government to clearly articulate its support for the federal government's position of non-recognition of the TRNC.

(Continued from 19 June 2024.)

The Hon. J.S. LEE (Deputy Leader of the Opposition) (00:03): I rise today on behalf of the Liberal Party to support this motion moved by the Hon. Connie Bonaros and express our concerns about the recent visit to Australia by Ersin Tatar, the leader of the self-proclaimed Turkish Republic of Northern Cyprus. As clearly stated in the terms of the motion, Australia supports the sovereignty and territorial integrity of the Republic of Cyprus and does not recognise the legitimacy of the Turkish Republic of Northern Cyprus which controls the northern part of Cyprus.

The United Nations Peacekeeping force in Cyprus was established in 1964 to prevent further fighting between the Turkish and Greek Cypriot communities. However, the Turkish invasion of Cyprus on 20 July 1974 resulted in the capture of approximately 36 per cent of the island in the northern part of Cyprus. The ceasefire line from August 1974 became the United Nations' buffer zone in Cyprus and is commonly referred to as the Green Line. Around 200,000 Greek Cypriots, over a third of the 1974 total population who were forcibly expelled from the northern part of Cyprus, are still deprived of the right to return to their homes and properties.

UNFICYP still controls the buffer zone between northern and southern Cyprus, and Australia's involvement for 53 years marks our longest UN peacekeeping mission. Many refugees who were forced to flee their homes and lost their loved ones, livelihoods and possessions following Turkish invasion of Cyprus in 1974 came to find a new home in Australia. We are immensely fortunate to have the second largest Cypriot diaspora in Australia, with a vibrant Cypriot community here in South Australia.

We acknowledge that the historical violence and ongoing tensions in Cyprus continue to cause pain and distress for the Cypriot and Greek communities here in South Australia. This year is incredibly emotional for so many in the community as it marks the 50th anniversary of the Turkish invasion and occupation of Cyprus.

Every year over the last 50 years, the Cypriot community comes together to commemorate the devastating invasion with a number of events and these events are an expression of the solidarity and support to the people of Cyprus and to pay tribute and honour those who lost their lives in the struggle for democracy and freedom during the events of 1974.

I would like to thank all involved who worked tirelessly to organise these commemorative events. In particular, I would like to acknowledge Professor Andreas Evdokiou, President of the Cyprus Community of South Australia, and Peter Ppiros, Chairman of the Justice for Cyprus Coordinating Committee SA, and their executive members for their ongoing commitment to co-hosting the annual church memorial service, wreath-laying ceremony, protest rally and other forums to mark this solemn occasion.

SEKA and the Cyprus Community of South Australia continue to advocate for a just and viable solution to reunite Cyprus, and we understand that Ersin Tatar's recent visit further added to the distress and pain still keenly felt by the community. I note that the federal government provided advice to all members of parliament and state governments to avoid engaging or meeting with Ersin

Tatar during his visit to Australia. It was not an official visit and, from my understanding, no federal or South Australian politicians met with him. It is vital that we reassure our Cypriot and Greek communities that South Australia continues to support the longstanding position of non-recognition of the TRNC.

On behalf of the South Australian Liberal Party, I wish to acknowledge and thank all the community leaders and organisations who persistently advocate for peace in Cyprus and thank them for their valuable contributions in the quest for justice for Cyprus. I thank the honourable member for moving this motion and we support this motion.

The Hon. T.T. NGO (00:08): I also rise to speak in support of this motion. At the outset, I want to reiterate that this state government supports the federal government's position on this issue, a position that confirms Australia's support for the sovereignty and territorial integrity of the Republic of Cyprus, recognising the republic as the only legitimate authority on the island.

Many Greek Cypriots and their descendants in Australia have personal or family connections to the 1974 Turkish invasion of Cyprus, which, as we all know, resulted in significant loss of life, displacements and the occupation of the northern parts of Cyprus. This remains a deeply painful chapter for so many, and Australians with Greek Cypriot heritage are deeply sensitive to the historical and ongoing conflict in their homeland.

In May 2024, Ersin Tatar's visit to Australia occurred on the 50th anniversary of the 1974 illegal invasion. It brought distress to Australians of Greek Cypriot heritage, bringing the unresolved tensions and ongoing conflicts to the forefront. As we know, Tatar's presidency is closely associated with advocating for the recognition of the Turkish Republic of Northern Cyprus, a self-declared state only recognised by Turkiye.

In South Australia, we are a safe haven for the many Cypriots who were displaced after the invasion of Cyprus. As a nation, we have the second largest Cypriot diaspora in the world after the United Kingdom. The tragic truth is that our Greek Cypriot South Australians were forced from their homeland and came to us not by choice but by necessity.

Here in our parliament, Labor's very own member for Enfield, the Hon. Andrea Michaels MP in the other place, has shared her story of having to flee her homeland with her family. Her story, like those of others, is real and shares memories, connections and the undeniable roots of a place that was once home. This is a homeland and culture she and her family are immensely proud of.

The Malinauskas Labor government supports Minister Michaels and the many other voices who are calling for the commonwealth government to help in the current peace process; for the United Nations to continue to acknowledge the sovereignty, independence and territorial integrity of the Republic of Cyprus through its many resolutions; and for Australia, as a member of the United Nations, to advocate for those resolutions to be respected by the Republic of Turkiye.

However, despite the many harrowing memories and stories, there have also been stories of success and positivity. The Greek Cypriot community has contributed so much to the multicultural fabric of South Australia and works hard to bring other communities together. Today they play a vital role in preserving and promoting Cypriot culture, traditions and language in South Australia. Greek Cypriots in South Australia organise and participate in many cultural events. Most South Australians will be familiar with the iconic Glendi Greek Festival. This event and many others have fostered empathy and understanding in South Australia by providing opportunities for the wider community to experience this culture's joyful music, dance and—most importantly—delicious food.

Over the decades, our Greek Cypriots have established strong community organisations that offer support both to new migrants and established families, helping with housing, employment and education. On that note, thank you to our South Australian Greek Cypriot community for sharing your stories and traditions with us. On behalf of the South Australian government, I thank the Hon. Connie Bonaros for presenting this motion, which we will be supporting.

The Hon. M. EL DANNAWI (00:13): Thank you to the Hon. Connie Bonaros for bringing this motion to the council. Over the winter break, I had the honour of attending one of the commemorative events organised by the Cyprus community and Justice for Cyprus South Australia.

I heard directly about the suffering inflicted by the Turkish military occupation and division and how the dire consequences are felt by our Cypriot community 50 years on.

July 20 marked 50 years since the invasion and subsequent occupation of the Republic of Cyprus, in violation of the UN Charter and the fundamental principles of the international law. Over 200,000 Greek Cypriots were displaced from their homes, becoming refugees in their own country, and whole communities were uprooted. Half a century later, over a third of the sovereign territory of the Republic of Cyprus is still occupied, and these people are deprived of the right to return to their homes and properties. I feel their pain and their longing to see Cyprus free and united again.

Watching what our innocent brothers and sisters are going through in Palestine, I can say that this world needs no more violence, suffering and loss. At the event I attended on 24 July, hosted by the Cyprus community, I heard about the latest developments on the Cyprus issue and how crucial it is for a lasting, peaceful and just solution to be found.

I applaud the federal government for advising all members of parliament not to engage in meetings with the leader of the self-declared Turkish Republic of Northern Cyprus, Ersin Tatar, during his recent visit to Australia. This is consistent with Australia's official position that we support the sovereignty and territorial integrity of the Republic of Cyprus as the only legitimate authority of the land, that the TRNC is not legitimate and that we do not recognise it. We hear all the calls of our Cypriot communities for reconciliation and a united Cyprus, where Greek Cypriots and Turkish Cypriots live in peace and harmony.

The stories of the two communities growing together before 1974 is proof that this invasion was not a result of opposing religious and ethnic beliefs but rather of other interests. As a country with similar values and deep historical roots through our Australian Cypriot community, we have the duty to encourage dialogue until a viable solution is reached for all people of Cyprus. It should be our priority to make decisions that will positively influence the future of our South Australian multicultural communities, be they Ukrainian, Palestinian or Cypriot.

The Hon. C. BONAROS (00:16): I thank all honourable members for their contributions and heartfelt sentiments expressed today—the Hon. Jing Lee, the Hon. Tung Ngo and the Hon. Mira El Dannawi.

If you want an example of how important this is to South Australians of Cypriot descent, you only need to look next door in the other chamber at the Hon. Andrea Michaels. Last week, I had the pleasure of attending a viewing of Kay Pavlou's documentary *Two Homelands* with the minister. There was not a dry eye in the house, but what was even more remarkable was the effect that film had on attendees post the event. Connections were made in that room that were truly remarkable amongst people who had never met before but had some connection in Cyprus and found themselves connected here in South Australia for the first time.

A person known to many of us in this place, Councillor Isaac Solomon, not only had the honour of meeting his great-grandfather's friend in Kay Pavlou's father but also seeing for the first time a photo of his great-grandfather feature on that film, *Two Homelands*, for the first time ever, and it is no wonder he was as emotional as he was.

The minister—and I said this on the night—I have never seen as raw and emotional as that room saw her. It is very hard to speak publicly after an event about these issues, which are still very raw and public. There is something warm about seeing someone amongst people who have gone through what her family has gone through be able to expose herself like that in such a public way and have those connections here.

There is no question that 1974 is a raw event to this day for Cypriot Australians and South Australians. There is no question that many of them struggle to deal still, as do migrants from all over the world. We are watching, as the honourable member has referred to, what is happening in Gaza at the moment—it impacts all of us. In this case, that illegitimate occupation of Northern Cyprus in 1974 is simply unconscionable and has had lifetime effects on everyone involved.

In the weeks following the introduction of this motion, the Justice for Cyprus coordinating committee organised a series of events to mark the 50th anniversary of the invasion of Northern Cyprus: a memorial service at the Greek Orthodox Parish of St George; a wreath-laying ceremony

where prominent groups and figures had the chance to pay their respects to lives lost as a consequence of the invasion; a talk on current developments in Cyprus from an official representative of the Republic of Cyprus; and a protest rally against the continued illegal occupation held on the steps of Parliament House, including speeches by PSEKA representatives and the Cypriot community.

They are the things we do to counter the sort of visit that we had from Ersin Tatar earlier this year and the actions that he sought to undertake here. It is nice to see everybody coming together across the political divide to say that we acknowledge the pain and the history, and we certainly will not be acknowledging what it is that he brought here.

I will end by reiterating what Greek Cypriots say, and that is 'Den xehno', which means, 'We won't forget'. And you cannot forget. Even when you come here and you are living in the diaspora or wherever you may be, you cannot forget. If you have lost a loved one, if you have been locked out of your house and if there are new Turkish families living in your homes and occupying your family homes, the place of your roots, then you do not forget. Unless and until there is an appropriate resolution, I am very proud that we as a nation stand tall and firm with our Australian Cypriot communities in South Australia and Australia-wide.

Motion carried.

ST FLORIAN'S DAY

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

That this council—

1. Recognises that 4 May 2024 marks St Florian's Day;

2. Acknowledges that St Florian is the patron saint of firefighters; and

3. Gives thanks to all past and present employees, members and volunteers of the MFS and CFS for their service.

(Continued from 1 May 2024.)

The Hon. S.L. GAME (00:22): I rise briefly to support the motion brought forward by the honourable member to acknowledge St Florian, the patron saint of firefighters, and I join wholeheartedly with the honourable member in giving thanks to all who have served and continue to serve in the MFS and CFS. St Florian epitomises the courage, bravery and unwavering commitment displayed by our firefighters, and we join the honourable member in celebrating the many employees, volunteers and members of our fire service.

Florian was the commander of the firefighting squad in the Roman army around 250 AD and became a Christian saint because he refused to follow the Emperor's orders to persecute Christians. For this act of disobedience Florian was sentenced to death by fire. In response to this punishment, Florian declared, 'If I am sentenced to death by fire I will climb to heaven on the flames.' We celebrate St Florian and pray that all firefighters will continue to be protected in the dangerous work they do.

The Hon. B.R. HOOD (00:24): Today, I rise to acknowledge St Florian's Day, a day dedicated to honouring the bravery, commitment and selflessness of our firefighters, especially the extraordinary men and women of the Country Fire Service. St Florian, the patron saint of firefighters, symbolises the courage and resilience that our CFS volunteers embody every day.

In regional South Australia, where bushfires are a near constant threat, these volunteers are often the first line of defence. They are frequently called on to leave behind their own families and to step into harm's way to safeguard our lives and our properties. They are the backbone of our rural safety network, facing extreme conditions while balancing their everyday lives and responsibilities.

None of this, however, is to discount the similarly critical role of our paid firefighters of the Metropolitan Fire Service. In Mount Gambier we are fortunate to have both the CFS and the MFS working together to ensure our safety. I particularly want to acknowledge a mate of mine, Adrian Puust, who is the station officer in Mount Gambier and who was just this month recognised for his 35 years of dedication to firefighting. Adrian is not only a highly experienced but also a respected member of our community.

Like all our CFS and MFS firefighters, Adrian's contributions go beyond firefighting as they also assist with road crashes, traffic management and community services like home fire safety sessions. I have had the pleasure of working alongside Adrian during a seniors forum in Mount Gambier, where he generously offered up his valuable insights into road safety and safe driving behaviour.

Harking back now to the CFS, the sacrifices made by those volunteers is immense and must be acknowledged. They miss family events, they work long hours without pay and they endure physical and emotional exhaustion. Despite witnessing the destruction of homes, livelihoods and natural habitats, they continue to serve with unwavering dedication. Their courage is a testament to the strength of our regional communities.

While today is one of recognition and gratitude, we must also acknowledge the challenges our CFS volunteers face. The ongoing parliamentary inquiry into the CFS is highlighting concerns about the adequacy of resources, support and infrastructure available to our volunteers. These issues, if not addressed, will hamper their ability to respond effectively in the future.

Today, let us focus on the positives, on the incredible work of our volunteers and firefighters in all they do, despite the challenges. Their commitment to protecting our communities is nothing short of heroic. We owe them not only our gratitude but our full support to ensure they have the resources they need to continue their vital work. To all the volunteer firefighters across South Australia, and especially those in our regional areas, thank you. Your courage, dedication and selflessness are the foundation of our communities' safety and resilience. On behalf of all South Australians, I salute you.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (00:27): I rise to offer my support for the motion, acknowledging St Florian and giving thanks to all those who have served, and continue to serve, in the ranks of both the Metropolitan Fire Service and the Country Fire Service.

St Florian is the patron saint of firefighters, and his iconography is often depicted in art as a Roman soldier with a lance and a bucket of water, sometimes shown pouring water over a burning building. For centuries, his feast day has been celebrated on 4 May. St Florian was born around 250 AD, in the ancient Roman city of Aelium Cetium, which is in present-day Austria. He joined the Roman army and rose to the position of a high-ranking officer. He was tasked with organising firefighting brigades, and he is remembered for his courage and leadership in saving towns and villages from fire.

Florian's execution during the Diocletianic Persecution was brutal. After refusing to offer a sacrifice to the old Roman gods and remaining true to his Christian faith, in 304 AD he was scourged, flayed and eventually thrown into the Enns River with a stone tied around his neck. His body was later retrieved by Christians and buried with honour.

Due to his history with firefighting brigades and his miraculous protection against fire, Florian became the patron saint of firefighters. St Florian's story is a testament to bravery, faith and the commitment to helping others in the face of danger. His legacy endures in the hearts of many, especially those in the firefighting community.

St Florian's Day, or International Firefighters' Day as it is also commonly known, was first commemorated in Australia in 1999, following the tragic events of 2 December 1998 when five members of the Geelong West Fire Brigade were killed while fighting a large bushfire in Linton, Victoria.

This horrific incident shocked the local community and also deeply affected volunteer firefighters across the country. JJ Edmondson, a volunteer firefighter with the Country Fire Authority in Victoria, was particularly moved by the tragedy of fellow volunteers losing their lives whilst doing something they were trained and proud to do—protecting others.

JJ made it her mission to organise an internationally recognised symbol of support and respect for all firefighters and set a date for which it could be observed worldwide. St Florian's feast day had long been recognised in Europe as the day of fire service, and that was the perfect date for this international day of observance. Each year on 4 May, people all around the world are encouraged to take a moment to remember past firefighters who have died whilst protecting their communities

and safety of others. It is also a day to acknowledge active firefighters. This can be done by proudly wearing and displaying an International Firefighters' Day as a mark of respect.

The colours of the International Firefighters' Day ribbon symbolise the main elements firefighters work with work with—red for fire and blue for water—and are also internationally recognised as colours of emergency services.

In South Australia, we have both the Country Fire Service (CFS) and the Metropolitan Fire Service (MFS), who put themselves at risk to protect others by responding to fires and many other incidents and emergencies, such as road crashes, complex rescues, chemical incidents and biohazards. Their history goes all the way back to 1862, just 28 years after our state was recognised as a colony, when the 'Act to provide for the appointment of an Inspector of Fire Brigades, and for other purposes therein mentioned' was enacted.

Although the titles of the organisation and the roles within have changed over the years, the purpose remains the same: to safeguard the irreplaceable. When we think of the Metropolitan Fire Service, many may automatically think of bright trucks sweeping down busy city streets, but there are 17 regional MFS fire stations supporting country communities. As a proud representative of regional South Australia, I would particularly like to acknowledge those stations today.

The South Australian Metropolitan Fire Service is comprised of approximately 1,200 personnel, including full-time and retained (regional part-time) firefighters and non-operational personnel, across the 37 stations and a range of support facilities throughout South Australia. Community engagement is a cornerstone of the South Australian Metropolitan Fire Service mission. Through fire safety education, public demonstrations and school programs, they work proactively to reduce fire risks and enhance public safety awareness.

The South Australian Metropolitan Fire Service also collaborates with other emergency services and government agencies to coordinate comprehensive disaster response and recovery efforts. The South Australian MFS commitment to excellence is reflected in their continuous investment in cutting-edge technology and equipment, ensuring they remain at the forefront of emergency response capabilities. Their dedication to protecting the community and minimising the impacts of emergencies makes the South Australian MFS an indispensable asset to the state.

Likewise, the Country Fire Service has a clear and ambitious vision to be the best volunteer firefighting service in the world. Over 13,500 volunteers, including cadets and operational support members, make up the backbone of the CFS, supporting their communities in times of needs across 425 brigades in six regions covering our great state. Their relentless efforts in fire prevention, readiness and response significantly reduce the loss of lives, properties and natural environments.

The CFS exemplifies country community resilience. Their rigorous training, advanced equipment and strategic planning equip them to effectively battle everything from wildfires to dangerous chemical spills from overturned trucks in the middle of nowhere. The courage and dedication of volunteers facing unpredictable and hazardous situations make them true community heroes, deeply appreciated by locals like me and my family in Winkie.

I have spoken in this place previously about my admiration for the CFS. They are crucial to our country towns. As someone who has experienced natural disaster several times over, through flood, storm and fire, I cannot thank them enough. I wish to thank every single member of our Country Fire Service and the South Australian Metropolitan Fire Service, particularly the volunteers and those on the frontline, who put up their hands to train hard and risk their lives for their communities in times of emergency. Thank you for all that you do to make our community a safer place to live. I commend the motion.

The Hon. R.B. MARTIN (00:33): I would like to start by thanking the Hon. Sarah Game, the Hon. Ben Hood and the Hon. Nicola Centofanti for their generous contributions, all sharing the sentiments that I am sure everyone in this chamber has, of thanks and appreciation for the great work that the personnel, staff, volunteers from the MFS and the CFS do here in South Australia.

There is no-one that I respect more that in times of danger runs towards that danger to help others rather than running away from it, and people that serve in the MFS and CFS certainly do that

and put their own lives at risk to help, save and protect others. That courage that they have is just such an amazing and admirable quality.

I would just like to quickly place on the record—and I do not say this at the expense of others that maybe I do not know about—that the member for Waite in the other house, Catherine Hutchesson, is a serving CFS member and has been for quite some time. She is very active in her CFS community. A friend of mine and of many here on the Labor benches, the former minister and former member for Colton, the Hon. Paul Caica, was a longstanding firefighter, and on his retirement from parliament he went back to help serve and represent those people through a position at the United Firefighters Union. If there are others on the other benches that I do not know of, please do not take offence. I am sure—

The Hon. J.S. Lee: Adrian Pederick.

The Hon. R.B. MARTIN: Adrian Pederick is also a member of the CFS, is he? Yes, excellent. So thank you to Adrian as well and every member of the CFS and the MFS who serve our community so well. I appreciate it and thank them, and I commend this motion to the chamber.

Motion carried.

CHILD SAFETY (PROHIBITED PERSONS) ACT REGULATIONS

Orders of the Day, Private Business, No. 26: Hon. R.B. Martin to move:

That the regulations under the Child Safety (Prohibited Persons) Act 2016 concerning exemptions, made on 14 December 2023 and laid on the table of this council on 6 February 2024, be disallowed.

The Hon. R.B. MARTIN (00:36): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

CHINATOWN ADELAIDE SOUTH AUSTRALIA

The Hon. J.S. LEE (Deputy Leader of the Opposition) (00:36): I move:

That this council—

1. Congratulates Chinatown Adelaide South Australia (CASA) Inc. for achieving a special milestone of 20th anniversary;

2. Recognises that CASA's annual Lunar New Year Street Party has become a flagship event that promotes Adelaide as an inclusive multicultural city that embraces cultural diversity and celebrations valued by Chinese, Asian and all communities in South Australia;

3. Commends the longstanding contributions made by founding members, current and past presidents, committee members and volunteers of CASA and thanks them for their dedication and hard work over the past 20 years; and

4. Recognises the strong collaboration of CASA with local Chinatown traders, business community, business precincts partners (including Central Market, Grote Street and Gouger Street precincts), community groups and other stakeholders to support initiatives and activities that promote Chinatown as a multicultural melting pot and popular destination for tourists, international students, migrants and our South Australian community.

It is a great honour to move this motion to congratulate Chinatown Adelaide South Australia for reaching their significant milestone of their 20th anniversary this year. It would be fair to observe that every vibrant multicultural city in the world would have an area designated as Chinatown. From New York City to old London town—that sounds like a song, doesn't it?—areas known as Chinatown exist throughout the world.

It may come as a surprise to many that Binondo, in Manila in the Philippines, is recognised as the world's oldest Chinatown. It was established in 1594. Early examples outside Asia include San Francisco's Chinatown in the United States and Melbourne's Chinatown in Australia, which were founded in the early 1850s during the gold rushes period.

Chinatown in Adelaide began to grow in the 1970s and 1980s with the influx of Asian migrants particularly from Vietnam and South-East Asia. Produce was sold at the Central Market by

hardworking market gardeners, and this began the growth of the Asian food shops, retail outlets, restaurants and cafes in the area. Our Chinatown is an important social and economic centre for the Chinese and Asian community and proudly stands as South Australia's popular multicultural melting pot for the locals as well as for tourists, migrants and international students.

I have a long association with Chinatown Adelaide South Australia, and today I would like to acknowledge its contribution over the last two decades. Chinatown Adelaide South Australia, known as CASA, is a non-profit organisation which was founded in late 2003 by traders, property owners and community-minded individuals of the Chinatown precinct. The success and contributions of CASA would not be possible without the hard work of the committee members and volunteers who contribute their knowledge, skills, time, financial resources and energy to make sure CASA remains an active organisation that allows the Chinatown community to continue to support each other in their growth and prosperity.

I would like to take this opportunity to acknowledge all the past presidents of CASA for their contributions and strong leadership. I have had the privilege to work with all of the past presidents over the 20 years. I would like to put my thanks on the public record to thank them for their unwavering support and friendship for our community over the years and acknowledge these community leaders for their dedication and enduring service.

These past presidents include David Wong, the founding president; George Chin, who served as president three times; Irena Zhang, who served as president twice; Cathy Chong AM; Peter Yang; Eric Lai; Herman Chin and Tianbo Zhang. These past presidents have paved the way for the next generation of leaders, committee members and volunteers. Many of these past presidents continue to provide advice and mentorship for the current committee.

I would also like to acknowledge the current committee that consists of president, Wayne Chao; vice presidents, Long Chen, LinLin Yu and Ye Yang; secretary, Jingjing Hang, treasurer, Yidan Wang; and committee members, Jiaqi Wang, Xuerong Bu, Yiming Yin and Jing Mao.

Since its establishment 20 years ago, CASA has held many successful events and has participated in other events, which have always been well supported by the governors, members of parliament, local, state and foreign dignitaries, leaders and members of business and other communities.

The largest and most recognisable amongst all of these events is the annual Lunar New Year Street Party. The Lunar New Year Street Party is Chinatown's flagship event and promotes the culture, heritage and traditions of Chinese and other Asian communities. This event has grown to embrace cultural diversity and celebrations valued by all multicultural communities in our state and showcases Adelaide as an inclusive and diverse multicultural city.

CASA organised the first street party on 24 January 2004 on Moonta Street, Chinatown. This first event not only celebrated 2004 Lunar New Year, it was also the inauguration of CASA and the groundbreaking ceremony of the new southern Chinatown gateway. As a result of the successful hosting of the 2004 street party, CASA won the prestigious Community Event of the Year Award presented by the Adelaide City Council in conjunction with the 2005 Australia Day celebrations.

By 2008, the Lunar New Year Street Party had expanded their cultural performances to include for the first time members from the Burmese, Filipino, Indian, Indonesian, Japanese, Korean and Thai communities, making it a truly multicultural event. The Lunar New Year Street Party is now the largest celebration of its kind in South Australia, with over 25,000 visitors flooding Gouger and Moonta streets to enjoy this spectacular cultural event each year. The whole precinct would transform into an Asian village, with community coming together to watch dragon and lion dance, plus other colourful cultural performances.

CASA has also played a role over the years in supporting and hosting events for various Asian communities, acting as a central point for local council and other peak bodies and have facilitated sister-city receptions and Olympic and Paralympic fundraisers. Since 2017, CASA has also participated in the OzAsia Festival.

In addition to supporting festivals and social activities, CASA has been at the forefront of providing emergency support to those in need. For instance, in 2018, a fire in the Chinatown precinct

caused an estimated $2 million in damage, destroying an Asian supermarket, a restaurant and severely damaging a number of shops. Based on my strong relationship with CASA, I was the first member of parliament to meet with the CASA leadership team on site to speak to the traders impacted by this devastating blaze and I saw firsthand the damage and distress the fire caused to business people and their staff.

Without any hesitation, CASA immediately jumped in, in a short space of time, and garnered supporters to put together the 2018 Chinatown Fire Appeal fundraising event to help support the recovery of small businesses and staff affected by the fire. It was a privilege to support the fundraiser with Chinatown traders and Adelaide's wider business and multicultural communities.

CASA has always maintained a strong focus on promoting the success and vibrancy of the Chinatown business precinct, partnering with its neighbouring precinct partners, including Central Market Quarter, Grote Street Business Precinct and Gouger Street Traders Association to advocate for and support the local business community.

In January 2020, I was proud to join with the former Premier, the Hon. Steven Marshall, and former Lord Mayor, councillors, traders and friends to launch a lighting project on Moonta Street in Chinatown. The Marshall Liberal government contributed $500,000 towards the Moonta Street reinvigoration project, which saw a total $4 million upgrade to the cultural heart of Chinatown. This investment supported the delivery of mural art, modern functional lighting throughout the street, and a spectacular creative lighting installation.

During the darkest time of the COVID pandemic, cafes, restaurants and businesses in Chinatown were in great pain. No-one felt safe to go out. Businesses within Chinatown were struggling to survive without customers. The CASA committee felt that it was important to raise morale and confidence within the precinct, and I had the privilege to join the former Governor, His Excellency the Hon. Hieu Van Le, for a site visit to Chinatown organised by the CASA committee during the pandemic to meet with businesses, community leaders and volunteers to show our support for the Chinatown precinct during those challenging times.

Through my social media I published photos of our visit, and subsequent visits to Chinatown at every opportunity, to encourage everyone in our community to hashtag #ShowYourLove, #showyoursupport, #supportourlocals and come to Chinatown for shopping, eating and catching up with friends and family, to ensure that the precinct is not forgotten. I thank everyone who has participated in the return to Chinatown campaign, particularly the CASA committee and members.

In addition to the many events and community groups that CASA has supported over the years, they have also played an important role in assisting international students and new migrants from China and Asia to integrate seamlessly into the larger South Australian community. CASA works closely with a number of community organisations to help provide pathways and services to support international students in Adelaide to engage broadly with our Australian community, to help them build life skills and volunteering experience, and foster a sense of belonging with the local community.

Once again, thank you to the president, past presidents, committee members and volunteers of Chinatown Adelaide of South Australia for their outstanding contributions over the last 20 years. I look forward to working with CASA to achieve greater success and a brighter future ahead. I wholeheartedly commend this motion.

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

NONNA'S CUCINA

The Hon. J.S. LEE (Deputy Leader of the Opposition) (00:47): I move:

That this council—

1. Congratulates Nonna's Cucina for reaching a special milestone of their 25th anniversary in 2024;

2. Recognises that Nonna's Cucina is a unique community-based meal service provider where all meals are prepared fresh daily by qualified chefs and a trained team, and these nutritional meals are delivered safely by culturally and linguistically friendly staff and volunteers to the doors and homes of the aged, people with disabilities and people who may have special needs, predominantly within the Italian community of South Australia;

3. Acknowledges the important work of founding members, current and past presidents, board members and volunteers of Nonna's Cucina for their hard work, dedication and contributions in delivering 25 years of outstanding community service in South Australia;

4. Commends Nonna's Cucina for working collaboratively with government agencies, corporate organisations and other multicultural community organisations to deliver meal services and support those in need to remain living in their own homes; and

5. Reflects on the many achievements of Nonna's Cucina over the past 25 years and recognises the impact of Nonna's Cucina and its contributions to enrich multicultural South Australia.

It is a great honour to move this motion to congratulate Nonna's Cucina for its outstanding contributions to serve senior members of the South Australian Italian community, and on reaching the special milestone of its 25th anniversary in 2024. Nonna's Cucina has a very special motto: 'Nonna's Cucina: made with love, shared with joy'. Those words really are at the heart of all that they do for the community.

Honourable members may be familiar with other meal service providers such as Meals on Wheels, and while Nonna's Cucina's service is similar, it has a particular focus on sharing the joy of Italian cuisine and hospitality. In fact, CEO Marco Staltari spent 18 years at Meals on Wheels. It is interesting to note that earlier this evening honourable members passed a motion recognising the 70th anniversary of Meals on Wheels.

Nonna's Cucina is a unique community-based service which provides delicious home-style cooked meals to the aged, people with disabilities, and those who are recovering from ill-health and medical procedures. Nonna's Cucina understand the needs of their clients, and ensure that meals are not boring; instead, the meals are packed with flavour, nutritionally balanced and, more importantly, cooked fresh every day by a team of talented chefs who meet the highest quality and safety standards.

The organisation is predominantly volunteer-based, with over 100 dedicated volunteers engaged in a variety of roles in the kitchen, and on the road where they deliver a three-course meal directly to the doorsteps of their clients. Volunteers consist of people who understand Italian culture and language, and they become the familiar and caring faces that clients look forward to seeing every day.

This system of delivering services allows volunteers to check on the welfare of vulnerable seniors on a daily basis. The social interactions between volunteers and the elderly cannot be underestimated. I would say that these volunteers exercise the R U OK? Day campaign every day by having a chat to see if the person is doing okay, and sometimes those conversations can detect the first sign of distress or pick up issues that may need the attention of a family member or a medical professional.

As the longest serving and continuous serving member of parliament in the portfolio of multicultural affairs over the last 14 years, I have been a big supporter of the important work of Nonna's Cucina and have attended many events over the years. I know that the Hon. Vincent Tarzia, the Leader of the Opposition, is also a great supporter.

It was a great privilege to attend the 25th anniversary event held on Saturday 23 March 2024, along with many distinguished guests, founding members, committee members, advisers, management, patrons and volunteers. All the speeches were moving and provided a long list recognising contributors and many successful projects and programs delivered by Nonna's Cucina in the last 25 years. We were treated to a superb four-course dinner at the 25th anniversary gala, prepared by the executive chef at Nonna's Cucina, Stefan Dimasi, with live music and entertainment that made it a truly memorable occasion.

I wish to express my heartfelt congratulations to founding members, which included the initial executive team dating back to 1999, who initiated the concept of the Italian Meal Service under Multicultural Aged Care, with funding provided by the Home and Community Care Program. This important program aims to deliver culturally appropriate meals to support older people to remain independent in their own homes for as long as they are able.

I want to acknowledge the amazing leaders, and thank Franca Antonello, Silvio Iadarola and Gosia Skalban, who were instrumental in the development of the organisation's first policies which

guided its operations. The Italian Meal Service was groundbreaking, and the founding members had lobbied for years to develop food services for South Australia's ageing multicultural population.

From an aspirational beginning, the organisation today has grown into a well-respected household name in the Italian community under the leadership of president Rebecca Staltari, together with dedicated board members, CEO Marco Staltari and the entire Nonna's Cucina team. It would be fair to say that every community organisation needs a champion to strengthen its brand. Nonna's Cucina is blessed to have a dynamic and well-known celebrity chef, namely Rosa Matto, as their patron.

I give special acknowledgement to the Governor's Multicultural Award winner, Rosa, who is doing a marvellous job as its patron. As honourable members would know, Rosa has a long career as a chef, caterer and culinary instructor spanning over three decades. Her greatest passion is to grow fresh fruit and vegetables and support local businesses. Her strong commitment and dedication to the community aligns with the mission of Nonna's Cucina to supply delicious home-cooked meals for the aged and people with disability.

In 2004, the Italian Meal Service became an independent body and took the trading name PISA, an abbreviation for Pasta Italiani e Servizi per Anziani, which translates into 'Italian meals and services for seniors'. PISA moved into premises at Firle, where it had a fully functioning kitchen that enabled it to begin cooking its own authentic Italian meals and expand to serving clients in the north-eastern suburbs. The organisation kept growing from strength to strength, opening a second kitchen/cafe at Torrensville in 2011, and operating out of the two locations for a period of five years. In 2017-18, PISA amalgamated its services with a brand new kitchen at Royal Park, and in 2019 successfully rebranded it as Nonna's Cucina.

I fondly remember attending the reception held at Government House to celebrate PISA's 20th anniversary, and the launch of its current name as Nonna's Cucina. All the speakers highlighted how fitting the new name was. Nonna means grandma in Italian, and cucina means kitchen. The new name epitomises the authentic home-style meals, family atmosphere and Italian spirit of hospitality at the heart of the organisation. Nonna's Cucina (Grandma's Kitchen) evokes an image of a warm and welcoming space where food brings everyone together and meals and family are celebrated, exactly what the passionate team of chefs and volunteers provides at Nonna's Cucina.

In 2020, Nonna's Cucina introduced a new alternative called the Grandma Menu to cater for different taste preferences to reach even more people in the community who enjoy a variety of dishes. Today, it is exciting that Nonna's Cucina is again looking to expand and in the process of relocating to a new facility at Holden Hill, roughly five times larger than the existing premises in Royal Park. This significant transition will allow the organisation to continue to grow and improve the daily meal service and prepare meals at a greater capacity.

Honourable members may be interested to know that Nonna's Cucina also provides catering services for private functions and events. These services further support the social enterprise business, with all profits being reinvested to support the community meal services, so I am most happy to provide a bit of free advertising of their wonderful services today in parliament.

It is a great honour today to move this motion to highlight the outstanding work by Nonna's Cucina and also commend them for their collaborative approach in working with government agencies, corporate organisations and other multicultural community organisations to deliver meal services and support those in need to remain living in their own homes.

As someone from a multicultural background, I know firsthand how incredibly important this concept of living in your own home is to the health and wellbeing of ageing members of our community. As we know, humans are creatures of habit. Not only are the meals provided by Nonna's Cucina deliciously nutritional but these favourite dishes offer great comfort, familiarity and connections to their heritage. My grandmother used to say to me, 'If you love me, you must eat more because my food is good for your stomach and good for your soul.'

I wish to once again congratulate and thank the entire team at Nonna's Cucina for the wonderful work they do to support those in need and their ongoing commitment and contributions to South Australia. A very happy 25th anniversary to Nonna's Cucina. I wish the team every success

with their expansion and transition to their new home in Holden Hill. I wholeheartedly commend the motion.

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

COUNTRY SHOWS

Adjourned debate on motion of Hon. N.J. Centofanti:

That this council—

1. Acknowledges that South Australia's 48 country shows play an important role in regional communities as a hub for social, business and broader economic activation;

2. Notes the contribution of Agricultural Societies Council of South Australia staff and the thousands of volunteers who make agricultural shows possible;

3. Acknowledges the important role that agricultural shows play in securing the next generation of primary industry leaders and innovators; and

4. Congratulates this year's winners of South Australia's Young Rural Ambassador Award, Rural Ambassador Award, Young Judges' and Paraders' Championships.

(Continued from 1 November 2023.)

The Hon. B.R. HOOD (00:57): I rise very briefly today to acknowledge South Australia's 48 country shows and the incredible role that they play in our community in highlighting the importance of agriculture and the importance of community. I just want to reflect a little bit on how wonderful shows are, especially when you are a kid.

I remember going to the Naracoorte show. The first place we would go to was the Cartwright Pavilion where I had numerous pieces of art in the show competition, looking for that first blue ribbon. I got it a couple of times—one for a life-size Superman drawing that I did. So many kids would rally around the Cartwright Pavilion looking at the art, making sure to see if they had won an award. Then you would head to the sideshow alley and you would jump on the Gravitron and you would try to turn yourself upside down. It was about community, it was about getting around, meeting up with your mates and enjoying the show and enjoying the sights and the sounds and the smells of agriculture in our regions.

Country shows would not be put on if it was not for the amazing volunteers, people who spend weeks and months getting all those exhibits, getting all those pieces of artwork and sticking them up on the wall, making sure that we have judges for our parading and our heifer shows and all those amazing types of things. It is to those volunteers that I want to say thank you because we know that, especially in the regions, our volunteer base is starting to drop a little bit. It is the same people who are putting up their hand every year to put on these shows. To those who are doing that, thank you so much for what you continue to do to ensure that our country shows still play a huge part in our community.

I want to acknowledge the important role that ag shows play in securing the next generation of primary industry leaders. It is indeed why my business partner Simone and I created George the Farmer, because we wanted kids to know that there was a career in ag. I do not know how many country shows I have played having dozens of kids jumping around and singing about how much they love beef and how much they love farming.

It is great to see the next generation moving through, none so much as seeing South Australia's Young Rural Ambassador Awards. These are young adults who are invested in agriculture and who want to see Australian agriculture continue, and they do that through these amazing rural and regional country shows. To every single one of you involved, from Mount Gambier to Bordertown, right up through the Mid North and all over South Australia, thank you for what you do for country shows and thank you for what you do for agriculture. Long may they continue.

The Hon. R.B. MARTIN (01:00): I am pleased to speak in support of the honourable member's motion, and I indicate that the government is supportive. I thank the Hon. Nicola Centofanti for bringing this motion. The recent promotion of the previous speaker, the Hon. Mr Hood, seems to have done him well; he is giving very good speeches tonight and is hard to follow.

Country shows are a beloved and vibrant tradition woven into the rich fabric of regional communities across South Australia. Country shows play an important role, both culturally and economically, in the life and development of regional communities. Country shows are not only social hubs for residents to gather and spend time together, they are also a key business and economic tool to allow regional residents to trade and interact with a wide range of different businesses, which in turn promotes economic activation.

The government acknowledges that the 48 country shows held across regional South Australia could not happen without the valuable assistance of volunteers who provide wideranging support for the shows to operate each year. Along with the 48 regional shows, the government department PIRSA has a strong presence at the Royal Adelaide Show, including with Aggie's Farm, which is an educational experience for children to learn about the journeys of their food and fibre from crop to shop. PIRSA also provides key messaging at shows across the state around the importance of good biosecurity practices.

The Young Rural Ambassador and Rural Ambassador awards and the Young Judges competition highlight the importance of young adults in rural and regional South Australia with a connection to agricultural shows. The two programs identify and encourage young people who are involved in their local regional community and agricultural shows. It provides the opportunity to travel locally, nationally and even internationally to gain further knowledge and skills relating to agriculture.

The first state final of the Rural Ambassador Award was held during the 1998 Royal Adelaide Show. This was run by SA Country Shows and replaced the Miss Showgirl competition, now being open to both males and females. In 2001 the first national Rural Ambassador final was held, and over the years the structure and prize money for this has evolved. An award for 16 to 19 year olds, the Young Rural Ambassador Award was introduced in 2005, with the first state final held in 2006. It has been successful in attracting and retaining young people in the South Australian country show movement, with participants subsequently entering the Rural Ambassador Award.

Elsie Johnson from Peake in the Murray Mallee region has been named South Australia's Young Rural Ambassador for 2024 for her contribution to the community and her dedication to agricultural shows, and I congratulate her on the award. We know that young people are the future of our agricultural industries and are a core part of our regions and significant contributors to our economy. Many past Rural Ambassador and Young Rural Ambassador award winners, runners-up and finalists are now strongly connected through their careers, particularly in primary industries.

It is a fact that many members of parliament from across the political spectrum genuinely love to attend country shows. The Minister for Primary Industries has, of course, attended many country shows across various regions during the term of the Malinauskas Labor government. But I am also aware that a number of members of this parliament have participated in country shows in various ways, particularly as entrants in baking competitions.

I myself was very controversially disqualified from a cake competition at the Coonalpyn Show for putting icing in the middle of my cake as well as on the outside. I simply flew too close to the sun. Unfortunately, my actions may have led to the member for Adelaide in the other place also being disqualified, as she also thought my idea of putting icing in the middle of the cake was a good idea. This was controversial because the member for Adelaide is quite a gun baker, so to have her knocked out of the competition was controversial.

All in all, fully half the politicians who entered the politicians' chocolate cake challenge were disqualified, but I do not think we should read anything into that. It is of note that the Hon. Emily Bourke's initial attempt at baking the chocolate cake, which ended with her tipping it upside down inside her oven, was resolved and she actually won a medal at that competition and was not one of the ones disqualified. It was truly a mixed bag of emotions at the Coonalpyn Show that year.

Looking ahead, I am eagerly anticipating attending the Riverland Field Days, to which I will be taking my family in September. I indicate my strong and ongoing desire to continue attending country shows, and not just because they offer good entertainment but because they are truly a pillar of life in our regions. They are valuable and they are important, and they deserve our recognition and appreciation. I join the honourable member in commending the Agricultural Societies Council of South Australia's staff and the thousands of volunteers who make agricultural shows possible, as

well as congratulating this year's winners of South Australia's Young Rural Ambassador Award, Rural Ambassador Award and Young Judges' and Paraders' Championships. Once again, I thank the Hon. Nicola Centofanti for introducing this motion, and I commend it to the chamber.

The Hon. S.L. GAME (01:06): I rise briefly to support the Hon. Nicola Centofanti's motion, acknowledging the important role that South Australia's 48 country shows play in their respective regional communities along with the contribution of the Agricultural Societies Council of SA staff and the many show volunteers statewide.

In recent weeks, my staff have manned stalls at various country shows. Through my own experience and that of my staff, plus feedback from constituents, I know these shows represent much of what makes South Australia's rural regions great. Yes, they platform what the respective areas produce and have to offer more generally, but they also showcase the fine people of these regions and what drives and motivates them. Importantly, given South Australia's role as a food-producing state, agricultural shows help nurture the next generation of primary industry leaders, our farmers of the future. I also congratulate this year's show ambassador winners plus the winners of the Young Judges' and Paraders' Championships, and I commend the motion.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (01:07): First, I thank all members who made a contribution to the debate: the Hon. Mr Hood, the Hon. Mr Martin and the Hon. Ms Game. I appreciate the Hon. Mr Hood's comments about his favourite experiences at the Naracoorte Show. The Gravitron certainly is not my favourite experience, as I wanted to keep my lunch firmly down in my stomach. I was and still am more into a slow Ferris wheel ride, if I am feeling adventurous on that day.

As I said in my original motion, as a country MP I am certainly very acutely aware of the importance of country shows, although they are not called country shows in the country, they are just called 'the show'. Community, competition and the carnival atmosphere make country shows a must-attend and a date in many towns' calendars, not unlike when the country comes to the city, which it is soon with the Royal Adelaide Show beginning this weekend.

Across Australia there are 580 show events each year, which attract about six million visitors and contribute nearly $1 billion to the economy. In South Australia there are 48 shows, as stated in my motion, each unique and able to shine a light on local produce, arts, crafts and industry. In the Riverland we have a great show in the Loxton Show. It is coming up in a month, the Hon. Mr Martin—I am sure there will be a baking competition there, too.

It is held over the October long weekend and is a tradition dating back to September 1911. Since the original show in 1911, only 10 show years have been missed: during the two world wars, the Great Depression and, of course, most recently due to COVID-19 restrictions. It is a Centofanti family tradition to head to the Loxton Show, and my kids, along with their classmates, are extremely excited.

I want to acknowledge the Loxton Agricultural and Horticultural Show Society, which was honoured with a well-deserved Australia Day award this January for the Event of the Year 2023 by the District Council of Loxton Waikerie. Congratulations to the committee and the volunteers for their ongoing hard work. It is truly a highlight of the Riverland calendar.

I again congratulate the Rural Ambassador and the Young Rural Ambassador. I thank again all members who have made a contribution to this motion. I look forward to seeing you all at a country show soon.

Motion carried.

WORLD WATER DAY

Adjourned debate on motion of Hon N.J. Centofanti:

That this council—

1. Acknowledges that on 22 March 2023 we celebrate international World Water Day;

2. Acknowledges that managing our water requires a balancing act of maintaining sustainable water ecosystems, while providing enough to efficiently support agricultural, industry, social and cultural needs;

3. Congratulates South Australian businesses, industry and households on their performance to date when it comes to responsible water use;

4. Calls on the Malinauskas Labor government to urgently disclose the site and cost of the Eyre Peninsula desalination plant to provide the much-needed water security in that region; and

5. Calls on the Malinauskas Labor government to restore efforts to progress agricultural water efficiency projects as a means of achieving environmental water recovery in the Murray-Darling Basin.

(Continued from 22 March 2023.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (01:10): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

NATIONAL LANDCARE WEEK

Orders of the day: Private Business, No. 211: Hon. N.J. Centofanti to move:

That this council—

1. Recognises that 1 to 7 August 2022 is National Landcare Week; and

2. Acknowledges the outstanding contribution by volunteers in our local communities who advocate for and enhance our natural environment.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (01:11): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

REGIONAL SOUTH AUSTRALIA

Adjourned debate on motion of Hon N.J. Centofanti:

That this council commends the Marshall Liberal government for recognising the importance of regional South Australia and its communities, noting their contribution to our economy worth more than $29 billion per year, through:

1. Investing $3 billion across more than 1,000 regional projects;

2. Upgrading hospitals, doubling country cancer services and upgrading about 4,800 kilometres of regional roads; and

3. Implementing the Our Regions Matter blueprint following extensive consultation with regional communities about what is needed to improve opportunities for the 29 percent of South Australia's population living and working outside the metropolitan community.

(Continued from 19 May 2022.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (01:11): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

MINIMUM AGE OF CRIMINAL RESPONSIBILITY

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

That this council—

1. Notes that the government has undertaken consultation on a discussion paper titled 'Minimum age of criminal responsibility—alternative diversion model' released in January 2024.

2. Recognises that the consultation period closed on 24 March 2024.

3. Acknowledges:

   (a) the continued advocacy of organisations such as Change the Record, SACOSS, the Justice Reform Initiative and the Guardian for Children and Young People in calling for the age of criminal responsibility to be raised to at least 14 years without exceptions;

(b) that an alternative diversion model is vital to the success of raising the age of criminal responsibility; and

(c) that the public are entitled to understand the views around the proposed alternative diversion model.

4. Calls on the Malinauskas government to publicly release the submissions to the consultation on alternative diversion models for raising the age of criminal responsibility.

(Continued from 16 May 2024.)

The Hon. C. BONAROS (01:13): I rise to speak in support of the Hon. Rob Simms' motion and to echo his sentiments and that of others of the importance of transparency in government consultations. It has been five months since the consultation closed on the alternative diversion model discussion paper which, as we heard, addresses the critical issue of providing a network of safe places for children under the age of criminal responsibility who engage in harmful behaviours. These safe places are necessary when returning these children to a safe home with a parent or guardian is not possible.

I understand several stakeholders, including the Law Society of South Australia and SACOSS, have submitted their insights and views. Many have provided invaluable transparency by promptly publishing their submissions on their respective websites. Moving forward, it would be most helpful for all of us, and indeed for the public, to see those submissions and have them made publicly available, with the consent, of course, of their authors. I appreciate there may be submissions from individuals who do not wish for their personal stories to be made public. We have dealt with that issue before and we can deal with that issue again in this instance.

On the matter of the age of criminal responsibility—I am sure we could talk a very long time on this—my position on this has been placed on the record publicly previously. I support raising the age. Like I have said previously, and I will keep saying it on this front, what we are doing is not working. If it were working we would not be having these discussions. But these issues go hand in hand. We have to explore effective compassionate approaches to dealing with kids in crisis, youth in crisis.

If you think youth crime is going to be dealt with effectively in the absence of genuine reforms in this area, then think again. We have done that. We have been doing that forever and a day and it has not worked. We hear a lot here in South Australia and across the nation about youth crime—the prevalence of youth crime, the increasing rates of youth crime—but we have not changed anything significantly in terms of what we are doing to address youth crime.

We cannot maintain the status quo and expect things to improve or to change. These alternative diversion models, increasing the age, are all aimed at that very outcome and are hugely critical and important. I support this motion on the basis that we need to move forward. This is a good first step for all of us and is very much in the public interest in terms of having some firsthand knowledge of what those insights reflect, in terms of the alternative diversion model submissions and the insights they provide.

With those words, I commend the Hon. Rob Simms for moving this motion. I genuinely and sincerely hope that it has the right effect in terms of having that material publicly available for consideration by all of us and the general public at large.

The Hon. S.L. GAME (01:17): I rise briefly to offer support for the Hon. Robert Simms' motion calling on the Malinauskas government to publicly release the submissions on the minimum age of criminal responsibility alternative diversion model, which closed on 24 March 2024. I also state that I will be supporting the amendments from my Liberal colleagues.

While the primary focus of the proposed reforms is the raising of the age of criminal responsibility from 10 to 12 years of age, the discussion paper includes significant changes to the future operation of the youth justice system. Consequently, the submissions of key stakeholders have significant value for this chamber as members prepare to cast their vote and propose reforms to the criminal justice system in South Australia.

I recognise that the care and welfare of our most vulnerable children has become increasingly complex, especially in cases where children are at risk of causing harm to both

themselves and others in the community. I have attended the Kurlana Tapa Youth Justice Centre, and I understand that I am one of the only members, other than the minister, to have done so.

I support the honourable member's call for the Malinauskas government to release these submissions. I look forward to hearing from a wide range of stakeholders, including advocates, youth justice officers, Youth Court staff, as well as police officers who work on the frontline and deal with these confronting issues every day. This chamber needs these submissions to fully appreciate the depth and complexity associated with developing an appropriate and considered response to the criminal behaviour of children in our state.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (01:18): I rise to address the ongoing debate concerning the minimum age of criminal responsibility here in South Australia. The Labor government initiated a public consultation process on the minimum age of criminal responsibility. Consultation opened in January 2024 and closed at the end of March 2024. Five months have passed and we have not seen any substantial movement. This delay is concerning, and you cannot help but wonder if there is a significant disagreement in the Labor Party on this issue. If I were to hazard a guess, I suspect the Labor left is supportive of raising the age of criminal responsibility and the Labor right is less enthusiastic about the idea.

The current state of play in South Australia is that the minimum age of criminal responsibility is established under section 5 of the Young Offenders Act 1993, and it currently stands at 10 years old. This means that children under the age of 10 cannot be held criminally responsible or charged with any criminal offence. For children aged between 10 and 14, the common law presumption of doli incapax applies, meaning they are presumed incapable of forming the necessary intent to commit a crime unless proven otherwise by the prosecution. However, should the prosecution prove this, then a charge can be and sometimes is laid.

Some jurisdictions in Australia have codified this presumption into their legislation. However, South Australia relies on the common law formulation of the presumption requiring the prosecution to prove that a child understood their actions were wrong in a criminal sense.

Until 2023, the minimal age of criminal responsibility was set at 10 years across all Australian jurisdictions, and thus proposed changes are a relatively recent phenomena. In December 2023, the Age of Criminal Responsibility Working Group publicly released a report outlining the minimum services and supports required to assist children who would be diverted from the criminal justice system under this new higher minimum age. Shortly prior to this, the Northern Territory government raised the minimum age of criminal responsibility to 12 years with no exceptions, in August 2023.

However, obviously since that time the Labor government has had a resounding defeat by the CLP (Country Liberal Party) at last weekend's election, where the CLP campaigned on a law and order platform and a policy of returning the minimum age of criminal responsibility to 10 years old. I am sure it is not lost on anyone in this chamber that the CLP won the election in what some commentators would term a landslide.

The National Working Group referred to earlier, under the Council of the Attorneys-General, released a draft report in December 2022. It outlined that there is a direct link between criminality and deep-rooted social and economic disadvantages. The key risk factors for youth criminality include poverty, homelessness, experience of abuse and neglect, mental illness, intellectual disabilities and having a parent with a criminal record. Children who enter the criminal justice system, the disproportionate number of whom are Indigenous male, often carry a heavy burden of these challenges and vulnerabilities.

The doli incapax presumption does not always effectively protect vulnerable children. A justice reinvestment approach could yield longer term savings while better supporting at-risk children. Significantly, few children between the ages of 10 and 11 are involved in the justice system.

It is important to note that the number of children and young people under 14 entering the youth justice system in South Australia is relatively low. This is at least partly because the former Marshall Liberal government had already taken steps to address the over-representation of Aboriginal youth in our justice system through the Child Diversion Program (CDP). This program effectively diverts Aboriginal children aged 10 to 13 from high-security custodial facilities, offering

instead culturally aware and supervised short-term accommodation. A dedicated family liaison worker supports these children and their families, helping to identify needs and build on existing strengths.

The doctrine of individual responsibility is of course a core policy platform that has long been held by the Liberal Party, and that core view will rightly form our position on this and related matters in any attempt to alter the status quo.

While I am on my feet, I move to amend the motion as follows:

Paragraph 2—Leave out '24' and insert '25'

Paragraph 3—After subparagraph (c) leave out 'and' and insert new subparagraph as follows:

(d) the failure of the Malinauskas government to address the youth crime crisis; and

Paragraph 4—Insert new subparagraph (b) as follows:

(b) Listen to the views of police and frontline responders on raising the age of criminal responsibility

I propose these amendments to the motion to acknowledge the government's failure to act on the youth crime crisis and to highlight the importance of the views of police and frontline responders in any minimum age of criminal responsibility reform.

The Hon. R.B. MARTIN (01:25): I rise today on behalf of the government on the motion of the Hon. Robert Simms, and I indicate that I will move an amendment which will remove paragraph 4.

On 24 January 2024 the government released a discussion paper for consultation on an alternative diversion model for children if the minimum age of criminal responsibility were raised to 12. This followed many years of work through the Standing Council of Attorneys-General under both Liberal and Labor governments at state and federal levels.

The Malinauskas government does not have a policy position to raise the age of criminal responsibility, but we are carefully considering the issue in the context of the long-running national work. We have been very clear that community safety is the most important consideration in any such reform, and that remains the case.

The government received significant interest from the community on the discussion paper. At no time was it stated to stakeholders that all submissions would be publicly released, and it is not the usual practice of government to release submissions on draft legislation except where required by freedom of information and other requirements.

It is important that stakeholders and other interested parties remain confident in providing frank feedback to the government, and therefore it is not our intention to depart from the standard practice and release submissions made on this topic. For this reason the government seeks to amend the motion to strike out paragraph 4. If this amendment is not successful the government will not be able to support the motion.

I would like to briefly address some of the amendments proposed by the Hon. Nicola Centofanti. This government has not taken a backward step when it comes to law and order in South Australia. We are firmly committed to taking all appropriate actions to ensure that South Australians feel safe and that perpetrators are held to account, and we have consistently demonstrated that commitment.

We have laws before the parliament to create a standalone offence of recruiting a child to commit crime, the toughest laws of their kind anywhere in the country. We are progressing the toughest laws in the country to deal with serious repeat child sex offenders to have them indefinitely detained unless they can convince a court that they are willing and able to control their sexual urges. I am advised that we have also toughened driving laws, created a criminal offence for concealing human remains, increased penalties for child sex offences, strengthened anti-bikie laws, granted expanded police powers in the CBD and much more.

What is more, South Australia has the most operational sworn police per capita of any state in Australia, with approximately 238 officers per 100,000 people, and our most recent state budget made significant investment in our police to enable their good work to continue. The results have

started to reflect this work and these investments, with the 2022-23 Report on Government Services indicating that South Australia has the lowest rate of recidivist offending in the country.

We will always work collaboratively with police and prosecutors to make sure our laws are fit for purpose. The government will be opposing the Hon. Ms Centofanti's paragraph 3 subparagraph (d) amendment. We stand proudly before our record on law and order. As indicated earlier, I move to amend the motion as follows:

Paragraph 3—After subparagraph (c) leave out 'and'

Leave out Paragraph 4

The Hon. R.A. SIMMS (01:28): I thank all members for their contributions: the Hon. Nicola Centofanti, the Hon. Sarah Game, the Hon. Connie Bonaros and the Hon. Reggie Martin. I will indicate that the Greens are not supportive of any of the amendments that have been proposed. We do not support the Liberal Party amendment. There is no youth crime crisis. That is a moral panic, a beat-up from conservative politicians, so I do not support putting that in the motion.

In terms of the government amendments, really what the government is doing is just removing the verb from the motion, actually asking the government to do something. I do not support that. To the point that the Hon. Reggie Martin made that stakeholders may have made submissions on the basis of anonymity, I would certainly have no difficulty with the government checking with those who have made a submission around whether or not they are happy to have their submission released.

I do think that there is a pattern of behaviour emerging with the Malinauskas government whereby it conducts these consultation pieces, invites stakeholders to make submissions and then the submissions sort of disappear into the ether somewhere and no-one ever knows what happens to the feedback that they have provided.

This was an issue with the review of the Residential Tenancies Act where the Greens had called for some time for the government to make the submissions public and it is an issue with respect to this proposal as well. People have made a submission in good faith and if, as members of parliament, we are going to consider the options that are on the table, then we need to actually know what the views are of the community.

Whilst my views on raising the age are well known, my motion does not commit the upper house one way or the other; it is simply asking for that information to be put on the public record.

The PRESIDENT: The question is that the amendment moved by the Hon. N.J. Centofanti to paragraph 2 be agreed to.

Question resolved in the negative.

The PRESIDENT: The question is that the amendment moved by the Hon. N.J. Centofanti to paragraph 3 be agreed to.

Question resolved in the negative.

The PRESIDENT: The question is that the amendment moved by the Hon. N.J. Centofanti to paragraph 4 be agreed to.

Question resolved in the negative.

The PRESIDENT: The question is that paragraph 4 as proposed to be struck out by the Hon. R.B. Martin stand as part of the motion. If you are voting with the Hon. R.B. Martin you will vote no. If you are not voting with the Hon. R.B. Martin you will vote yes.

Question agreed to.

The PRESIDENT: The question is that the motion moved by the Hon. R.A. Simms be agreed to.

Question agreed to; motion carried.

Bills

LATE PAYMENT OF GOVERNMENT DEBTS (INTEREST) (REVIEW) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

STATUTES AMENDMENT (BUDGET MEASURES) BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

CONSTRUCTION INDUSTRY TRAINING FUND (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

CASINO (PENALTIES) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (DESIGNATED LIVE MUSIC VENUES AND PROTECTION OF CROWN AND ANCHOR HOTEL) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

STATUTES AMENDMENT (SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL) BILL

Final Stages

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

Amendment No 1

New clause, page 13, after line 39—

Insert:

51A—Amendment of section 83A—Transfer of proceedings

(1) Section 83A—after subsection (3) insert:

(3a) The Magistrates Court or a Magistrate may transfer civil proceedings in the Magistrates Court that lie within the jurisdiction of the Tribunal to the Tribunal.

(2) Section 83A(5)—delete 'or (3)' and substitute:

, (3) or (3a)

LOCAL NUISANCE AND LITTER CONTROL (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

HERITAGE PLACES (PROTECTION OF STATE HERITAGE PLACES) AMENDMENT BILL

Final Stages

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

No. 1. New clause, page 2, after line 5—After clause 1 insert:

1A—Commencement

This Act comes into operation on a day to be fixed by proclamation.

No. 2. New clauses, page 2, after line 6—Before clause 2 insert:

1B—Amendment of section 3—Interpretation

(1) Section 3(1)—after the definition of *archaeological artefact* insert:

associate—see subsection (3);

(2) Section 3(1)—after the definition of *dispose of* insert:

domestic partner means a person who is a domestic partner within the meaning of the *Family Relationships Act 1975*, whether declared as such under that Act or not;

(3) Section 3(1)—after the definition of *place* insert:

protection order means an order issued under section 39A;

(4) Section 3(1)—after the definition of *Registrar-General* insert:

repair order—see section 39B;

(5) Section 3(1)—before the definition of *River Murray Protection Area* insert:

restoration order—see section 39C;

(6) Section 3(1)—after the definition of *specimen* insert:

spouse—a person is the spouse of another if they are legally married;

(7) Section 3—after subsection (2) insert:

(3) For the purposes of this Act, a person is an *associate* of another if—

(a) they are partners; or

(b) 1 is a spouse, domestic partner, parent or child of another; or

(c) they are both trustees or beneficiaries of the same trust, or 1 is a trustee and the other is a beneficiary of the same trust; or

(d) 1 is a body corporate or other entity (whether inside or outside Australia) and the other is a director or member of the governing body of the body corporate or other entity; or

(e) 1 is a body corporate or other entity (whether inside or outside Australia) and the other is a person who has a legal or equitable interest in 5% or more of the share capital of the body corporate or other entity; or

(f) they are related bodies corporate within the meaning of the *Corporations Act 2001* of the Commonwealth; or

(g) a chain of relationships can be traced between them under any 1 or more of the above paragraphs.

(4) For the purposes of subsection (3), a *beneficiary* of a trust includes an object of a discretionary trust.

1C—Amendment of section 5—Composition of Council

Section 5(2)—delete 'advertisement published in a newspaper circulating throughout the State' and substitute:

notice published on a website determined by the Minister or by such other means prescribed by the regulations

1D—Amendment of section 14—Content of Register

Section 14(7)—delete subsection (7) and substitute:

(7) The Council may—

(a) designate a State Heritage Place as—

(i) a place of geological, palaeontological or speleological significance; or

(ii) a place of archaeological significance; and

(b) include that designation as part of the entry for the place in the Register.

(8) The designation of a State Heritage Place as a place of geological, palaeontological or speleological significance or a place of archaeological significance may occur on or after the provisional entry of the place in the Register (or after the confirmation of that entry).

1E—Amendment of section 17—Proposal to make entry in Register

(1) Section 17, heading—after 'Register' insert:

and inclusion of related designations

(2) Section 17(4)(a)(ii)—after 'confirmed' insert:

and, if the Council has designated the place as a place of geological, palaeontological or speleological significance or a place of archaeological significance—the designation

(3) Section 17(4)(b)—delete 'advertisement published in a newspaper circulating throughout the State' and substitute:

notice published on a website determined by the Minister or by such other means prescribed by the regulations

(4) Section 17(4)(b)(iii)—after 'confirmed' insert:

and, if the Council has designated the place as a place of geological, palaeontological or speleological significance or a place of archaeological significance—the designation

(5) Section 17(4)(c)—after 'the entry' insert:

(and any relevant designation)

(6) Section 17(4)(d)—after 'the entry' insert:

(and any relevant designation)

(7) Section 17—after subsection (6) insert:

(7) If the Council, in relation to a State Heritage Place entered in the Register as a confirmed entry, subsequently designates the place as a place of geological, palaeontological or speleological significance or a place of archaeological significance under section 14(7), the Council must—

(a) give each owner of the land constituting the place a written notice—

(i) stating the reasons for the designation; and

(ii) explaining that the owner has a right to make submissions, within 3 months from the date of the notice, in relation to the designation; and

(b) give notice by notice published on a website determined by the Minister or by such other means prescribed by the regulations—

(i) that the Council has designated the place as a place of geological, palaeontological or speleological significance or a place of archaeological significance; and

(ii) explaining that any person has a right to make written submissions, within 3 months of the date of the notice, in relation to the designation; and

(c) give written notice to the Minister of the designation; and

(d) if the place is within the area of a local council—give written notice to the local council of the designation.

(8) In relation to a part of the State that is not within the area of a council, a reference in this section to—

(a) a local council will be taken to be a reference to the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*; and

(b) the area of a local council will be taken to be a reference to the outback (within the meaning of the *Outback Communities (Administration and Management) Act 2009*).

1F—Amendment of section 18—Submissions and confirmation or removal of entries

(1) Section 18, heading—delete 'and confirmation or removal of entries' and substitute:

etc in relation to provisional entries in Register and related designations

(2) Section 18(1)—delete subsection (1) and substitute:

(1) Subject to this section, if the Council gives notice that it has made a provisional entry in the Register, any person may, within 3 months after the notice is given, make written representations to the Council on—

(a) whether the entry should be confirmed; and

(b) if the provisional entry includes a designation of the place as a place of geological, palaeontological or speleological significance or a place of archaeological significance under section 14(7)—the designation.

(3) Section 18—after subsection (4) insert:

(4a) If the provisional entry in the Register is confirmed, the Council may, after considering the representations (if any) made under this section in relation to the designation of the place as a place of geological, palaeontological or speleological significance or a place of archaeological significance, subject to any direction of the Minister, determine whether to retain or revoke the designation.

(4) Section 18(6)—delete subsection (6) and substitute:

(6) If the Minister is of the opinion that—

(a) the confirmation of a provisional entry in the Register; or

(b) the designation of a place as a place of geological, palaeontological or speleological significance or a place of archaeological significance,

may be contrary to the public interest the Minister may, by instrument in writing, direct the Council to defer making a decision on—

(c) whether or not to confirm the entry; or

(d) whether to retain or revoke the designation,

until the Minister determines the matter (and the Council must comply with any direction of the Minister under this subsection).

(5) Section 18—after subsection (7) insert:

(7aa) If the Minister, not having directed under subsection (7) that the provisional entry of a place, being a place designated as a place of geological, palaeontological or speleological significance or a place of archaeological significance, be removed, is of the opinion that such designation of the place would be contrary to the public interest (whether or not the Minister has acted under subsection (6)), the Minister may, after consultation with the Council, by instrument in writing, direct that the designation be revoked.

(6) Section 18(7a)—delete subsection (7a) and substitute:

(7a) The Minister must, when acting under subsection (7) or (7aa), set out the grounds on which the Minister considers that the confirmation of the provisional entry, or the designation of the place, (as the case requires) would be contrary to the public interest.

(7) Section 18(7c)—after 'the provisional entry' insert:

(including any related designation)

(8) Section 18—after subsection (7c) insert:

(7ca) If the provisional entry of a place (being a place designated as a place of geological, palaeontological or speleological significance or a place of archaeological significance) has been confirmed under this section and—

(a) the Council, after considering the representations (if any) made under this section in relation to the designation of the place, is of the opinion that the designation should be revoked; or

(b) the Minister directs that the designation be revoked,

the Council must remove the designation from the relevant entry in the Register.

(9) Section 18(7d)—after 'provisional entry' insert:

, and if relevant, the retention or revocation of a designation in relation to the entry

(10) Section 18(7d)(b)—delete 'advertisement published in a newspaper circulating throughout the State' and substitute:

notice published on a website determined by the Minister or by such other means prescribed by the regulations

(11) Section 18(9)—after 'confirmed' insert:

, and whether any related designation of the place as a place of geological, palaeontological or speleological significance or a place of archaeological significance should be retained or revoked,

(12) Section 18—after subsection (9) insert:

(10) In relation to a part of the State that is not within the area of a council, a reference in this section to—

(a) a local council will be taken to be a reference to the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*; and

(b) the area of a local council will be taken to be a reference to the outback (within the meaning of the *Outback Communities (Administration and Management) Act 2009*).

1G—Insertion of Section 18A

After section 18 insert:

18A—Submissions etc in relation to designation of confirmed State Heritage Places as being places of particular significance

(1) Subject to this section, if, in relation to a State Heritage Place entered in the Register as a confirmed entry, the Council gives notice under section 17(7) that it has designated the place as a place of geological, palaeontological or speleological significance or a place of archaeological significance, any person may, within 3 months after the notice is given, make written representations to the Council in relation to the designation.

(2) If the Minister is of the opinion that the period that applies under subsection (1) should be extended in the public interest, the Minister may, by notice in the Gazette, extend that period for a further period of up to 3 months.

(3) If a person who makes written representations under this section seeks to appear personally before the Council to make oral representations, the Council must, unless the submission is frivolous, allow that person a reasonable opportunity to do so.

(4) The Council must consider all written and oral representations made under this section.

(5) After considering the representations (if any) made under this section, the Council may, subject to any direction of the Minister under this section, retain or revoke the designation of a State Heritage Place as a place of geological, palaeontological or speleological significance or a place of archaeological significance.

(6) If the Minister is of the opinion that the designation of a place as a place of geological, palaeontological or speleological significance or a place of archaeological significance may be contrary to the public interest the Minister may, by instrument in writing, direct the Council to defer making a decision on whether to retain or revoke the designation, until the Minister determines the

matter (and the Council must comply with any direction of the Minister under this subsection).

(7) If the Minister is of the opinion that the designation of a place as a place of geological, palaeontological or speleological significance or a place of archaeological significance would be contrary to the public interest (whether or not the Minister has acted under subsection (6)), the Minister may, after consultation with the Council, by instrument in writing, direct that the designation be revoked.

(8) The Minister must, when acting under subsection (7), set out the grounds on which the Minister considers that such a designation of the place would be contrary to the public interest.

(9) If—

(a) the Council, after considering the representations (if any) made under this section, is of the opinion that a designation should be revoked; or

(b) the Minister directs that a designation be revoked,

the Council must remove the designation from the relevant entry in the Register.

(10) Notice of the retention or revocation of a designation of a place as a place of geological, palaeontological or speleological significance or a place of archaeological significance must be given—

(a) by written notice to the owner of land constituting the relevant place; and

(b) on a website determined by the Minister or by such other means prescribed by the regulations; and

(c) by written notice to the Minister; and

(d) if the relevant place is within the area of a local council—by written notice to the local council.

(11) The Council must take all reasonable steps to make a decision about whether a designation should be retained or revoked within 12 months after the date on which the designation was made and if the Council fails to make a decision within that period or such longer period as is allowed by the Minister under this subsection in the particular case, the designation must be revoked.

(12) In relation to a part of the State that is not within the area of a council, a reference in this section to—

(a) a local council will be taken to be a reference to the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*; and

(b) the area of a local council will be taken to be a reference to the outback (within the meaning of the *Outback Communities (Administration and Management) Act 2009*).

1H—Amendment of section 20—Appeals

(1) Section 20—after subsection (1) insert:

(1aa) If an owner of land constituting a place designated as a place of geological, palaeontological or speleological significance or a place of archaeological significance in the Register makes written representations to the Council with respect to that designation, the owner may, subject to this section, appeal to the Court against a decision to retain or revoke the designation.

(2) Section 20(1b)—delete subsection (1b) and substitute:

(1b) No appeal lies under this section against—

(a) the removal of a provisional entry at the direction of the Minister under this Division; or

(b) the revocation of a designation at the direction of the Minister under this Division.

1I—Amendment of section 23—Council may act if registration at State level not justified

(1) Section 23(1)—delete subsection (1) and substitute:

(1) If the Council—

(a) after taking into account the criteria set out in Division 1, is of the opinion that an entry relating to a place in the Register as a State Heritage Place is no longer justified, or that an entry relating to a State Heritage Place should be altered by excluding part of the place to which the entry applies; or

(b) is of the opinion that an entry relating to a place in the Register that has been designated as a place of geological, palaeontological or speleological significance or a place of archaeological significance should be altered by varying or revoking the designation,

it may give notice of its intention to alter the Register by removing or altering the entry (as the case requires), and invite written representations on the proposal—

(c) by notice in writing to the owner of land constituting the place and, if the entry relates to or includes an object under section 14(2)(b), to the owner of the object; and

(d) by notice published on a website determined by the Minister or by such other means prescribed by the regulations; and

(e) if the place is within the area of a local council—by notice in writing to the local council.

(2) Section 23—after subsection (4) insert:

(5) In relation to a part of the State that is not within the area of a council, a reference in this section to—

(a) a local council will be taken to be a reference to the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*; and

(b) the area of a local council will be taken to be a reference to the outback (within the meaning of the *Outback Communities (Administration and Management) Act 2009*).

1J—Amendment of section 30—Stop orders

Section 30(6), penalty provision—delete the penalty provision and substitute:

Maximum penalty:

(a) in the case of a body corporate—$1,000,000;

(b) in the case of an individual—$500,000.

No. 3. Clause 3, page 2, lines 20 and 21 [clause 3(1), inserted penalty provision]—Delete paragraphs (a) and (b) and substitute:

(a) in the case of a body corporate—$1,000,000;

(b) in the case of an individual—$500,000.

No. 4. Clause 3, page 2, lines 24 and 25 [clause 3(2), inserted penalty provision]—Delete paragraphs (a) and (b) and substitute:

(a) in the case of a body corporate—$500,000;

(b) in the case of an individual—$250,000.

No. 5. Clause 3, page 3, lines 3 and 4 [clause 3(3), inserted penalty provision]—Delete paragraphs (a) and (b) and substitute:

(a) in the case of a body corporate—$500,000;

(b) in the case of an individual—$250,000.

No. 6. New clause, page 3, after line 4—Insert:

3A—Amendment of section 38—No development orders

(1) Section 38(3), penalty provision—delete the penalty provision and substitute;

Maximum penalty:

(a) in the case of a body corporate—$1,000,000;

(b) in the case of an individual—$500,000.

(2) Section 38—after subsection (3) insert:

(3a) In relation to a part of the State that is not within the area of a council, a reference in this section to—

(a) a local council will be taken to be a reference to the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*; and

(b) the area of a local council will be taken to be a reference to the outback (within the meaning of the *Outback Communities (Administration and Management) Act 2009*).

No. 7. Clause 4, page 3, lines 8 and 9 [clause 4, inserted penalty provision]—Delete paragraphs (a) and (b) and substitute:

(a) in the case of a body corporate—$1,000,000;

(b) in the case of an individual—$500,000.

No. 8. Clause 4, page 3, after line 9—Insert:

(2) Section 38A(11) and (12)—delete subsections (11) and (12)

No. 9. Clause 5, page 3, lines 16 and 17 [clause 5(2), inserted penalty provision]—Delete paragraphs (a) and (b) and substitute:

(a) in the case of a body corporate—$1,000,000;

(b) in the case of an individual—$500,000.

No. 10. Clause 5, page 3, after line 17—After subclause (2) insert:

(2a) Section 39A—after subsection (5) insert:

(5a) If an amount is recoverable from a person by the Minister under this section—

(a) the Minister may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid; and

(b) the amount together with any interest charge so payable is until paid a charge in favour of the Minister on any land owned by the person in relation to which the order is registered under this Part.

(5b) A charge imposed on land by this section has priority over—

(a) any prior charge on the land (whether or not registered) that operates in favour of a person who is an associate of the owner of the land; and

(b) any other charge on the land other than a charge registered prior to the registration of the order under this Part in relation to the land.

(2b) Section 39A(7) to (12)—delete subsections (7) to (12) (inclusive)

No. 11. Clause 5, page 3, lines 18 to 37 [clause 5(3)]—Delete subclause (3)

No. 12. New clause, page 3, after line 37—After clause 5 insert:

5A—Insertion of sections 39B to 39E

After section 39A insert:

39B—Repair orders

(1) Subject to this section, if the Minister is satisfied that a State Heritage Place suffers from—

(a) neglect or disrepair that risks destroying or reducing the heritage significance of the place; or

(b) neglect or disrepair of a kind or extent prescribed by the regulations,

the Minister may issue an order under this section (a *repair order*) to a person in respect of the State Heritage Place that requires the person to carry out specified works or take other specified action for 1 or more of the following purposes:

(c) protecting the State Heritage Place from damage, deterioration or destruction due to fire, weather, vermin or other causes;

(d) securing the State Heritage Place from intrusion or vandalism;

(e) ensuring that maintenance and repair necessary to remedy or prevent serious or irreparable damage or deterioration is carried out in respect of the State Heritage Place.

(2) Before issuing a repair order, the Minister must give written notice to the person to whom the order is proposed to be issued of the intention to issue the order, the terms of the proposed order and the period proposed to be specified as the period within which the order is to be complied with.

(3) The notice must also state that the person to whom the repair order is proposed to be issued may, within a period (being at least 21 days) specified in the notice, make written representations to the Minister as to why the order should not be issued, or as to the terms of, or period for compliance with, the order.

(4) A person given notice of a proposed repair order may, in accordance with the notice, make representations concerning the proposed order.

(5) The Minister must consider any representations so made and after doing so may determine to—

(a) issue a repair order in accordance with the proposed order; or

(b) issue a repair order in accordance with modifications made to the proposed order; or

(c) not issue the repair order.

(6) If the Minister determines to issue an order in accordance with modifications made to the proposed order, notice under subsection (2) of the proposed order as so modified is not required to be given.

(7) A repair order issued under this section must—

(a) be in the form of a written notice served on the person to whom the notice is issued; and

(b) specify the person to whom it is issued (whether by name or a description sufficient to identify the person); and

(c) specify the particulars of the works required to be carried out or action required to be taken; and

(d) specify the period within which the works or action must be completed; and

(e) state that the person may, within 21 days of the order being issued or a subsequent variation of the order being made, appeal to the Court against the order or variation of the order.

(8) The Minister may, at any time, by written notice served on a person to whom a repair order has been issued under this section—

(a) after consultation with the person, vary the order (including so as to vary the period specified for compliance with the order); or

(b) revoke the order.

(9) A person to whom a repair order is issued must comply with the order.

Maximum penalty:

(a) in the case of a body corporate—$1,000,000;

(b) in the case of an individual—$500,000.

(10) If a person fails to comply with the requirements of a repair order, the Minister may cause any works or action contemplated by the order to be carried out and recover the cost of doing so, as a debt, from the person against whom the order was made.

(11) A person taking action under subsection (10) may enter any relevant land at any reasonable time.

(12) If an amount is recoverable from a person by the Minister under this section—

(a) the Minister may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid; and

(b) the amount together with any interest charge so payable is, until paid, a charge in favour of the Minister on any land owned by the person in relation to which the repair order is registered under this Part.

(13) A charge imposed on land by this section has priority over—

(a) any prior charge on the land (whether or not registered) that operates in favour of a person who is an associate of the owner of the land; and

(b) any other charge on the land other than a charge registered prior to the registration of the repair order under this Part in relation to the land.

39C—Restoration orders

(1) The Minister may issue an order under this section (a *restoration order*) to a person if—

(a) the person has carried out works or activities in relation to a State Heritage Place; and

(b) the Minister reasonably believes that the works or activities were not authorised by, or carried out in accordance with—

(i) development authorisation under the Planning, Development and Infrastructure Act 2016; or

(ii) an approval, consent, licence, permit or other authorisation, granted or required under another Act or law, prescribed by the regulations.

(2) A restoration order issued to a person may require the person to—

(a) rectify any works or activities carried out in relation to the State Heritage Place; or

(b) otherwise restore or reinstate the State Heritage Place, as far as is possible, to the condition it was in immediately before the work or activity was carried out.

(3) A restoration order under this section must—

(a) be in the form of a written notice served on the person to whom it is issued; and

(b) specify the person to whom it is issued (whether by name or a description sufficient to identify the person); and

(c) specify the particulars of the works required to be carried out or action required to be taken; and

(d) specify the period within which the works or action must be completed; and

(e) state that the person may, within 21 days of the order being issued or a subsequent variation of the order being made, appeal to the Court against the order or variation of the order.

(4) The Minister may, at any time, by written notice served on a person to whom the restoration order has been issued under this section, vary or revoke the order.

(5) A person to whom a restoration order is issued must comply with the order.

Maximum penalty:

(a) in the case of a body corporate—$1,000,000;

(b) in the case of an individual—$500,000.

(6) If a person fails to comply with the requirements of a restoration order, the Minister may cause any works or action contemplated by the order to be carried out and recover the cost of doing so, as a debt, from the person against whom the order was made.

(7) A person taking action under subsection (6) may enter any relevant land at any reasonable time.

(8) If an amount is recoverable from a person by the Minister under this section—

(a) the Minister may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person, and, if the amount is not paid by the person within that period, the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid; and

(b) the amount together with any interest charge so payable is, until paid, a charge in favour of the Minister on any land owned by the person in relation to which the restoration order is registered under this Part.

(9) A charge imposed on land by this section has priority over—

(a) any prior charge on the land (whether or not registered) that operates in favour of a person who is an associate of the owner of the land; and

(b) any other charge on the land other than a charge registered prior to the registration of the restoration order under this Part in relation to the land.

39D—Registration of orders by Registrar-General

(1) If—

(a) the Minister issues a protection order, repair order or restoration order under this Part; and

(b) the order is issued in relation to an activity carried out on land, or requires the person to take action on or in relation to land, that constitutes a State Heritage Place,

the Minister may apply to the Registrar-General for the registration of the order in relation to that land.

(2) An application under this section must—

(a) define the land to which it relates; and

(b) comply with any requirement imposed by the Registrar-General for the purposes of this section.

(3) The Registrar-General must on—

(a) due application under subsection (2); and

(b) lodgement of a copy of the relevant order,

register the order in relation to the land by making such entries in any register book, memorial or other book or record in the Lands Titles Registration Office or in the General Registry Office as the Registrar-General thinks fit.

(4) The Minister must, in accordance with the regulations, furnish to the Registrar-General notice of any variation of an order registered under this section.

(5) An order registered under this section (as varied from time to time) is binding on each owner and occupier from time to time of the land.

(6) The Registrar-General must, on application by the Minister, cancel the registration of an order in relation to land and make such endorsements to that effect in the appropriate register book, memorial or other book or record in respect of the land as the Registrar-General thinks fit.

(7) The Minister may, if the Minister thinks fit, apply to the Registrar-General for cancellation of the registration of an order under this section in relation to land, and must do so—

(a) on revocation of the order; or

(b) on full compliance with the requirements of the order; or

(c) if the Minister has taken action under this Part to carry out the requirements of the order—on payment to the Minister of any amount recoverable by the Minister under this Part in relation to the action so taken.

(8) The Minister must, as soon as is reasonably practicable, notify each owner and occupier of the relevant land by notice in writing if—

(a) an order is registered under subsection (3); or

(b) a notice of the variation of an order is registered under subsection (4); or

(c) the cancellation of the registration of an order is given effect to under subsection (7).

(9) A notice to be given to the occupier of land under subsection (8) may be given by addressing it to the 'occupier' and posting it to, or leaving it at, the land.

39E—Appeals to ERD Court—protection orders, repair orders and restoration orders

(1) A person to whom a protection order, repair order or restoration order has been issued under this Part may appeal to the ERD Court against the order or any variation of the order.

(2) An appeal must be made in the manner and form determined by the Court, setting out the grounds of the appeal.

(3) Subject to this section, an appeal must be made within 21 days after the order is issued or the variation is made.

(4) The Court may, if satisfied that it is just and reasonable in the circumstances to do so, dispense with the requirement that an appeal be made within the period fixed by subsection (3).

(5) Unless otherwise determined by the Court, an appeal must be referred in the first instance to a conference under section 16 of the *Environment, Resources and Development Court Act 1993* (and the provisions of that Act will then apply in relation to that appeal).

(6) Subject to subsection (7), the making of an appeal does not affect the operation of the order to which the appeal relates or prevent the taking of action to implement or enforce the order.

(7) The Court or the Minister may, on its or the Minister's own initiative or on application by a party to the appeal, suspend the operation of an order until the determination of an appeal.

(8) A suspension under subsection (7) may be subject to specified conditions, and may be varied or revoked by the Court or the Minister (as the case requires) at any time.

(9) The Court may, on hearing an appeal—

(a) —

(i) confirm, vary or revoke the order appealed against; or

(ii) substitute any order that should have been made at the first instance; or

(iii) remit the subject matter of the appeal to the Minister; or

(iv) order or direct a person to take such action as the Court thinks fit, or refrain (either temporarily or permanently) from such action or activity as the Court thinks fit; and

(b) make any consequential or ancillary order or direction, or impose any condition, that it considers necessary or expedient.

No. 13. Clause 6, page 4, after line 5—Insert:

(3) Section 42(7), definition of *prescribed offence*—delete 'or 39A' and substitute:

, 39A, 39B or 39C

No. 14. New clauses, page 4, after line 5—After clause 6 insert:

7—Insertion of sections 42A and 42B

After section 42 insert:

42A—Onus of proof in certain offences

(1) In any prosecution of an owner of a State Heritage Place for a prescribed offence arising from the substantial damage or destruction of the place (including damage or destruction which occurs as a result of neglect of the place), if the circumstances suggest the owner has not suffered significant financial loss as a result of the damage or destruction the owner is presumed to have caused, or authorised, caused or permitted another person to cause, the damage or destruction unless it is proved that the owner did not do so.

(2) In this section—

prescribed offence means an offence against section 36, 38, 38A, 39A, 39B or 39C.

42B—Continuing offences

(1) A person convicted of an offence against a provision of this Act in respect of a continuing act or omission—

(a) is liable, in addition to the penalty otherwise applicable to the offence, to a penalty for each day during which the act or omission continues of not more than an amount equal to one-tenth of the maximum penalty prescribed for that offence; and

(b) is, if the act or omission continues after the person is convicted of the offence, guilty of a further offence against that subsection and liable, in addition to the penalty otherwise applicable to the offence, to a penalty for each day during which the act or omission continues after that conviction of not more than an amount equal to one-tenth of the maximum penalty prescribed for that offence.

(2) For the purposes of subsection (1) an obligation to do something is to be regarded as continuing until the act is done notwithstanding that any period within which, or time before which, the act is required to be done has expired or passed.

8—Amendment of section 43—Service of notices

Section 43(d)—delete 'in a newspaper circulating throughout the State' and substitute:

on a website determined by the Minister or by such other means prescribed by the regulations

9—Amendment of section 44—Evidence

Section 44—after subsection (3) insert:

(4) In any legal proceedings, an apparently genuine document purporting to be a notice or order, or copy of a notice or order, issued or executed by the Minister will be accepted as such in the absence of proof to the contrary.

10—Amendment of section 45—Regulations

(1) Section 45(2)—after paragraph (e) insert:

and

(f) make provisions of a saving or transitional nature consequent on the amendment of this Act by another Act.

(2) Section 45—after subsection (2) insert:

(3) A provision of a regulation made under subsection (2)(f) may, if the regulation so provides, take effect from the commencement of the amendment or from a later day.

(4) To the extent to which a provision takes effect under subsection (3) from a day earlier than the day of the regulation's publication in the Gazette, the provision does not operate to the disadvantage of a person by—

(a) decreasing the person's rights; or

(b) imposing liabilities on the person.

Consideration in committee.

The Hon. R.A. SIMMS: I move:

That the House of Assembly's amendments be agreed to.

Motion carried.

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (DATA ACCESS) BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

STATUTES AMENDMENT (TRANSPORT PORTFOLIO) BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

At 01:42 the council adjourned until Thursday 29 August 2024 at 14:15.

Answers to Questions

CANCER NURSE PRACTITIONERS

347 The Hon. L.A. HENDERSON (5 June 2024). Can the Minister for Health and Wellbeing advise, in which hospitals or health premises do the following nurses work—

1. Breast cancer nurses or breast care nurses,

2. Gynaecological cancer nurses or gynaecological oncology nurses, and

3. All other cancer nurse practitioners or cancer nurse specialists in the SA health system?

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

1. Breast cancer nurses and breast care nurses are located at the following hospitals or health premises:

- Royal Adelaide Hospital
- The Queen Elizabeth Hospital
- Lyell McEwin Hospital
- Flinders Medical Centre
- Barossa Hills Fleurieu Local Health Network (LHN), providing service based in the Barossa, Gawler, Southern Fleurieu, Kangaroo Island and Adelaide Hills regions
- Mount Gambier and Districts Health Service
- Naracoorte Health Service
- Murray Bridge Soldiers' Memorial Hospital, providing service throughout the Murray Mallee and Coorong region
- Barmera Health Service, providing service throughout the Riverland
- Whyalla Hospital and Health Service
- Eyre and Far North LHN provides services across the LHN
- Flinders and Upper North LHN provide a service across the LHN
- Yorke and Northern LHN providing service across the LHN
- Rural Support Service providing service across all regional LHNs.

2. Gynaecological cancer nurses or gynaecological oncology nurses are located at the following hospitals or health premises:

- Mount Gambier and Districts Health Service
- Royal Adelaide Hospital
- Flinders Medical Centre
- Women's and Children's Health Network Michael Rice Centre for Haematology and Oncology
- Whyalla Hospital and Health Service

3. All other cancer nurse practitioners or cancer nurse specialists in the South Australian health system are located at the following hospitals or health premises:

- Lyell McEwin Hospital
- Southern Fleurieu Health Service
- Flinders Medical Centre
- Mount Barker District Soldiers' Memorial Hospital
- Gawler Health Service
- Barossa Hills Fleurieu LHN, providing service across the whole network
- Mount Gambier and Districts Health Service

- Whyalla Hospital and Health Service
- Port Lincoln Hospital and Health Service
- Ceduna Hospital and Health Service
- Murray Bridge Soldiers' Memorial Hospital, providing service throughout the Murray Mallee and Coorong region
- Barmera Health Service, providing service throughout the Riverland
- Eyre and Far North Local Health Network (LHN) providing service across the whole network
- Yorke and Northern LHN providing service across the network
- Rural Support Service providing service across all regional LHNs.

CANCER NURSE PRACTITIONERS

349 The Hon. L.A. HENDERSON (5 June 2024). Can the Minister for Health and Wellbeing advise the number of—

1. Breast cancer nurses or breast care nurses,

2. Gynaecological cancer nurses or gynaecological oncology nurses, and

3. All other cancer nurse practitioners or cancer nurse specialists in the SA health system?

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

1. There are 28 breast cancer nurses and breast care nurses.

2. There are 73 gynaecological cancer nurses or gynaecological oncology nurses.

3. There are 326 all other cancer nurse practitioners or cancer nurse specialists in the SA health system.

SEATON REDEVELOPMENT

364 The Hon. H.M. GIROLAMO (28 August 2024). Can the Treasurer advise—

1. Has any communication been distributed to privately owned households affected by the Seaton redevelopment site in terms of options available to them to sell their property to Renewal SA and if so, when was this provided?

2. Can you please provide a breakdown by category of social, affordable and to market sale dwellings projected at the Seaton redevelopment site for 2024-25, 2025-26, 2026-27, 2027-28 and beyond for the remainder of the project?

3. What is the current expectation for when the first home is to be built on the Seaton redevelopment site?

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

1. Renewal SA has engaged a buyer's agent to assist in acquiring strategic properties identified within the project area. This process began in March 2024 with the agent writing to identified owners to gauge their interest in selling and has continued with periodic communications with owners since that time.

In addition, Renewal SA wrote to all residents within the area in June 2024 inviting residents to community engagement sessions held on Saturday 29 June 2024 and Wednesday 3 July 2024.

2. The projected timing of dwelling commencements for the Seaton project (incl. stage 1) is as follows:

	FY 24/25	FY 25/26	FY 26/27	FY 27/28+	
Social	27	12	38	342	
Affordable	69	14	11	196	
Market Sales	38	38	49	618	
Total	134	64	98	1,156	1,452

3. Construction of the first dwellings in Seaton stage 1 has commenced and will be complete in mid-2025.