

LEGISLATIVE COUNCIL

Wednesday, 25 September 2024

The **PRESIDENT (Hon. T.J. Stephens)** took the chair at 11:01 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

SITTINGS AND BUSINESS

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:02): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers, ministerial statements, questions without notice, giving of notices of motion and matters of interest to be taken into consideration at 2.15pm.

Motion carried.

The PRESIDENT: I note the absolute majority.

Parliamentary Committees

JOINT COMMITTEE ON THE LEGALISATION OF MEDICINAL CANNABIS

The Hon. T.A. FRANKS (11:05): I move:

That the interim report of the committee be noted.

It gives me great pleasure today to table and speak to the interim report of the Joint Committee on the Legalisation of Medicinal Cannabis. Members in this place would be well aware that for a very long period of time in this place I have championed the legalisation of medicinal cannabis (which I was pleased to see happen at a federal level), the legalisation of industrial hemp, which contains very little THC, for industrial purposes, and the legalisation of cannabis.

However, the report I speak to today is that of a committee that is, of course, not just comprised of a Greens member of parliament, although I am very pleased to chair it. I thank the members of that committee for their support working on this very important issue of addressing the challenges we continue to face where a previously prohibited substance has now been legalised and approved for use in a medicinal capacity. There still remain big shortfalls in our laws, policies and procedures.

I particularly want to thank the members of the committee, and note that the committee has been populated in this place by the Hon. Ben Hood and the Hon. Justin Hanson—so from this particular chamber we have a Labor, a Liberal and a Green. In the other place we have had two Independents; initially the member for Mount Gambier, now replaced by the member for Narungga, Mr Fraser Ellis MP, as well as Mr Eddie Hughes, the member for Giles, and the Hon. David Pisoni, the member for Unley—so from that place we have an Independent, a Labor and a Liberal.

This is a committee comprised of quite a good cross-section of the parliament, including regional, rural and metropolitan, with most of the parties in this place represented, although I do note not all. It has made for very good debate, and I draw not just members' of this council's attention but I will also draw minister's attention to the issues we have raised for further consideration.

In the interim report by this joint committee there have been 13 recommendations called for. Those recommendations are not necessarily ones that the Greens would progress in and of themselves, but in many ways they are a sensible compromise arrived at through thorough deliberation, evidence and debate within that very diverse committee.

The first of the recommendations is possibly the one that will attract most media interest. Recommendation 1 calls for the Minister for Infrastructure and Transport to prepare draft

amendments to the Road Traffic Act to provide that it will not be an offence to drive with THC present in oral fluid or blood where drivers:

- (1) have been prescribed medicinal cannabis products containing THC in accordance with the Controlled Substances Act or a corresponding act of another state or territory;
- (2) are using the medication in accordance with a prescription;
- (3) have zero blood alcohol concentration; and
- (4) are not impaired.

Further, part B of that recommendation is that the Minister for Infrastructure and Transport undertake community consultation in respect of the amendments proposed above.

Members of this council will remember that I previously had a private members' bill before this place. Indeed, former member the Hon. Kelly Vincent moved similar amendments. Currently, we have a bill before this place under the auspices of One Nation and the Hon. Sarah Game that goes some way to addressing this question of how we can have patients continue to be criminalised taking a lawful legal drug as per their prescription from their medical professional and yet still be criminalised, not for any impairment, not for any real reasons of road safety concern, but simply for having the presence of THC in their system.

The police in this state have roadside drug testing. That regime does not test for levels of THC, it simply tests for simple presence. It is either there or it is not, and yet SAPOL themselves in their advertising say, 'We will catch you long after the high is gone,' and that is because THC stays in your system for a very long time, well after its psychoactive effects have been felt and experienced and, certainly from the evidence we heard from experts across the medical profession and the legal profession, well after any danger is there to either patient or public of that THC being in that driver's system.

We think this is an issue that has been managed quite well in Tasmania where, just by chance and the circumstances of their laws, drivers in that state already have this defence. Since the legalisation of medicinal cannabis, their roads have not seen unprecedented levels of dangers and crashes, and they have not had any heightened road safety risk from patients with a prescription medication using that medication in an appropriate way but also appropriately driving when they are able to.

In this state, because cannabis remains a prohibited substance, and THC in particular rather than CBD remains a prohibited substance, we have a road system based not on real road safety but on the criminalisation of that THC. This simply does not add up if we want to treat patients as patients and not as criminals. These people are not criminals and we should not be criminalising them.

We do think, however, as a committee that this is not a job for the Greens, it is not a job for One Nation and it is not a job for people like Dignity MLC the Hon Kelly Vincent to take up; it is a job for the government of the day with all of the tools that they have at their disposal to do the proper consultation to weed through—not to make a pun, but I am sure there will be a few more; I did not mean to make that one, I do apologise—fact from fiction.

It is a job for the government to look at Tasmania, to look at jurisdictions around the world where their laws and their history of prohibition has not unduly and unjustly continued to criminalise patients who simply wish to be able to operate a vehicle in a safe manner so that they can go about their lives, so that they can keep their jobs and, particularly if they are a rural or regional patient, so they can maintain their livelihoods. The choice that we give them currently is a terrible one where they are unable to continue the medication that has worked for them to alleviate their symptoms such as, say, pain, and we force them on to far more concerning drugs that are less safe on our roads such as opioids.

So the realities here really need to be investigated by this government and that is why, with recommendation 1, I do hope the Malinauskas government will take some leadership and pursue that process of drafting a bill—there have been several already before this parliament for them to take as a starting point—and then do the proper consultation advised by health professionals and true road safety professionals, and put aside the stigma, the hyperbole and the polemics around this

where we literally have road safety ads that say, 'We will get you long after the high is gone,' knowing that in fact that is not a road safety provision, that is simply a further criminalisation of cannabis provisions where somebody has THC in their system.

The pharmacists and the doctors and others have shown us that there are pathways here to establish that defence for those drivers. It works in Tasmania. Curiously, in our evidence, we actually heard of a situation of a particular driver in Tasmania who was not able to avail themselves of the defence because they had used a pharmacy from another state or territory, so they were left without the pathway of proving that their medicinal cannabis was indeed dispensed and used appropriately. That is an anomaly in that law in Tasmania, and I certainly hope that they address that, but here we have far more work to do than Tasmania, and we can look to them for their lead. Recommendation 2 is:

That consideration be given by the Minister for Infrastructure and Transport to the monitoring of technologies or methods developed for the purposes of assessment of impairment, with the potential for implementation in respect of enforcement of offences where impairment is an element of the offence.

Where more accurate technologies or methods are identified, procurement (where necessary) and introduction of such technologies or methods must occur as a matter of priority.

Simply put, the testing regime we currently use for our roadside tests only tests for presence of THC; it does not test for impairment. Unlike our alcohol testing system it does not look at levels, and it does not use not just the technologies but, in fact, some of the old traditional methods of assessing impairment or lack of impairment. Recommendation 3 is:

That consideration be given by the Minister for Industrial Relations and Public Sector to the necessity of specific regulation of workers where it is unlawful for such workers to undertake their duties with THC present in oral fluid or blood. That consideration be given to providing for such workers to undertake their duties where they:

- a. have been prescribed [medicinal cannabis] products containing THC in accordance with the Controlled Substances Act or a corresponding Act of another State or Territory;
- b. are using their medication in accordance with the prescription;
- c. have zero blood alcohol concentration; and
- d. are not impaired.

This is a body of work for the minister in this place, the Minister for Industrial Relations, to take on. We need work health and safety policies that truly keep workers safe. When we have a Return to Work system that allows patients to access medicinal cannabis, that sees that it works and that assists them to be in the workplace, we also have to have workplace policies that allow them to continue taking their medication in a safe way in those workplaces. Again, the history of prohibition, the stigma, often need to be addressed.

This is possibly a more direct conversation that the Minister for Industrial Relations can institute among workplaces, because some workplaces in this state are already managing this issue. Indeed, we have heard evidence of some workplaces where somebody can operate heavy machinery inside the gate, because they are a medicinal cannabis patient but the appropriate workplace health and safety provisions have been put in place, but they cannot actually drive to work to go through that gate to then do their job.

It is a ludicrous situation, again, where on one side of the gate they are deemed fit and capable despite our archaic criminalisation of cannabis over the years, and outside the gate they are seen as criminals by the police simply because of our historical provisions. It is a ludicrous situation, it does need to be addressed and there is a body of work there for the Minister for Industrial Relations to do. So we do call on him to take a look at that. The minister is also required, under recommendation 4, to consider that he introduce:

...a requirement that PCBUs must treat [medicinal cannabis] in the same way as other prescribed drugs (with the potential to cause impairment) when drafting and enforcing work health and safety policies.

Such reform [of course] is appropriately to be accompanied by the funding of an education program for the benefit of PCBUs and Health and Safety Representatives who wish to better understand the risks or potential benefits that may arise from allowing employees (who are not subject to specific regulation prohibiting the presence of THC (noting Recommendation 3)) to undertake their duties where they:

- a. have been prescribed [medicinal cannabis] products containing THC in accordance with the Controlled Substances Act or a corresponding Act of another State or Territory;
- b. are using their medication in accordance with the prescription;
- c. have zero blood alcohol concentration; and
- d. are not impaired.

Recommendation 5 of this interim report states:

A. Subject to part B of this recommendation, that consideration be given by the Minister for Health and Wellbeing to amendment of the Controlled Substances Act to exclude [medicinal cannabis] products from those that are to be subject to s 18A(1)(a) requirements.

B. Where a patient is known to be drug dependent, or there is reasonable cause to believe the same, a requirement to obtain authorisation from SA Health under s 18A(1)(a) (to prescribe a [medicinal cannabis] product containing THC) remains appropriate.

Recommendation 6 is also for the Minister for Health and Wellbeing and calls on him to undertake an assessment of the potential benefits that may result from the introduction of uniform dispensing requirements for medicinal cannabis products. Recommendation 7 asks for the Minister for Health and Wellbeing to undertake an assessment of the potential benefits that may result from the introduction of uniform standards for the purposes of transportation and storage of medicinal cannabis products across our state and nation.

Recommendation 8 calls on the Minister for Health and Wellbeing to write to the Australian Minister for Health and Aged Care:

...to note evidence received in respect of eligibility for Medicare benefits for Telehealth consultations by general practitioners, namely that the requirement for an 'established clinical relationship' to be in existence has the potential to limit affordable access to online cannabis clinics, and consequently to [medicinal cannabis] products. To propose that the Australian Minister for Health and Aged Care give consideration to removing this requirement where a medical practice is located more than 80km from the patient's principal place of residence or consults patients only by way of Telehealth.

Certainly, opening up access to those medical professionals who are educated and skilled and able to prescribe medicinal cannabis products will go a long way to assisting patients in this state. Of course that is an issue because when most of our GPs went through university, and studied health and medicine, cannabis was only viewed as an illicit substance. It was not a medicinal substance able to be prescribed, and so in fact often their knowledge of it is not as strong as it could be, and there is a body of educational work to do there. Until all doctors are able to be skilled up, that telehealth option is actually more important for this than for many other drugs. Recommendation 9 states:

So that patients being treated with [medicinal cannabis] are not disadvantaged by admission to a South Australian hospital, that consideration be given by the Minister for Health and Wellbeing to amendment of any protocols applicable in South Australian hospitals, as necessary to provide that [medicinal cannabis] may:

- (a) be dispensed from hospital pharmacies;
- (b) if lawfully dispensed by an external pharmacy, be self-supplied by an in-patient; and
- (c) be consumed on hospital premises by an in-patient where it can be administered in a way that does not impact the health or safety of others.

Recommendation 10 calls for the Minister for Health and Wellbeing to consider providing logistical assistance and support to the medicinal cannabis industry to provide access to medicinal cannabis products on a compassionate basis in our state. Time and time again, this committee has heard that, where medicinal cannabis patients are able to work their way through the health system and access a prescription, quite often the product is simply unaffordable, and certainly on an ongoing basis unaffordable and unsustainable.

The medicinal cannabis industry recognises this and runs some ad hoc programs. One in particular that I thought was quite worthy and meritorious was for endometriosis patients who deal with chronic pain. Indeed, medicinal cannabis there has been proven to be quite life changing and life enabling for those people.

By using the systems of SA Health, our government could go a long way to ensuring that medicinal cannabis products that are available through the industry, particularly where there is excess stock, can be accessed by those most in need, getting those patients most in need the medication that they need at a price that they can afford. That is something that our state government could step up and ensure happens, and it is something that the industry is calling for governments to assist with. Recommendation 11 states:

That consideration be given by the Minister for Health and Wellbeing to the introduction of an aggravated offence of supplying cannabis where the supply is by way of use of packaging or labelling that may give the appearance that the supply of cannabis has been lawfully dispensed in accordance with a prescription. To protect the integrity of the [medicinal cannabis] regime...

That is an area where, of course, there are charlatans entering the market, and we do want to make sure that people who seek what is now a lawful prescription medication are getting the medication that they need and that has been prescribed for them. We are concerned that the further criminalisation, however, of cannabis and the fact that medicinal cannabis has not necessarily been given the support that it needs so far is opening the way up and opening the door to those particular charlatans. Recommendation 12 states:

That consideration be given by the Minister for Industry, Innovation and Science to review South Australia's planning laws for the purpose of seeking to identify options to remove or minimise unnecessary barriers to, and to optimise benefits obtained by, establishing [medicinal cannabis] businesses in South Australia to operate pursuant to licenses/permits issued under the Narcotic Drugs Act 1967 (Cth).

I hope that the Minister for Planning there will give consideration to that. Again, it is a legacy of a system where cannabis was criminalised but now medicinal cannabis often has to operate as if they are criminals unnecessarily, needlessly, and we are getting in the way of industry and business flourishing in this state.

Finally, lucky recommendation 13 is to call on the Minister for Industry, Innovation and Science to establish collaborative relationships (including grants) between the government of South Australia and academic institutions for the purposes of furthering research into potential benefits and risks that may arise from the use of medicinal cannabis, with particular focus in the areas of industrial relations, health and road safety.

Driving and medicinal cannabis seems to be one of the most studied subjects on the planet and there is a wealth of information should any government be seeking it. I certainly recommend to anyone in this country to just start with the Lambert Initiative but then work your way right around the nation. There is a lot of work being done here.

There is, of course, more that could be done and certainly in that area of work health and safety I hope a Labor government, with a record of innovating, with having supported appropriate and considered conversations around industrial hemp, as well as medicinal cannabis in the past, will see that this is an opportunity not only to support their citizens but to see this flourish in our state as a clean, green industry that shows compassion and cares for patients rather than criminalises them. With that, I commend the report to the council.

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

Motions

COULTER, DR J.

The Hon. T.A. FRANKS (11:28): I move:

That this council notes the extraordinary legacy of former Australian Democrats Senator Dr John Coulter as an advocate for a sustainable future for South Australia and extends its condolences to his family and loved ones.

I rise today to note the passing of Dr John Coulter, a giant of this state and this nation and, more broadly, this nation's environmental sector.

For 20 years, John was a scientist at the Institute of Medical and Veterinary Science (IMVS) in Adelaide, as well as being a prominent and articulate environmentalist. This led to attacks from industry on a number of occasions. His increasingly high public profile made his employers uneasy. He was not only unafraid to speak out on issues such as environmental and health matters, he was

also prepared to address head-on issues such as the health hazards posed by drugs and industrial chemicals.

He had run a successful community campaign against the cutting down of large native trees in his local area—the Campbelltown City Council—early in his political career. He campaigned on an environmental platform, and served on that council for three years. For more than five decades he worked tirelessly on environmental issues at a local, state and federal level. As a medical researcher, university lecturer, politician, founding member of Conservation SA and president of the Australian Conservation Foundation, John contributed to countless medical, environmental and sustainability organisations and causes over his 50-plus year career.

Over the course of that half a century, he advocated for reform on a wide range of issues, including nuclear issues, population, nature protection, renewable energy and climate change. He was elected to the Senate in 1987, and he went on to be Democrat spokesperson on the environment from 1990 to 1995. In fact, I met him in those years, and I vividly remember the archetypal Democrat's facial hair. He then went on to serve as Senate leader of the Democrats from 1991 to 1993. He was very well known for over 40 years for his action on planning issues in our state. John gained notoriety in 1991 when he interrupted the launch of the proposed MFP (multifunctionpolis)—that never happened, of course—co-funded by the state and federal governments.

As the Democrat's environment spokesperson, he spoke out about the need to protect our old growth forests and wilderness, and he warned of the risks of pollution of fresh water posed by industry, agriculture and urban waste. He advocated for the endangered bilby to be a symbol of our Australian Easter, rather than the environmentally destructive exotic rabbit. His legacy was also experienced in the promotion of the Easter bilby each year in federal parliament, being delivered in chocolate form to all MPs first by John and then later by then Senator Natasha Stott Despoja.

He was an active campaigner against uranium mining and nuclear testing. During his time in the Senate, John introduced some 12 private senators' bills, most of which addressed environmental issues. While none passed the Senate, a number prompted the government to introduce similar legislation. He introduced bills to ban ozone-depleting substances and uranium enrichment and the very first national bill to protect threatened species, which of course went on to have a legacy that we still see today.

John also established the very first major Senate inquiry into climate change, calling for the introduction of a carbon tax in 1995, proposing that the funds raised would then be used to develop energy-efficient industries. He was a visionary.

In March 1995, John Coulter introduced to the Senate the bill that he saw as the logical culmination of his efforts to find effective legislative measures for the promotion of a sustainable environment. The Constitution Alteration (Ecology, Diversity and Sustainability) Bill would 'alter the constitution to ensure that when making laws the parliament takes into account the effect of such laws on...the natural environment'. He was thinking not just one, not just two, but many generations ahead.

How much further might this nation be now in our progress—and perhaps the world's progress—on mitigating the impacts of climate change had these sorts of bills been passed some 30 years ago? The detrimental impacts of climate change that challenge us daily may well have been minimised. We would have placed not only the environment but intergenerational equity at the forefront of our national decision-making.

John was, in my political history, a figure of respect. I certainly remember seeing him on stages when I was a university student and in the 1993 election period speaking so persuasively about the environment and social justice and the vision for a future for all of us. It is no surprise that a Greens member of this place would make this speech, because John advocated for the Australian Democrats and the Greens to consider merging, something that the membership did do. Indeed, as the Hon. Robert Simms well knows, he did not quite get the votes internally for that to happen, but I vividly remember John saying there was little difference between the Greens and the Democrats—our policies are the same, it was simply that our brand in each state and territory was different.

I do believe the Greens carry on the tradition and legacy that I would hope John wanted to see in our parliaments. I also cannot not mention Marilyn Pedrick, his long-time office manager, someone I had the pleasure to work with for many years, who was a candidate for the seat of Mayo for the Democrats many times, built up that seat for the Democrats, was a local councillor and also a visionary, an environmentalist, passionate about a future for all of us and who also has passed in the last few years. With that, I commend this motion to the council. Vale John Coulter.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:35): I rise on behalf of government members to express our condolences to the family, friends and loved ones of Dr John Coulter. John Coulter was of course best known for his service in the Australian Senate, representing our state, South Australia, from 1987 to 1995 as a member of the Australian Democrats. During his term in the Senate Dr Coulter rose to serve as deputy leader and ultimately leader of his party, becoming the fourth person to hold each of those offices.

Dr Coulter is one of those remarkable individuals who is remembered for the issues on which they campaigned, not only within the parliament but beyond. Dr Coulter's legacy as an environmentalist preceded his time in the parliament and lasted to his final days. That commitment to his values and beliefs defines John Coulter in the minds of many South Australians and leaves a lasting legacy.

Whether as leader of a political party in the Australian federal parliament or as councillor on the Campbelltown City Council, as president of the Conservation Council of South Australia or as a passionate advocate for the natural world, Dr Coulter made the most of every opportunity to advocate for our precious environment. The environmental causes he joined were as diverse as the roles he held, from uranium mining and nuclear testing to climate change and the hole in the ozone layer, the protection of Lake Eyre, the preservation of old growth forests and advocating against land clearing in the last years of his life. John Coulter was an unwavering voice for the issues he believed in.

It would be a mistake to simply remember John Coulter as an environmentalist. He was once an Anglican preacher. He went on to become a doctor and a scientific researcher and used his platform in the federal parliament to advocate on many issues. I particularly remember John Coulter's support for the Aboriginal and Torres Strait Islander Commission (ATSIC) when legislation to establish it was put forward by the then Hawke government. His was an important vote and advocacy in the passage of that important legislation.

On behalf of the government, I offer my sincere condolences to Dr Coulter's daughter, his stepchildren, his friends and loved ones, and to the many Australians who worked and campaigned alongside him. Vale John Coulter.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (11:37): I rise to speak on behalf of the opposition on the sad passing of the former Australian Democrats Senator, Dr John Coulter. It is clear, when looking back at the life and public contribution of John Coulter, that he was not someone who let life pass him by. Born in the late 1930s, he was from a different era, a prewar child who was born and raised during the hardships of the interwar years in the then outer suburbs of Perth.

Like so many parents who want the best for their kids, both parents worked hard so that John could get a good education, as there were hopes he would pursue a medical career. After leaving Wesley College in Perth as a proficient science student, he started a science degree at the University of Perth before moving to Adelaide, where he completed a degree in medicine at the University of Adelaide in 1956. He married in 1953 and with his wife started a family whilst living in Rostrevor.

After completing his residency at the Royal Adelaide Hospital, he worked as a locum but never lost his passion for medical research. He secured a position at the Institute of Medical and Veterinary Science, and his research into staphylococcus infections, along with other research, was published in different medical scientific journals. His focus broadened into the impact of chlorinated pesticides and the impact of various other toxic substances on human tissues. He raised public awareness about the dangers of potential carcinogenic substances present in different pesticides and other chemicals.

However, his outspoken approach caused issues with his then employer, which resulted in him losing his job and having to spend some time on unemployment benefits. He then secured a position as a lecturer at the University of Adelaide. During this time he became very active in different conservation and environmental groups, including the Underwater Research Group, Conservation Council of South Australia and the Australian Conservation Foundation. He also served on the Campbelltown City Council and was very involved in planning issues around Adelaide. He was involved in the group Sustainable Population Australia and was outspoken on Indigenous rights issues.

John was elected to the Senate in 1987 and was a strong advocate for environmental issues and an active campaigner against chemical impacts on the environment. He was convinced that this was the ideal focus for the Democrats, and he was a strong voice in favour of protection of Australia's old growth forests and the preservation of Australia's unique habitat. He was behind the push to make the bilby the Australian symbol of Easter, leading to the release of the chocolate Easter bilby as the rival of the Easter bunny.

He took over as the Democrats parliamentary leader, where he remained their spokesperson on the environment, and during this time he was also outspoken against what he saw as issues of abuse of power and conflicts of interest. When he resigned from parliament due to ill health in 1995, the valedictory speeches from all sides of the chamber paid tribute to his principled commitment and his work ethic. He was also recognised for bringing a strong scientific and research background to the political debate.

While John Coulter had crossed swords with many people due to his unwavering commitment to his beliefs, it was clear that those who held different views respected him for his commitment to public service and his informed and principled approach. As Winston Churchill said, 'You have enemies? Good! That means you have stood up for something, sometime in your life.' He remained a member of the South Australian branch of the Democrats but was disappointed with the party's increasing involvement in economic policy. His opposition to the Democrats' involvement in negotiations that led to the passage of the goods and services tax led to his resignation from the party, which he saw as losing its way from the core focus of environmental issues.

John Coulter led an incredibly busy life, served on many different groups and was a tireless campaigner, motivated by his service to the people. Our thoughts are with his family, friends and many former colleagues at this time. Vale John Coulter.

The Hon. R.A. SIMMS (11:41): I rise very briefly to speak to this condolence motion. I want to begin by extending my condolences to Dr John Coulter's daughter, Kiersten, and his stepchildren, Graham, Debbie and Gwendolynne.

As has been observed today, Dr John Coulter was a strong advocate for our environment, and he fought for action on a range of issues, including nuclear power, nature protection, renewable energy and climate change. Prior to his career as a Senator, Dr Coulter worked at the Institute of Medical and Veterinary Science in Adelaide as a research officer and a specialist pathologist and then as a lecturer in energy studies and then environmental studies. Dr Coulter was also heavily involved in a number of environmental organisations, not least the Conservation Council.

I remember seeing him at an election forum I spoke at back in 2022 with the then shadow environment minister and Deputy Leader of the Opposition, the Hon. Susan Close. It was clear even at that meeting that, despite his advanced age, Dr Coulter was still very passionate and very interested in environmental issues. Indeed, his significant legacy was acknowledged by the hosts of the event.

As has been observed, throughout the seventies and eighties Dr Coulter was an active critic of uranium mining and nuclear testing, and he campaigned against the proposed Redcliff plant and the Roxby Downs indenture act. He joined the Democrats in 1980. In 1987, he was elected as a Senator for South Australia, and he remained there for eight years. He also spent two years as Leader of the Australian Democrats.

In 1995, when he resigned, the casual vacancy in the Senate was filled by Natasha Stott Despoja, whom the Hon. Tammy Franks and I both had the opportunity to work with. Whilst I did not

spend a great deal of time with Dr John Coulter, he was someone who I heard a lot about over the years. I think his contribution to environmental policy in particular has been acknowledged by many people right across the political spectrum.

I think he had one of those unique capacities in politics, that is, being someone who brought a significant level of technical expertise to the parliament and was able to use that to actually affect policy outcomes and change political discussions. That is a unique skill to have. He was certainly ahead of his time. In particular, as noted by the Hon. Tammy Franks, back in 1995 he called on the Keating government to introduce a carbon tax. That was 17 years before the Gillard government finally introduced one and we saw that debate in Australia, so he really was ahead of his time in calling for action on the environment in particular.

I commend the motion and pass on my condolences to his family and friends. He leaves behind a significant legacy and he is certainly a South Australian who has made a big contribution. Vale John Coulter.

The Hon. T.A. FRANKS (11:45): I thank those members today who have made a contribution: the Hon. Minister Maher, the Hon. Nicola Centofanti and the Hon. Robert Simms. Indeed, anyone who has ever had a Haigh's bilby now knows how that all happened. Of course, my condolences also go to his family and loved ones. I would like to put on record today my respect for his profound legacy. My gratitude for his vision will continue. Again, vale Dr John Coulter.

Motion carried.

REPAT HEALTH PRECINCT

The Hon. S.L. GAME (11:46): I move:

That this council—

1. Acknowledges the rich history of the Repat Health Precinct and its longstanding service to veterans, community patients, and the broader South Australian community;
2. Recognises the significant role the Repat Health Precinct has played in the provision of healthcare services for veterans and the community, evolving from a military hospital to a teaching hospital, and now a state-run health precinct, that continues to honour its historical roots;
3. Acknowledges the historical importance of the Veterans' Memorial Trail and the Repat Museum which continues to be an enduring tribute to the veteran community;
4. Acknowledges the dedicated volunteers, medical professionals and staff who continue to uphold the values of the Repat Health Precinct, ensuring that it remains a vital asset to the state and a trusted provider of high-quality health care; and
5. Calls on the government to continue supporting the Repat Health Precinct as a healthcare institution, with an emphasis on preserving its rich history while serving future generations of South Australians.

On 5 September, I was privileged to walk the Veterans' Memorial Trail at the Repat Health Precinct. The Repat holds a special place in the hearts of South Australians, especially veterans. Its journey from the 105 Adelaide Military Hospital founded in 1942 during World War II to its current incarnation as a modern health precinct speaks to the resilience and dedication of our veterans, the community and the state.

As a tribute to the efforts of individuals, groups and of course veterans, the Veterans' Memorial Trail houses a compilation of landmarks which offer unique stories and insights into the valiant feats of wartime. As I walked through the volunteer-run Repat Museum, I was struck by the countless stories of sacrifice and service. Artefacts, from uniforms to medical equipment used during the hospital's early days, evoked powerful emotions of appreciation.

The Repat Museum is a treasure trove of memories serving both as a historical repository and a beacon for younger generations to understand the gravity of the sacrifice and service given in order for us to enjoy the freedom we have today. When learning about the Battle of Coral and Balmoral during the Vietnam War, I was deeply moved. These battles fought over 25 days saw immense courage from nearly 3,000 Australian soldiers.

The fierce and unrelenting attacks of Vietnamese forces were met with determination, bravery and an unyielding sense of camaraderie. Twenty-six Australians gave their lives during this conflict and nearly 100 were wounded, and the price they paid serves as a sobering reminder of the cost of freedom. Lest we forget. Timothy Hughes' legacy as both a decorated World War II Aboriginal serviceman and a leader in the Aboriginal Lands Trust illustrates the lasting impact of service beyond the battlefield.

Equally inspiring was visiting the SPF Hall built with funds raised by wartime schoolchildren, a symbol of the war effort of young and old. The hall is also an example of the power of community. Another standout was learning about veterans' advocate William Hurtle Schmitt, also known as Bill. His World War II prisoner of war story and his tireless efforts for veterans reminded me of the community's enduring strength. The Veteran Wellbeing Centre, honouring figures like Flight Lieutenant Guy Bowering and Matron Patricia Deal, serves as a vital care space addressing the complex needs of veterans long after their service ends. It offers advocacy, education, skills development and even accommodation support.

Perhaps the most poignant was the Repat Chapel, a sacred space that captures the essence of compassion, sacrifice, liberty, love and courage. The walls are adorned with shields commemorating the fallen, a quiet but powerful reminder of the cost of war. The Repat is not just a hospital, it is a living, breathing testament to the spirit of those who have worn the uniform, to the strength of the community, and to the importance of supporting our veterans with words and actions. I hope we continue to support it and places like it.

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

Bills

TERMINATION OF PREGNANCY (TERMINATION AND LIVE BIRTHS) AMENDMENT BILL

Introduction and First Reading

The Hon. B.R. HOOD (11:49): Obtained leave and introduced a bill for an act to amend the Termination of Pregnancy Act 2021. Read a first time.

Second Reading

The Hon. B.R. HOOD (11:50): I move:

That this bill be now read a second time.

When we stand in this chamber we are often confronted with difficult decisions, decisions that force us to examine not just the laws we make but the values that we hold. In introducing this bill we are touching on one of the most profound human rights issues of our time. The Termination of Pregnancy (Terminations and Live Births) Amendment Bill 2024 is about drawing a line, one that ensures we uphold our duty to protect the most vulnerable among us without infringing on the rights of those facing immensely difficult situations.

Since the enactment of the Termination of Pregnancy Act 2021, we have witnessed an outcome that should give every single one of us pause, an unintended but deeply troubling consequence, one that I do not believe the people of South Australia realise is happening in our state. We have seen 45 healthy, viable babies, babies capable of life outside the womb, lost to feticide. These were not emergencies where the mother's life hung in balance, nor were they cases of severe—or indeed any—fetal anomaly.

Let us be clear: we are not speaking about a mere statistic, we are speaking about 45 individual, unrepeatable human lives, about children capable of living outside the womb. What we do not know, from the South Australian Abortion Reporting Committee data, about these 45 terminated babies is exactly what age they were when their life was terminated. All we know is that they occurred after the age of viability which, according to the act, is defined after 22 weeks and six days. On such an important, indeed a life-and-death issue, we are not afforded any more detailed data than that.

I understand, as we all do, the complexity of this issue. These 45 cases are but a small fraction of the nearly 5,000 abortions that take place in South Australia every year, and no-one in

this chamber doubts the extremely heavy burdens and difficult decisions faced by women who make these choices. However, there comes a point when we must confront a simple and profound question: when does the life of a child begin to matter?

This is not an abstract question. My wife, Elle, witnesses the miracle of life unfold in her role as a senior midwife. She has been present at the birth of children at 28 weeks of gestation. Elle has given them their immunisations; Elle has seen them walk down the street, enjoying their lives. These children are now happy, healthy and thriving. These are not hypothetical beings: they are real, they are here and they are alive. So I ask again: when does their life matter? When do we, as a society, begin to recognise the humanity in the slightest and most vulnerable among us?

This is not about ideology. It is about the fundamental value of life itself. This bill is not about denying women the right to end their pregnancies; in fact, the innovation of this bill is that it allows a mother to end her pregnancy throughout all nine months and, indeed, right up to birth. This bill proposes a compromise to protect both the mother's choice and the child's life.

After 28 weeks, in the third trimester, we are talking about a fully formed and viable baby, one who, if delivered early, has a 96 per cent chance of survival. In these cases, why should we end a human life when we have the option to deliver it early and care for that child? A true measure of any society can be found in how it treats its most vulnerable members.

At 28 weeks, a child in utero is in its third trimester and capable of surviving without the mother's body. I believe that the measure of our society will be found in how we choose to treat these lives. A medical procedure known as feticide, where a lethal injection of potassium chloride is administered to stop the baby's heart, is not medically necessary to save the life of the mother. It is done solely to ensure the baby does not survive.

The process of feticide is a harrowing one. An ultrasound is used to obtain a four-chamber view of the baby's heart and the baby's heart rate is recorded. A long needle is inserted through the mother's abdomen into the uterus. It is guided by ultrasound and the clinician injects a needle of potassium chloride into the left ventricle of the heart. This causes the baby's heart to stop. This is done without any sedation or pain relief for the child, the child who can feel pain. We do not even do this in euthanising animals, who must be heavily sedated before being euthanised by potassium chloride. Following feticide, the mother takes labour-inducing drugs. The mother then goes through labour prematurely, usually 12 to 24 hours later, and delivers her baby but stillborn.

In South Australia, this procedure is recommended after 22 weeks so that the child is killed in utero and then early labour is induced and the child is delivered stillborn. The reason it is recommended is that, without feticide, it is more likely than not that the child will be born alive. This underscores the central premise of the bill. Feticide is unnecessary to safeguarding the mother's life, as its only intention is to kill the baby.

Normal obstetrics practice in emergencies is to deliver the baby, not kill her first. When faced with a medical emergency, the priority is to act swiftly. An emergency delivery, typically through an emergency caesarean, can be completed in a matter of hours, allowing both the mother and child to receive the care they need. In contrast, feticide-induced labour is a long and drawn-out process, taking anywhere between 12 and 24 hours to complete as the procedure stops the baby's heart before inducing labour, prolonging the time the mother must endure the emotional and physical burden of termination.

The mother will still go through the arduous process of labour as she delivers a stillborn baby. Not only does this add unnecessary complexity, it also delays critical care, making it a less effective and humane option in non-emergency scenarios. In response to those who say this bill is forced induction of labour, let me be clear: the only way to abort a child in non-emergency situations, a child who is healthy during late-term pregnancy, is to deliver that baby either stillborn or alive.

Only yesterday, a senior midwife from the Flinders Medical Centre contacted me. They wish to remain anonymous but could no longer stay silent. They told me what they had seen firsthand, and the incredible burden that late-term feticide places on mothers and the toll it has on midwives. I wish to read for the record some of what they told me. I will need to leave out some expletives but these are their words:

It breaks your heart to look after stillbirths and neonatal deaths. It's completely devastating. And uses up all of your energy and compassion.

But this is next level and NOT what I signed up for as a midwife.

We have all of SA's late term feticides at Flinders. It's far more common than we ever expected when the law changed.

I could go on and on for hours about the stuff we have seen.

35 weeker showed up thinking it was a small procedure and she [thought she could go] by the afternoon...didn't even seem to realise she had to birth a baby.

The Pregnancy Advisory Centre just call it a pregnancy, not a baby so it confuses the mum.

But by the time they came to us, [the] baby is already dead. So any concerns we have about their understanding of what's happening, it's all too late.

I really struggle with feticide, it's a whole perfect baby. None of these babies have shown any genetic abnormalities whatsoever.

This is not midwifery. I hate it so much.

This midwife told me that in the past three to four months two healthy babies over 28 weeks have been killed by feticide. This midwife told me that they and their colleagues mistrust the information the Pregnancy Advisory Centre passes on to women regarding how far they are along in their pregnancy. They are concerned that the gestational age of the baby is being underestimated when feticide is performed.

By requiring early delivery we are not only protecting the life of the child but also sparing the mother from the trauma of a prolonged and avoidable medical process. As we have seen in the data from the South Australian Abortion Reporting Committee, late-term abortions are not performed in emergencies. They are not performed because the mother's physical life is at risk. Indeed, they are performed because continuing the pregnancy is considered too difficult, either emotionally, physically or mentally. I do not want to diminish the severity of those challenges, but I must ask: is ending a viable human life the only solution we have?

This bill does not take away a woman's right to end her pregnancy, it acknowledges that sometimes continuing a pregnancy is not possible or desired. However, it sets a clear line: after 27 weeks and six days, after 28 weeks, in the third trimester, when a woman is beginning her seventh month of pregnancy, when the baby is clearly viable, if a pregnancy must be ended it requires that the baby be delivered alive.

In the vast majority of cases that baby will survive, and if the mother does not wish to raise the baby there are loving families ready and eager to adopt. The child would receive immediate care in the neonatal intensive care unit, ensuring the best chance at a healthy life. This is not about forcing anyone into motherhood. It is about recognising that once a child has reached viability and is in its third trimester we are responsible for protecting that life. The bill ensures that the mother's decision to end her pregnancy is respected, but it is also that the child has an opportunity to live.

I understand this is a sensitive issue and some will argue that the state should not interfere in personal choices as these are between a woman and her doctor, but in this place we are charged with making laws and there is a community expectation that our laws should protect the vulnerable.

From 20 weeks in utero South Australians can report a child at risk to child protection authorities. At 20 weeks in utero a wanted child who is delivered stillborn still receives a birth certificate and a death certificate. Yet some opponents of this bill are arguing that at 28 weeks the decision as to whether to kill the baby should solely rest with the mother and her doctor. I think that is out of step with community expectations and with current practice, where we do have laws and policies to protect children in utero from being harmed and we recognise their existence. When a child can survive outside the womb our responsibility extends to protecting that life.

This bill is about offering both compassion to the mother and the chance for the child to live. The medical advancements of the last 10 years make this bill not only morally right but medically sound. According to the Australian and New Zealand Neonatal Network, babies born at 28 weeks have a 96 per cent chance of survival. Seventy-six per cent of those children will go on to have

normal motor development and 89 per cent will live free of moderate or severe disability. These are not small numbers. These are lives, lives that can be saved through early delivery rather than feticide.

We cannot forget the risks of feticide to the mother. While very rare, there have been cases of maternal infection, including one case of sepsis and another where a lethal injection was inadvertently administered to the mother, requiring her to be resuscitated. Early delivery is safer, quicker and a more ethical option.

This bill is not about eliminating choice. It is about ensuring that when the choice is made after 28 weeks it respects the life of the child as well as the needs of the mother. This bill does not compel women to continue pregnancies. It provides for early delivery and ensures that if a child is born alive they are given the care they need. It does not require a mother to form a maternal relationship with a child. After early delivery the mother has the right to relinquish that child for adoption.

This is not about forcing anyone into motherhood but giving a child the chance to live. The Adoption Act 1988 in South Australia provides a clear pathway for mothers who do not wish to keep their children. The adoption process is thorough, and mandatory counselling and a period of reflection to ensure that the mother's decision is fully informed are provided for.

We must acknowledge that this is a matter of balance—balancing the mother's choice with the undeniable right of a child to live. This bill does not seek to undermine a woman's autonomy or force her to carry a pregnancy to term against her will. Instead, it recognises that at 28 weeks we are no longer dealing with a potential life but a viable human being capable of surviving outside the womb.

This bill has been drafted with the assistance of eight women, experts from medical and legal professions, neonatologists, midwives and obstetricians who care for the women and children. I thank Dr Joanna Howe for her work in this bill. This bill is not about ending abortion. It is about ending the unnecessary loss of children who could survive. We have the medical knowledge. We have the resources and the compassion to offer these children a chance at life.

This bill presents us with a crucial decision, and what we decide in this place will determine whether we choose to safeguard life or allow viable children to die needlessly. Let us have the courage to protect life and the compassion to support those in difficult circumstances. I urge all in this chamber to support the bill, not as an act of opposition to choice but as a stand for life, for humanity and for the future of our South Australian children who deserve a chance to live.

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

Motions

CITY TO BAY FUN RUN

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

That this council—

1. Acknowledges that this year marks the 50th running of the City to Bay race;
2. Commends the City to Bay for promoting good health and the enjoyment of fitness, supporting athletics communities in South Australia and for providing a platform for fundraising activities by race participants; and
3. Recognises the dedicated efforts of City to Bay staff and volunteers in ensuring that the event is successful each year.

(Continued from 11 September 2024.)

The Hon. J.S. LEE (Deputy Leader of the Opposition) (12:06): I rise today to indicate the support from the Liberal Party (Liberal opposition) for the honourable member's motion to recognise and acknowledge this significant milestone for the City-Bay Fun Run. The City-Bay has long been held as one of the state's most popular and beloved events, and is Adelaide's largest running event and largest mass participation event. It certainly motivates people from all walks of life to come together as a community.

The City-Bay run is organised by a not-for-profit organisation which aims to raise funds to support athletics in South Australia and assist athletes and clubs within the athletics community in South Australia. Aside from the fundraising effort, many fitness clubs, rehabilitation organisations, businesses, individuals and, I also note, multicultural organisations have used the event to achieve personal goals as well as fundraising for their community.

On Sunday 15 September, the City-Bay run held its 50th running to great success. Happy 50th anniversary. More than 25,000 people participated in this year's race across its three-kilometre, five-kilometre, 12-kilometre and half marathon distances. Thanks to the amazing turnout at this year's race, the City-Bay was able to raise an astonishing \$455,841, to be exact, so nearly half a million dollars.

I also want to congratulate a couple of my very sporty colleagues who completed the race this year. The member for Morphett, Stephen Patterson, ran in the six-kilometre race alongside his lovely wife, Tammy. Stephen has long been a supporter of the City-Bay Fun Run. As a former footballer, he continues to be a great sportsman. Also, the Hon. Heidi Girolamo made sure that our upper house chamber was not overshadowed and ran a very impressive 12-kilometre race. Congratulations to both members.

The race for the top spots was extraordinarily close, with Isaac Heyne completing the 12-kilometre race in just 33 minutes and 38 seconds, while the runner-up, Jack Rayner, came in just a second behind, a pretty close result. Congratulations to both of them. For the female runners it was Izzi Batt-Doyle who came in the fastest with a time of 37 minutes and 20 seconds, and Jessica Stenson finished closely behind with a time of 37 minutes and 40 seconds. Congratulations to all the fantastic runners. No matter the time set, each participant crossed the finish line with pride and joy.

The City-Bay Fun Run had a much more humbling beginning when it was established in November 1973 by the well-known Adelaide athlete, Bob Clarke, and a volunteer committee. Inspired by the success of Sydney's City to Surf Fun Run, 1,637 participated in the first City-Bay from Adelaide Town Hall to Glenelg Town Hall, with runners paying 50¢ each to enter the race, with funds raised from the event being donated to Athletics South Australia.

Over the many years since, the City-Bay has hit many milestones and achievements. The finish was taken to Colley Reserve and then changed to the Glenelg Football Oval, where it remained for many years. In 1992, *The Advertiser* was approached to become the major naming rights sponsor and has contributed substantially over the years to help build up the race.

While Lumary is the current naming partner, *The Advertiser*, through its *Sunday Mail*, remains an important supporting partner. The excellent media coverage certainly helps to lift the profile of the event and promote the spirit of our community. In 1997, the event adopted the Champion Chip Timing system to enable the event to finish at Moseley Square, where it finishes today. This certainly helps in the event gaining a national profile and attracting elite runners and international entrants.

For its 30th running in 2002, an additional event was added to provide people with an alternative distance, the six-kilometre half City-Bay run. I am glad they did introduce that because in 2009 my husband, Eddie, and I, with a group of friends, participated in the six-kilometre run. Mind you, we walked a lot of the time instead of running—we are not as fit as most. Congratulations for the introduction of a six-kilometre half City-Bay. More than 1,300 people entered this event, contributing to a record turnout of 13,200 participants.

It is truly amazing to look back and see how much this beloved race has grown over the past 50 years to become one of the most widely supported annual events in the state. This tremendous growth and achievement would not have been possible without the tireless effort, dedication and passion of the team behind the City-Bay Fun Run. In particular, I want to highlight race director Joe Stevens OAM. Joe is an institution of the athletics community in South Australia.

In addition to his leadership in organising the City-Bay Fun Run, Joe has served as president of Athletics South Australia, vice-president of the South Australian Olympic Council, board member of the Australian Commonwealth Games Association (SA Division), and board member of Sport SA. Joe was awarded his Medal of the Order of Australia during the Queen's Birthday Honours in 2021

for his services to athletics. He also officiated at the 2000 Sydney Olympics and both the 2006 and 2018 Commonwealth Games. Previous awards for his commitment to athletics include Official of the Year for Athletics Australia in 2010, and the same award for Athletics SA in 2003.

I want to take this opportunity to commend the most important people, and that is all the participants, the thousands of participants. Each year, tens of thousands of participants of various ages, backgrounds and abilities show up to make this race the spectacle that it is. Without the constant love and support that the City-Bay receives from South Australians, this race would not have reached such heights and also raised so much funds for charities that it has over five decades.

Once again, my sincere appreciation and congratulations to the organisers, volunteers, participants and sponsors of the City-Bay Fun Run: a very happy 50th anniversary. I would like to thank the Hon. Reggie Martin for bringing this motion to the chamber, allowing us to all contribute to this congratulatory message.

The Hon. H.M. GIROLAMO (12:14): I would like to thank the Hon. Reggie Martin for bringing this excellent motion to our chamber today. It is a privilege to speak on the 50th anniversary of the City-Bay, which I had the pleasure of attending on Sunday 15 September. This year I ran the 12 kilometres alongside my Aunt Cathy. My cousin Eugene started with us but was significantly faster and left us behind very quickly.

What a remarkable event! I have participated in the City-Bay many times, both running and walking, and I can confidently say that this year's event was by far the best.

The Hon. E.S. Bourke: Is that because you got the best time?

The Hon. H.M. GIROLAMO: No, it was far from my best time, but it was still quite enjoyable, thank you. It was so well organised and the weather was perfect, so it was a very enjoyable run. Running alongside 25,000 other South Australians from King William Road, through Anzac Highway and down to Jetty Road in Glenelg was fantastic. The atmosphere was electric, with bands playing and people singing along Anzac Highway and plenty of water stops, supported by hundreds of dedicated volunteers. There were even ice blocks and fruit available for participants, adding to the incredible sense of community spirit.

What I loved most was seeing so many families running together—children, families, people of all ages, dressed up in costumes, many raising money for charities close to their hearts. Running the City-Bay is not just the physical challenge; it is about connecting with the community and sharing an experience that brings us all together. For me, it has become a cherished family tradition with my aunt and my cousin. My daughter, Olivia, is very keen to join us next year. She watched one of her friends from school cross the finishing line and was inspired to take part herself. It is moments like these that show the lasting impact of this event, not just as a race but also an inspiration for the next generation. I do hope that one day my husband, Lee, will join me as well to run the 12 kilometres, but time will tell.

I would like to congratulate City-Bay on all the fantastic work they do in arranging this enormous event every year. Fifty years is an extraordinary achievement. I look forward to many more years of this great tradition, and I hope to be running the City-Bay during the next 50 years.

The Hon. S.L. GAME (12:16): This year marked the 50th running of the City-Bay Fun Run, a remarkable milestone for one of South Australia's most cherished community events. The City-Bay has consistently promoted a culture of good health and the enjoyment of fitness, encouraging thousands of participants to embrace an active lifestyle. It has been pivotal in supporting athletics communities across South Australia, fostering a sense of unity and healthy competition.

The ongoing success of the City-Bay is a testament to the hard work and dedication of the staff and volunteers, whose efforts each year ensure the smooth running of this beloved event. Their commitment has allowed the race to grow in scope and impact, benefiting the entire South Australian community.

The Hon. R.B. MARTIN (12:17): I want to thank the Hon. Sarah Game and the Hon. Jing Lee for their contributions and also the Hon. Heidi Girolamo. I probably will not be there in 50 years' time to watch you run it for the 60th time, but if I am, I will be there to cheer you on. I do appreciate

your contributions. The City-Bay Fun Run is an amazing event with a long history. Tens of thousands of people get out there every year and run it, but it is also the lead-up to it as well. Often *The Advertiser* puts programs in to encourage people to get out there and get fit and healthy, so it is a great community event.

To all the organisers and the volunteers who put this event on, it is an event which is bigger than Ben Hur to make it happen. So much goes on behind the scenes that people are not familiar with. They do an amazing job year after year to make it happen and to be a success, so congratulations to all of those people who have put on the event—the volunteers who dedicate their time, the supporters, the sponsors and all those people who participate. I mentioned in my original speech the huge contribution that Joe Stevens has made to athletics in South Australia, and I appreciate the other people who mentioned him as well. He does a fantastic job as the race director and will continue to do so. With that, I urge people to support the motion.

Motion carried.

PARLIAMENTARY COMMITTEES

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

That this council—

1. Notes that in 2022 this council passed a motion recognising the ongoing resourcing issues within the current committee system of the Legislative Council, especially select committees, and requesting that the Clerk of the Legislative Council commence implementation of the formal recommendations contained in the Report of the Select Committee on the Effectiveness of the Current System of Parliamentary Committees to the current committee structure; and
2. Seeks a report from the Clerk on the implementation of this February 2022 motion's request.

(Continued from 11 September 2024.)

The Hon. M. EL DANNAWI (12:19): I rise on behalf of the government to speak briefly and indicate our support for this motion. From the outset I acknowledge the mover, the Hon. Tammy Franks, and also the Hon. Connie Bonaros for their longstanding advocacy for reform in this area. The 2021 report of the Select Committee on the Effectiveness of the Current System of Parliamentary Committees made a range of recommendations. Some of these relate to reform of the Parliamentary Committees Act 1991, recommending a particular structure for parliamentary committees that would require the abolition of some current committees, the creation of new ones and adjustment to others. While the government does not have a position on the particular model recommended in the 2021 report, we see this motion as a sensible step to progress the concerns raised by the committee.

Aside from legislative reform, the committee also made recommendations relating to staff support for committees, standing orders amendments and commentary on a range of other non-legislative issues affecting the effectiveness of parliamentary committees. The government therefore supports this motion as a way to progress the discussion on these issues.

Members of this council and members in the other place put a significant amount of time and energy into the work of parliamentary committees. At best, committees can shine a light on issues that might otherwise not gain attention. They can give a voice to community members and organisations and provide a direct community between the parliament and everyday South Australians. However, it is important that the time and resources devoted to parliamentary committees are used as effectively as possible. The government therefore supports this motion and looks forward to further discussions on this matter.

The Hon. C. BONAROS (12:22): I rise to speak in support of the motion and thank the honourable member for bringing it forward, and I echo the sentiments just expressed by the Hon. Ms El Dannawi. We have spoken about this issue at length in this place. That committee referred to here has aged now and a bill has been sitting on the *Notice Paper* for some time. I cannot help but think that, despite the positive words, without some real action we will not be any better off. I think that the Legislative Review Committee is sick of me saying that if we implement the recommendations of the committee on committees then perhaps we will not find ourselves in this position.

There is also a cynical part of me that thinks this is precisely what we want to do: we want to tie the hands of members of this place and the other behind their backs and effectively allow us to drown in the workload of committees and distract us from other parliamentary business. That is the only conclusion that I am now logically able to reach, given the very sensible recommendations made in that report and the dire need for them.

I challenge any member of this place or the other to tell me that our committee structure in this parliament, which is often, with respect, referred to very negatively on a national platform—I have been told at conferences that we are effectively the laughing stock of Australia when it comes to our committee structure because it is so archaic and behind the times. Somewhat cynically, I almost think that is deliberate. I think perhaps the reason we do not have the support that those recommendations deserve to date is that it is a good way to distract members of parliament, by tying them up in committee work.

I cannot think of another explanation for not supporting the bill that was introduced in this place that sought to implement the recommendations. I remind honourable members that there was unanimous support across the political divide at the time for those recommendations. Like I said, I would challenge anyone in this place or the other to tell me that it is not a big load for them and their staff, for the clerks and their staff and for the team of staff who have to work between all the committees and the inquiries that are running.

They are sensible reforms. I appreciate that it is on the public record that we have previously had evidence from the clerks presented to the Legislative Review Committee that touches on this issue and effectively highlights that, in the absence of legislative reforms, some of the recommendations—and the ones that we probably most want to see implemented—cannot be advanced. That said, I think it is very reasonable to request of the clerks a response in terms of the implementation of the formal recommendations, as has been highlighted in this motion, and seek some sort of update to see where we are at.

If we keep going like this, then I think it is not just a disservice to the members in this place but a disservice to every single witness who appears before those committees and does their level best to highlight issues that are of public importance to the state of South Australia. The fact that there are inquiries that are waiting so long to get off the ground, the fact that people give up their time to come here and provide evidence that ought to be acted on by us in a very reasonable timeframe, but there are delays because of the workload of members, their staff and the staff of this chamber and the other is completely and utterly unacceptable.

To be frank—and I am probably going to say something now I should not—when you are juggling that many committees and that many inquiries, you get to a point where you just say, 'Well, it's just going to have to wait,' because there is only so much that we can physically do on committees outside of sitting in this place. You can absolutely tie yourself up on committee work every single day that you are not in here. That does not allow you much time to prepare for parliament. It certainly does not allow you enough time to deal with your constituent issues or all the other responsibilities that we have as members of parliament.

That is not a good outcome for anybody. It is not a good outcome for members, it is not a good outcome for their staff and it is most certainly not a good outcome for the public of South Australia. I think we need to get serious about not just requesting those updates to see where we are at but also that we are falling behind the recommendations, which were made in line with every other jurisdiction in the nation, including the federal jurisdiction. We are the only ones in this position. We are the only ones who have resisted very logical changes, changes in fact that could make this place, this chamber, work more effectively and efficiently and free up our time more.

It is not groundbreaking stuff. It is not earth-shattering, it is just logical. I know in that committee I always compare our processes with the processes of the Senate, which are, in many respects, much more streamlined and efficient. If you have worked across different jurisdictions and you see the difference between the way we do things and the way others do, then you get a real appreciation of just how backwards we are here in terms of those processes.

I remind honourable members that at the last count—and I cannot remember the last time I quoted these figures—it was something like 93 per cent of our laws, or 95 per cent of our laws, are

now made by regulation. We do not even see them. The Legislative Review Committee gets a list that is pages long each sitting Wednesday, and apparently we, with the terms of reference available to us, are solely responsible for that scrutiny.

This chamber, which ought to know what is happening in that committee, because that is where the bulk of laws that are impacting South Australians are made, would not have the faintest idea what the government of the day is trying to pass into law via regulation. We have had enormous concerns raised in that committee about substantive changes, particularly when it relates to our criminal codes, being slipped into regulations and dealt with via that method of lawmaking as opposed to being introduced in this place and going through the robust debate that a bill would go through. That is happening more and more, and it is unacceptable.

Ultimately, it is impossible for all of us to be on top of that sort of volume of legislation and regulation without an appropriate scrutiny committee, and the Legislative Review Committee is the only one that we have that touches on the issue of scrutiny. But even the material that is provided to that committee more often than not is left wanting. We are constantly having to ask for more detail. I do remember under the previous government an adviser saying to us, and I heard this, 'We don't want to give you more because it might alert you to the concerns that were raised by stakeholders. That is why we provide you such minimalist reports.'

Well, guess what? We are going to get on the phone and we are going to ring those stakeholders anyway, and inevitably we are going to get a hold of the material that you are not disclosing to us via that committee. It completely undermines the role and function of that committee and the committee process in its entirety. I have spoken about this at length. I am very glad that the honourable member has put forward this motion requiring that update in terms of resourcing issues in particular.

I think we all have questioned, 'What is going on? How do you get appointed a secretary, a research officer?' or whatever the case may be. 'How is it that committees are resourced? Are they effectively resourced?' I know we have certainly raised time and time again the resourcing of the Legislative Review Committee, which effectively has a double load. That committee does a lot of work, but it is also the only committee that allows you to have your finger on the pulse in terms of all the laws that are actually passing this parliament.

That is information and there are reports that we should all be considering, because there are decisions being made that none of us are aware of on a daily basis, and hopefully we will flag them and put in a disallowance motion. You see tonnes of those now through the Legislative Review Committee, even in terms of a holding motion to enable us to get the information we need and hopefully report back to other members as to whether there is anything that ought to be of concern and then actually proceed with a disallowance motion.

I think I have spoken enough. I think I have made my point. I thank the honourable member for raising this issue again and I look forward to receiving the reports in line with what she has proposed.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (12:33): I rise to speak on the motion relating to the report of the Select Committee on the Effectiveness of the Current System of Parliamentary Committees. I will be quick. The report into the effectiveness of committees was unanimously supported with good reason. It is clear that there is a uniform desire for the committee structure to be as efficient as possible and agreement that effective committees are essential for the operation of the Westminster system.

The opposition is in favour of reforms that make committees more effective and efficient and that committees are properly resourced so that all of us can do our jobs in representing the South Australian public to the best of our ability. There have been several different options of resourcing raised during the course of these discussions over the years, and the report of the Select Committee on the Effectiveness of the Current System of Parliamentary Committees included recommendations about expertise of staff and access to specialist staff as required. These are all measures that have the end result of making the committee process more effective. For those reasons, the opposition supports the motion.

The Hon. T.A. FRANKS (12:34): I thank those members who have made a contribution today: the Leader of the Opposition the Hon. Nicola Centofanti, the Hon. Mira El Dannawi, and the Hon. Connie Bonaros. I also thank the Hon. Kyam Maher, as Leader of Government Business in this place, for his conversations and support on this important matter.

It is actually as a house of review that we often see ourselves, in the Westminster system, in this Legislative Council. Part of that review is the important work of committees. In fact, we had an entire committee on committees, which does seem a little farcical, but I think *Yes, Minister* is sometimes used as a bit of a guidebook rather than being a fictional portrayal of parliaments. In this case, it is a little *Yes, Minister*.

The PSA approached me about this issue and sought clarity about how we were resourcing our committees in this place. I note that today we will pass this motion and seek an update on what the previous parliament's Legislative Council resolved to see happen, and I look forward to that report being provided. Mr President, if you could provide some clarity on how that will be provided—not right now, but to be taken on notice—so that all members in this place know how we will receive the report, whether it will be tabled or simply circulated.

Just today, I note that I am on two particular committees that are conflicting and am being presented with the option of whether I want one committee to report or the other committee to report, because it is the same researcher. Both are really pressing political issues to which witnesses have devoted their time; now we are in a position, because of the lack of appropriate resourcing, where one of those committees is not going to get a timely report.

I do not know what decision we will make between just those two committees. This is what happens when we are not properly resourcing, applying ourselves to the proper resourcing, particularly in terms of human resources, of our committee system to enable that to function.

For those members who are newer than me, I point out that when I started in this place a lot more of the administration of committees was provided to us by the parliament. These days our staff officers are required to do the collation of folders and the photocopying, largely. A lot of those aspects of that role have been taken on within our offices. I have raised that with the PSU as a potential enterprise bargaining concern, and note that enterprise bargaining is occurring not just with our offices as MPs but within the parliament, and that there is a forthcoming bill looking at professionalising this place with a chief executive and some parliamentary reform.

I hope this report informs all those discussions, and thank members for their support today. I note that we are reaffirming our commitment to really, truly being a better house of review.

Motion carried.

VIRTUAL WAR MEMORIAL

The Hon. T.T. NGO (12:38): I move:

That this council—

1. Congratulates the Virtual War Memorial on the 10th Anniversary for establishing the online commemorative collection of personal experiences that honour all those who served our nation in times of conflict, from the Boer War through to Afghanistan;
2. Recognises that this is a commemorative collection of human experiences in honour of all those who lost their lives as a result of their service and all those who returned forever changed by their experiences; and
3. Commends the work of staff, volunteers and the many people who have and will continue to contribute to the Virtual War Memorial database, which is an everlasting reminder of all our service men and women, ensuring their courage and sacrifices will never be forgotten.

This year marks the 10th anniversary of the launch of Australia's Virtual War Memorial, and I was privileged to attend the fundraising lunch at the Convention Centre to mark the occasion. Also sharing a table with me at the lunch was the Hon. Sarah Game MLC and the Hon. Ben Hood MLC.

The Virtual War Memorial is a digital platform where families and communities can contribute information, photographs, and personal stories about the men and women who served in battles from the Boer War through to the world's present-day conflicts. This initiative was an idea first brought to

life in 2008 by South Australia's Colonel Steve Larkins OAM, the former Deputy State President of the Returned Services League, who realised the importance of preserving and sharing stories of Australian service men and women. Mr Larkins' efforts to establish the Virtual War Memorial, combined with his ongoing involvement in veterans' support, earned him the Medal of the Order of Australia (OAM) in 2019.

The current patron of the Virtual War Memorial is Sir Peter John Cosgrove, the 26th Governor-General of Australia, who was also a senior officer in the Australian Army, reaching the rank of major general. Both these men share an admirable dedication to this country, to military service and to community engagement. They also know that records of personal stories about our service men and women play a significant role in society.

Platoon commander Michael Von Berg's video message on the Virtual War Memorial website says, and I quote:

We were all young, we were all inexperienced, we all had to learn, we couldn't have done it without that close bond and relationship, even now 50 years later it is still unbroken...the stories that you are able to record on the Virtual War Memorial is good for the nation, but they are also good for the soul.

Our Virtual War Memorial is a place to share stories. Wherever you are in the world, you can reach into the database and learn about the consequences of war and the physical and emotional toll of service.

The memorials located in many places throughout Australia will have names on a plaque or a piece of stone. These names will often be followed by a barcode or a QR code that we can now scan with our phones. This allows us to connect to the Virtual War Memorial website and get to know the people behind those names. Family members and others can become a subscriber and add personal information to the individual stories of our service men and women on the memorial website.

These valuable narratives are about our family heroes and our nation's history, allowing us to truly grasp the impact of war in an easy interactive way. The Virtual War Memorial website functions in a similar way to the Wikipedia site. Members of the public can contribute content and help to build this community history. However, these contributions are moderated for accuracy and clarity. The contributors, researchers, moderators and coordinators are all volunteers, and for those interested in volunteering, an application form can be downloaded from the website.

The Virtual War Memorial website also provides valuable information and resources for teachers and students, providing a range of information about the many conflicts throughout history, as well as facts relating to different types of service and the branches and divisions within each service. This digital database recognises the bravery and endurance of our service men and women and the vital role they played in preserving freedoms and security.

Digital platforms of commemoration like this help to establish collective values and gratitude with civilians and communities around the world. Australia's Virtual War Memorial is a powerful reminder about the cost of war, highlighting the importance of seeking peaceful solutions and pursuing diplomacy.

One special element of the Virtual War Memorial is that it acknowledges those service men and women who made it home, as well as those who lost their lives. This will allow us to continue to honour everyone's sacrifices, promote healing, and ensure the lessons of the past continue to highlight the importance of shaping a peaceful future.

In closing, I want to commend the current chair, Mr Peter Williams, and CEO, Ms Sharyn Roberts, who began work on the memorial 10 years ago with Peter. Their shared dedication and the CEO's knowledge of military history facilitated the creation of the war memorial. I had the pleasure of chatting to Peter at the fundraiser lunch I attended, and he told me:

I am very proud that we have been able to create a unique memorial of more than 1.5 million names honouring all those who served the country and who put themselves in harm's way. It is the passion to tell stories of the ordinary men and women who served the nation that was the driving force to succeed.

Two significant volunteers I want to commend are the principal historian, Robert 'Dogs' Kearney OAM, whose expertise and significant voluntary service contributed to thousands of stories on service personnel, conflicts and memorials, and Mr Steve Larkins, whom I mentioned earlier. A very

special thankyou to the many donors, benefactors, past and present chairs and board members of this charity and to each and every person who has contributed in some way to this digital memorial.

It is because of your contributions that the Virtual War Memorial continues to encourage conversations and help all generations to understand the hardships endured in times of war. With that, I hope members of this chamber give this motion their support.

The Hon. S.L. GAME (12:46): I rise briefly to support the motion. I want to join the honourable member in congratulations on the 10-year anniversary of the Virtual War Memorial. This valuable commemorative collection honours all those who served our nation in times of conflict. It is vital that we continue to acknowledge and remember the sacrifice of the men and women who have served our country, and I commend the work of staff and volunteers who have given their time to maintain the Virtual War Memorial. This honourable work ensures that the lives of those who have served will never be forgotten. Congratulations to those involved in establishing and maintaining this memorial over the last 10 years. May your valuable work continue to bring honour to all those who have served our nation.

Debate adjourned on motion of Hon. B.R. Hood.

Bills

STATUTES AMENDMENT (GAMBLING - MANDATORY PRE-COMMITMENT SYSTEM) BILL

Second Reading

The Hon. C. BONAROS (12:48): I move:

That this bill be now read a second time.

In the previous fortnight I introduced the Statutes Amendment (Gambling—Mandatory Pre-Commitment System) Bill 2024. It is one of three bills that I introduced on the same day and I intend to speak to today. This particular bill focuses on mandatory pre-commitment when it comes to poker machines.

Australia has earned the unfortunate title of the world's biggest gamblers. This is not a crown we should wear proudly. Despite making up just 0.5 per cent of the world's population, we account for 18 per cent of the world's poker machines. Even more shocking, 76 per cent of total numbers of poker machines that are not located in casinos are found right here in Australia.

This is no accident. Our gambling losses as a nation have tipped the \$24 billion mark each year, with just over half of those losses coming from poker machines. That is according to the Australian Institute of Health and Welfare. There are other reports that indicate that those figures—and these have been quoted only last month—are now as high as \$32 billion.

Australians are the world's biggest losers when it comes to gambling and, in short, it is our laws that are to blame. It is also no accident that Western Australia has the lowest per capita gambling losses in this country. The obvious conclusion that you can reach in relation to that jurisdiction is that is because poker machines are confined to their casinos.

This bill introduces a mandatory precommitment system, a restriction that caps the amount of money a person can spend on poker machines within a set period. It is actually completely in line with the code that currently exists around precommitment, but in a voluntary form. It ensures players are able to set their limits before they start gambling, helping prevent runaway losses.

A robust precommitment system will indeed prevent and reduce harm. There is no question about that. We know that gamblers often underestimate how much they are spending. They get caught up in the lights, in the sounds, in the atmosphere of a poker machine room and, of course, in the false hope of winning back their losses.

We know the tragic stories of people sitting at machines for hours and hours on end, not wanting to move because they think that with the next \$10, \$20 or \$50 they put in that machine they will win back everything that they have lost during that sitting. They are the issues that this bill seeks to target. The machines, we know, are rigged for people to lose, and the addiction feeds on false promises.

The bill itself is in line with proposals from New South Wales and Tasmania. Indeed, Tasmania is leading the way, with its precommitment system set to take effect in December 2025. Their system, which actually goes further than the one that I have proposed here today, requires players to register. It eliminates cash transactions for poker machines and introduces single-use cards that track playtime losses and even enforce mandatory breaks every two hours. The system will include three limits: maximum loss amounts, time played and enforced breaks. Once those limits are reached, the machine will disable itself and notify the venue.

Tasmania's default limits—and this is where that is at the most stringent end of precommitment—are set at \$100 per day, \$500 per month or \$5,000 per year. Players can choose to increase their limits, but only after a 24-hour cooling-off period. The Tasmanian system, of course, is still in development, but it is clear they are taking meaningful steps to combat the harm caused by gambling addiction.

It is worth noting also, before I get to New South Wales, that Victoria has implemented a partial precommitment system at Crown Casino, following the recommendations of the 2021 royal commission. They have capped losses and linked the system to their loyalty program for Crown's 2,629 poker machines. By the end of the year, Victorian players will also have to comply with new regulations that further protect against gambling-related harm, including mandatory closing hours.

For the record, when you do visit that casino in Victoria the only way you can gamble is by presenting to the concierge or the reception desk, effectively signing up to become a Crown member, which involves handing over identification—a driver's licence—answering some questions as to your identity and setting those limits.

You might be encouraged to set them differently if you are not aware of how those limits apply, but effectively you are told you can choose a limit to set and you can choose whether to set it weekly, daily or monthly. You will be told that if you set a monthly limit of \$5,000 and you lose that in today's sitting then you will not be able to gamble at the casino again for the remainder of the month. This is what it takes to gamble on poker machines in Victoria today. There is no other way of accessing those products in that jurisdiction. I also remind members that in the New South Wales jurisdiction, which this bill is based on, this was an election commitment, one that was taken to an election and has been the subject now of implementation via a trial.

Nobody is saying that these schemes are easy to implement, and I know and I expect that when I hear from other members they will say, 'New South Wales hasn't worked. Tasmania has been delayed.' But what we do know is that when you talk about voluntary precommitment versus mandatory precommitment, then, yes, there are costs involved and, yes, it is more difficult to implement. We also do not have anywhere near the number of machines as New South Wales. They have something like 89,000 machines in that jurisdiction, so we do not have anything near the number of machines that they have.

It is easy to suggest that this would be too expensive to implement, but I remind the government, when they speak to this bill, that this is also a revenue stream that is bringing in close to \$1 billion now each and every year in revenue, and that is increasing. Despite previous suggestions that those figures would be going down, we are now just shy of the billion-dollar mark. Internationally, countries like Norway and Sweden have adopted precommitment systems and the results speak for themselves: losses have been dramatically reduced.

In terms of the bill that I am introducing, we propose a \$20,000 cap per year, and that can be subject to debate in this place, with the flexibility to set a lower limit through regulations. This acknowledges the government's reliance on poker machine revenue but also provides a starting point for meaningful reform.

This is not my first rodeo, and I am fully aware of the reluctance of governments past, present and future to give up their addiction to gambling revenue, but we have to ask ourselves: what is the real cost of this dirty money that the government is so reliant upon? How many lives need to be destroyed before the government and the opposition, and successive governments and oppositions in this state, stop kowtowing to the poker machine lobby? We have to ask where our moral compass lies when it comes to the real cost of poker machines in this jurisdiction.

The bill also mandates two-minute breaks for every hour of play and requires every player to be registered before using a machine. Players must provide appropriate identification and nominate a bank account for deposits and withdrawals. Finally, it mandates that machines display responsible gambling messages and disable themselves once the player reaches their preset expenditure limits.

The Alliance for Gambling Reform has pointed out that 63¢ of every dollar put into a poker machine comes from the pockets of someone addicted to gambling. They are not alone. This is not entertainment, it is addiction plain and simple. They estimate that gambling contributes to about 20 per cent of suicides in Australia. That statistic alone should horrify all of us. In 2022, 75 per cent of Australians gambled, and recent analysis shows that South Australians spent an average of over \$1,550 per person, including children, per year on gambling. Statistics clearly show that these figures are, in fact, on the increase.

I invite the government and, indeed, the opposition to take a long, hard look at the cost of this up-front sugar hit that they have become addicted to in terms of poker machine gambling revenue—a billion dollars a year—because if we are serious about tackling issues like family violence, domestic violence, suicide, poverty and cost-of-living crisis, then surely we have to acknowledge the social harms caused by gambling. I seek leave to insert the rest of my speech into *Hansard* without my reading it.

Leave granted.

This bill is also in line with the most recent findings and recommendations of the Grattan Institute's report, *A Better Bet: How Australia Should Prevent Gambling Harm*, which cites our nation's lax approach to regulating gambling and, effectively, 'letting the gambling industry run wild'.

Make no mistake, poker machines are the crystal meth of gambling and we have allowed these machines to wreak havoc on our communities, targeting our most vulnerable community members. In the first year of poker machines, South Australians lost \$185.4 million. Those cumulative losses have now reached \$19.7 billion, of which the government has gained \$7.8 billion in taxes, and venues have reaped \$11.9 billion.

They have changed the social fabric of our state for the worse and, as my predecessor has stated, left deep economic and social scars. In the absence of meaningful reforms, and, in the absence of a commitment to a mandatory pre-commitment scheme, the problems will worsen, those scars will get deeper, and we will be to blame.

It is not good enough to tell me while behind closed doors that you hate poker machines and would like to see the back of them, as many of my colleagues do. It is not good enough to continue our lax approach to the regulatory regime governing electronic gaming machines in this state. We need some affirmative action that will actually stop the harm caused by poker machines in its tracks: that is what this bill would achieve.

I will end by reminding honourable members that this bill does not seek to reinvent or undo the voluntary pre-commitment scheme that exists in our codes today. Instead, it makes it mandatory in nature. In the absence of such a mandate, that existing scheme will not be worth the paper it is written on.

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

Sitting suspended from 12:59 to 14:15

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. R.B. MARTIN (14:16): I bring up the 50th report of the committee, 2022-24.

Report received.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

South Australian Employment Tribunal—Report, 2023-24

By the Minister for Industrial Relations and Public Sector (Hon. K.J. Maher)—

Mining and Quarrying OHS Committee—Report, 2023-24

Ministerial Statement

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:17): On 14 August 2024, tomato brown rugose fruit virus (ToBRFV) was confirmed on two South Australian properties known to grow susceptible host species from the solanaceae family of fruits and a third property on 30 August 2024, all located within the Northern Adelaide Plains region.

ToBRFV is an exotic plant disease that affects tomatoes, capsicums and chillies. The virus is listed on the National Priority Plant Pests list and is a highly contagious virus. Infected plants show symptoms such as mosaic patterns, yellowing and deformities on leaves, while fruits develop brown wrinkled spots, deformities and uneven ripening, and can reduce yields by up to 75 per cent. The virus is regarded as a considerable threat to Australia's \$5.8 billion vegetable industry and South Australia's \$230 million tomato and capsicum industry owing to reduced yield and quality of produce.

The virus does not pose any risk to human health. As a result of the virus spreading further at a previously confirmed positive site, a further quarantine order was issued on the grower this week. Queensland, Western Australia and New South Wales have already established various restrictions and requirements around trade of South Australian tomatoes.

Failure to implement this quarantine order would likely cause the disease to spread and put at risk the ability for all other tomato growers and businesses in South Australia to be able to access interstate trade markets. As mentioned earlier, these industries are worth \$230 million at the farm gate in South Australia, so being able to demonstrate to our interstate counterparts that the virus has been contained to the affected properties is of utmost importance.

The government's priority is to minimise the impacts of this virus across all of industry and eradicate the disease so we can resume trading normally with other states and limit the potential for further financial losses. As a result of the quarantine order, I understand that earlier today staff at the facility have now been informed that their employment is ceasing for a currently unknown length of time.

On 23 September, in consultation with the Premier, I established a ToBRFV task force. The task force is chaired by the PIRSA chief executive and includes senior representatives from key state government agencies, including:

- Department of Primary Industries and Regions (chair);
- Department of the Premier and Cabinet;
- Department of Treasury and Finance;
- Department of State Development;
- Department of Human Services; and
- Department for Housing and Urban Development.

The task force will work to:

- minimise the impact of ToBRFV across all of industry, and limit the social, economic and psychological impacts for business and employees;
- coordinate (alternative) employment of affected workers;
- assist affected companies with options for business diversification and recovery; and
- address market access issues and protect the state's reputation as producers of premium clean fruit and vegetable.

The task force will work closely with the affected businesses and relevant industrial organisations. The task force has already met and established a workforce assistance hub in the Northern Adelaide Plains to provide immediate support to affected workers.

Question Time

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:26): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development about tomato brown rugose fruit virus.

Leave granted.

The Hon. N.J. CENTOFANTI: Despite repeated questioning in this place yesterday, the minister was unable to clarify whether there was a desire in the government to provide compensation to the businesses and other related stakeholders who are impacted by her government's quarantine orders. Yesterday evening, the opposition heard from one of the affected businesses, who sent a message that they were having to go to their premises to tell 500 people they no longer have a job because of the significant financial losses that have come with the quarantine orders without any indication of compensation provided by her government.

In the Plant Health Act 2009, section 50 states:

- (1) The Minister may pay compensation to any person who has suffered loss or damage as a direct consequence of a notice or an order made under Part 2.

Part 2 of the act includes orders related to pest-affected plants and plant-related products. My questions to the minister are:

1. Will the minister commit to the chamber that she will use her ministerial discretion as per section 50 of the Plant Health Act and ensure compensation is paid to the businesses and individuals who have suffered significant loss in order to save the 500 jobs that are at risk due to her government's quarantine orders?
2. Will she commit to an independent inquiry of her government's response to these outbreaks of rugose virus?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:28): I thank the honourable member for her question. I think it is important to emphasise the importance of the quarantine measures being implemented. We had more than two and a half thousand samples taken for tomato brown rugose disease. We have the majority of the samples returned.

At this stage, the only positive properties are three, and they are three that previously had detections of the disease. However, in one of those businesses, there were detections in additional parts of the property. As a result, quarantine measures have been put in place so that tomatoes cannot move from that property. I find it very interesting that the direction of the opposition leader's question seems to be suggesting that those quarantine measures were not necessary.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: We know they are necessary because they need to protect market access for all the other South Australian growers.

The Hon. N.J. CENTOFANTI: Point of order, Mr President.

The PRESIDENT: Sit down, minister.

The Hon. N.J. CENTOFANTI: The minister is verbalising. Can she withdraw that comment?

Members interjecting:

The PRESIDENT: Order! Minister, conclude your answer, please.

The Hon. C.M. SCRIVEN: Thank you, Mr President.

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Attorney-General, silence! The Hon. Ms Girolamo, no encouragement.

The Hon. C.M. SCRIVEN: Thank you, Mr President. The imposition of these quarantine measures is to protect South Australia's tomato industry and the horticulture industry more broadly. If these measures were not in place there is a high chance of two things. The first is that the other states and jurisdictions would potentially prevent all tomatoes from South Australia being moved across our borders. The impact of that on our industry would be absolutely huge and absolutely negative for growers across the state.

The second potential impact would be the spread of the disease. This is a disease that does not have impacts on human health. That is a positive and we want to encourage consumers in South Australia to continue to purchase and consume our excellent tomatoes from South Australia. But it does have an impact on yield, an up to 75 per cent decrease in yield if this disease was able to run rampant.

The significance of that should not be lost on anyone here. We have a thriving horticultural industry and a thriving tomato industry. Is the opposition seriously suggesting that we should risk having a 75 per cent reduction in yield for that industry if it can be eradicated? I would hope they would not be suggesting such a thing. At the moment we have the best chance of eradication. The evidence so far shows detections at three properties only. Therefore, the quarantine orders have been issued.

In terms of matters to do with financial losses, there are a number of different avenues. First of all, those who are signatories to the national Emergency Plant Pest Response Deed—

The Hon. N.J. Centofanti: You have ministerial discretion, Clare.

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: I will repeat that since we are being rudely interrupted and people can't hear.

The PRESIDENT: Yes, I actually couldn't hear it.

The Hon. C.M. SCRIVEN: One of those is the national Emergency Plant Pest Response Deed. Signatories to that deed may apply for owner reimbursement costs. There are other measures. Under the Plant Health Act, people who have suffered loss or damage as a direct consequence of such an order may make application for compensation. Should such an application be received, that will be considered by the government.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:32): Supplementary: why are test sample results still outstanding from weeks ago?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:32): I thank the honourable member for the supplementary question. The majority of results are back. Some of them require further analysis. Those where the outcome is clear have been able to be actioned and businesses that are in the clear have been notified. A number of them still need further analysis.

The PRESIDENT: The Hon. Mr Pangallo, a supplementary question.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. F. PANGALLO (14:33): Why won't PIRSA allow the company Perfection Fresh and other impacted growers to see the actual lab results of the alleged positive results instead of

their interpretation of them, and why has at least one grower I am aware of been forced to wait four weeks for results from their crop?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:33): I think we may have alluded, if not in this place certainly in media, to some of the unfortunate timeframes involved in getting some of the results back. There are a couple of reasons for that. Samples have been sent to New South Wales and to Victoria that have the appropriate testing facilities. Because this is a disease that hasn't been in Australia before there is still a lot to be learnt about the disease.

However, one thing that is clear when samples are being tested, or batches are being tested, is the absolute importance of sanitisation and disinfection between those samples. That means that the entire process is very time consuming. It is very unfortunate. Obviously, everyone concerned is keen that results are back as soon as possible, that analysis is done on those results and that businesses are notified so that they have as much certainty, for a disease that we haven't had here before, as they possibly can.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. F. PANGALLO (14:34): A supplementary: I don't think the minister actually answered the question—

Members interjecting:

The PRESIDENT: Order! Ask your supplementary question.

The Hon. F. PANGALLO: Perfection Fresh is where the outbreak was detected by the company themselves. PIRSA went in, they have done tests, they have sent them away. Now the government has actually shut—

An honourable member: Ask your question—

The Hon. F. PANGALLO: Well, I am.

The PRESIDENT: Order!

The Hon. F. PANGALLO: They have now been shut down, but why aren't they allowed to see the results? Why hasn't PIRSA given Perfection Fresh the results that have resulted in the place being shut down and 500 people losing their jobs?

The PRESIDENT: Minister, before you answer the question, I didn't hear the start of the Hon. Mr Pangallo's supplementary question, so I couldn't tell whether he had started to ask the question and then there was some explanation to what he was asking, which is why I couldn't rule on it.

The Hon. R.P. Wortley interjecting:

The PRESIDENT: The Hon. Mr Wortley, enough!

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:35): My understanding is that there has been frequent communication between PIRSA and the company.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. F. PANGALLO (14:35): A supplementary question—

The Hon. C.M. Scriven: From the original answer.

The Hon. F. PANGALLO: From your answer, that you haven't given.

The PRESIDENT: Order!

The Hon. F. PANGALLO: Why hasn't Perfection Fresh received the results that determined that the virus was in their glasshouse, and resulted in the government shutting them down and 500 people losing their jobs? Why aren't you showing them the results?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:36): I thank the honourable member for his further supplementary question. My understanding is that there has been frequent communication between PIRSA and the affected business. That communication is continuing, and as much information as is able to be provided is being provided.

FROST DAMAGE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:36): I seek leave to make a brief explanation before asking the Minister for Primary Industries and Regional Development a question about recent frost events.

Leave granted.

The Hon. N.J. CENTOFANTI: The recent frosts have caused unprecedented damage to vineyards, orchards and other crops across the state. Early estimates suggest that the Barossa, Clare Valley and Riverland wine regions may have lost anywhere from 15 per cent to 50 per cent of the predicted wine grape harvest due to the recent frost events. For grapegrowers this is particularly cruel, given the ongoing lack of profit due to the global oversupply of red wine grapes, and now many vineyards with white grape varieties that are generating some income have been decimated by frost.

The full extent of the impact on the broadacre citrus and almond industries will not be clear for a few weeks, but there is likely to be a lasting impact on trees that are in vulnerable flowering and nut and fruit development stages with the severity of the frosts that have occurred. Reports in the *Stock Journal* suggest that many farmers hit by frosts are abandoning their grain crops and cutting for hay or just hoping to get their seed back. My questions to the minister are:

1. What measures is the minister taking to assess the extent of this impact and to gauge the economic fallout from the recent frosts that have impacted the agricultural sector?
2. Is the minister planning to travel to the affected regions to see the damage firsthand and to provide assurance to the farmers and growers and plan assistance measures?
3. Has the minister requested the Premier to travel to the affected regions to see the damage firsthand?
4. Is the government treating this event with the natural disaster response that it deserves?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38): I thank the honourable member for her question. In the first half of September two severe frost events occurred across South Australia, each with consecutive days with minimum temperatures below zero. Nearly every region of the state has been affected in some way by the frosts, with the extent and intensity of impacts variable in each area and across sectors.

The exact impacts are not yet able to be quantified by industry, as I am advised the full extent of damage will not show for some weeks. PIRSA is working closely with industry groups to monitor the emerging impacts. Anecdotally, I am advised that the most significant impacts have been reported in the Barossa Valley, Riverland, Mid North and Eyre Peninsula.

These frosts came at a crucial growing period for grapes and grains, and will exacerbate the production losses already being experienced as a result of dry seasonal conditions. Grapes have been most severely impacted in the Riverland, Barossa and Eden Valley, where vines had early bud burst. In some cases, even the operation of frost fans and sprinkler systems, I am advised, did not protect vines from damage, and clearly those without those measures had in some cases more significant damage.

In some areas, the vines will undergo a secondary growth and produce higher quality grapes, albeit lower volume. Grains and legumes have been most severely impacted in the Mallee, Upper South-East and Mid North where crops were already stressed or were flowering. Some crops will be able to be salvaged for livestock feed but will likely be of a lower quality. I am advised that no

significant damage to other horticultural crops has been reported at this time but of course they could potentially emerge in coming weeks.

PIRSA is working with industry groups who are supporting affected growers through the provision of clear, practical advice to best allow them to mitigate the worst impacts and try to achieve the best possible outcome for the season ahead. Assistance is also available through the PIRSA Family and Business support program that includes FaB mentors and rural financial counselling. Additional initiatives are being considered in partnership with industry bodies and community groups, including local wellbeing and mental health support activities.

I noticed some comments that were made by the chair of the Wine Grape Council of South Australia and quoted in some local media in the Barossa where it was stated that 'there is still a long way to go to be able to assess the vines'. A couple of weeks after the full moon in October is when he would normally make assessments such that would enable him to start talking about potential yields or estimates for wineries. I think that really does cut to the very pertinent point of how difficult it is to make estimates of losses and that is why the department will continue to work closely with industry bodies.

FROST DAMAGE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:41): Supplementary questions:

1. Is the minister planning to travel to those affected regions?
2. Has the minister requested the Premier travel to those affected regions?
3. Is the government treating the event with the natural disaster response that it deserves?

The PRESIDENT: I am not sure how the travel component comes out of your answer, minister, but you are on your feet. You can please yourself.

Members interjecting:

The PRESIDENT: Alright, the honourable Leader of the Opposition, your third question.

YOUTH CRIME

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:41): You don't even answer the question.

Members interjecting:

The PRESIDENT: Do you want to ask your third question, the honourable Leader of the Opposition?

The Hon. N.J. CENTOFANTI: I won't be asking it to her, that's for sure.

Members interjecting:

The PRESIDENT: Order!

The Hon. N.J. CENTOFANTI: I seek leave to make a brief explanation before asking a question of the Attorney-General on the topic of youth crime in the CBD, because you might actually answer it.

Leave granted.

The Hon. N.J. CENTOFANTI: On 4 September, the police commissioner told ABC radio that because of 'anti-social behaviour' and 'offences being committed' on Gouger Street he had asked, and I quote, 'my people to make an assessment as to whether we should put an application to the Attorney-General' to make Gouger Street a declared public precinct. My questions to the Attorney-General are:

1. Has he been briefed on the issue of escalating youth crime on Gouger Street?

2. Has he received a request or application from SA Police to make Gouger Street part of the city's declared public precinct?

3. Does the Attorney-General have the confidence that SAPOL has the resourcing to boost its presence in the CBD, given the rising crime?

4. Is the Attorney-General considering any reforms to criminal penalties or bail conditions for such crimes that are occurring repeatedly on our CBD streets?

5. Is the Attorney-General concerned about the growing area of the Adelaide CBD that is already either currently a declared public precinct or is looking to become a declared public precinct, and is this an indication that his government has dropped the ball in protecting the South Australian community and keeping them safe?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:43): I thank the honourable member for her question. I regularly meet with the police commissioner and certainly we discuss many issues, including community safety in and around the CBD. In relation to a declared public precinct in the Gouger Street area, no I haven't, unless it's come in very, very recently, to my knowledge received an application from SAPOL in relation to declaring Gouger Street or its environs a declared public precinct. In relation to crime generally, there is a group that has many stakeholders, particularly from the retail sector, looking at ways we can make retail spaces safer, including any legislative sort of change.

BEST OF WINE TOURISM AWARDS

The Hon. M. EL DANNAWI (14:44): My question is to the Minister for Primary Industries and Regional Development.

Members interjecting:

The PRESIDENT: Sorry, just wait. Can the two leaders just be silent so I can hear the question?

The Hon. M. EL DANNAWI: My question is to the Minister for Primary Industries and Regional Development. Would the minister inform the chamber about the Best of Wine Tourism Awards winners announced last week?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:44): I thank the honourable member for her question and her strong interest in an industry which is so vital to South Australians. The South Australian wine industry, it should go without saying, is something we should all be incredibly proud of.

At the South Australian wine industry dinner and awards, held last week at the National Wine Centre, the Best of Wine Tourism Awards provided another great opportunity to recognise the outstanding achievements of a number of our very best wineries and wine businesses across a range of categories. The Best of Wine Tourism Awards are a key component of South Australia's membership of the Great Wine Capitals Global Network, and our membership of the Great Wine Capitals Global Network recognises and solidifies our state's place as one of the world's most prestigious wine-growing regions, alongside the likes of Bordeaux and the Napa Valley.

The award categories covered a wide range of what makes South Australian wineries both world famous and loved locally and included accommodation, architecture and landscape, culinary experiences, innovation, wine tourism services and sustainable practices. As we know, across the state there are any number of wineries that would be very well deserving of these awards across all of these categories, but as always, only one can take out the award on the night.

It is a pleasure to recognise the achievements of the winners again today in this chamber: for accommodation, Beresford Estate, for their luxurious accommodation offering in a beautiful vineyard setting; for architecture and landscape, Dandelion Vineyards, for its Wonder Room, designed to capture McLaren Vale's incredible views; for culinary experiences, Sidewood Estate, with their range of food-based experiences set in an amazing location and with customer service to

match; for innovative wine tourism experiences, The McLaren Vale Distillery, for honouring Australia's significant history of fortified wines, bringing more people to enjoy this category of wine.

For wine tourism services, there were joint winners: the first was Kimbolton Wines, situated in the hidden gem that is Langhorne Creek and offering a range of fantastic experiences enjoyed by so many. The second joint winner for wine tourism services was Watervale Hotel, for its commitment to the Clare Valley wine region, championing local wine producers and enabling visitors to learn about and take an interest in the region. For sustainable wine tourism practices, Sidewood Estate took its second award for the night with its commitment to sustainable practices across the business.

In reflecting on the achievements of the winners on the night you can see the incredible quality of wineries and businesses not only that won on the night but those who missed out. It really does demonstrate what a great achievement winning is amongst a field so strong.

I thank the South Australian Wine Industry Association for hosting a great event. I note many of my fellow parliamentarians and colleagues, including the Attorney-General, were there on the night, which speaks to the understanding and appreciation of the importance of the wine industry across parliament. Once again, I pass on my sincere congratulations to the winners as well as to those who came so close on the night.

WINE INDUSTRY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:48): Supplementary: has the minister received the delayed wine working group report aimed to assist the industry?

Members interjecting:

The PRESIDENT: It's not a supplementary question.

HOLDING ON TO OUR FUTURE REPORT

The Hon. T.A. FRANKS (14:48): I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries, representing the Minister for Child Protection, on the topic of the Holding on to Our Future report.

Leave granted.

The Hon. T.A. FRANKS: The South Australian Commissioner for Aboriginal Children and Young People's newish report, Holding on to Our Future, was tabled in this parliament on 5 June 2024. The report sets out 48 findings and 32 recommendations to reduce the number of Aboriginal children coming into contact with the child protection system to ensure that Aboriginal children grow up safe and strong within family, community and culture. I echo the words at the launch of this document of the Guardian for Children and Young People, Shona Reid, who said that this is a landmark inquiry. My questions to the child protection minister are:

1. When will the government respond formally to the Holding on to Our Future report?
2. Which of the recommendations will be progressed in government legislation?
3. Why have those recommendations not been included in the current bill out for consultation?

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. I will refer those to the Minister for Child Protection in another place and bring back a reply.

STRUAN RESEARCH CENTRE

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:49): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development on the topic of the Struan Research Centre.

An honourable member: Not listening, Kyam?

The PRESIDENT: Order!

Leave granted.

The Hon. J.S. LEE: When asked a question in regard to whether the budget for the rebuild of the Struan Research Centre was new money or insurance money, the minister said:

I am almost certain that the entire \$5 million is new money. It was announced in the budget.

Later that day, she then made a personal statement, saying:

Earlier today, I answered a question in regard to the Struan Research Centre. I can now provide further information and clarify that my advice is that the budget for the rebuild is a combination of insurance and government expenditure.

The minister also put out a press release on 9 September, stating:

Designs for a new multimillion dollar research centre located in Struan have been released today, as the South Australian government commits more than \$5 million towards its construction...

My questions to the minister are: what is the amount of insurance funding towards the rebuild of the Struan Research Centre, and what is the amount of government expenditure, above the insurance expenditure, towards the rebuild of the Struan Research Centre?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51): I thank the honourable member for her question. My updated advice was that the new money was \$1 million.

STRUAN RESEARCH CENTRE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:51): Supplementary: did the minister seek advice on the budget for the Struan Research Centre prior to stating on the radio and in the chamber that her government had committed over \$5 million towards the construction of the new research centre?

The Hon. I.K. Hunter: How does that arise from the answer? Explain it to me.

The PRESIDENT: It doesn't arise from the answer, but if you want to answer it you can.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51): I am happy to answer that. The insurance money is paid to government and therefore the government has committed those funds.

FEDERAL CIRCUIT AND FAMILY COURT

The Hon. T.T. NGO (14:52): My question is to the Attorney-General. Can the Attorney-General tell the council about the innovative work of the Federal Circuit and Family Court here in Adelaide?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:52): I thank the honourable member for his question. I was pleased to be able to visit and pleased to be able to report that the Federal Circuit and Family Court of Australia is well known for its innovative work, particularly in supporting Aboriginal and Torres Strait Islander users of the justice system. I have spoken in here as recently as this week about some of the measures that we are taking in South Australia in relation to the Nunga Court, the appointment of Aboriginal people as magistrates, and it was a pleasure to be able to see some of the work that is happening in other levels of the judiciary.

Recently, a couple of weeks ago, I joined my federal counterpart, the Hon. Mark Dreyfus, the federal Attorney-General, in visiting the court complex on Angas Street, located behind the Adelaide Magistrates Court. Members would no doubt be familiar with the Roma Mitchell Commonwealth Law Courts precinct, which houses the High Court, the Federal Court and the Federal Circuit and Family Court when each are sitting in Adelaide.

Family law is an especially complex area. While largely federally regulated, it has very significant interactions with state law, particularly in the areas of child protection and domestic and family violence. State and federal cooperation is therefore important in this area, and it was a great opportunity to speak to the federal Attorney-General about what we are doing in South Australia.

It was particularly insightful for us both to meet with Her Honour Judge Charlotte Kelly, who is based in Adelaide. Judge Kelly coordinates the specialist Indigenous list in Adelaide, which provides a modified case management process to support Aboriginal and Torres Strait Islander court users.

This specialist list aims to ensure Aboriginal people are supported through the court process and that matters have the best chance to reach an efficient and effective resolution. These lists operate in Adelaide, Melbourne, Sydney, Brisbane, Newcastle, Lismore and Coffs Harbour, and it was clear from the feedback provided by court staff that they are a very effective way to ensure the court can best meet the needs of this group of users.

A key component of the process is the role of Indigenous family liaison officers. These staff help participants in the court process to navigate the system, understand what to expect and support families in what can be a complex and difficult experience. Importantly, as with so much of the family law system, these staff work first and foremost to support the best interests of the child. To this end, these processes work to support all parties around an Aboriginal or Torres Strait Islander child, even if some of those parties are not Aboriginal people themselves.

It was particularly good to see courtroom 5, a specialist courtroom for Aboriginal and Torres Strait Islander family matters, designed with a very significant influence from Kurna elder, Uncle Lewis O'Brien. The courtroom is designed in a round shape, removing much of the adversarial nature of the traditional layout of a courtroom. Much of this work reflects civil innovations in the South Australian justice system. As I said, our Nunga Court, the very first of its kind, starting in 1998, has a similar emphasis on a less formal and less adversarial approach to litigation. I am glad to see so much of the innovative work happening here in South Australia, both at a state and federal level, and look forward to working with federal counterparts and people in the state system alike.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. F. PANGALLO (14:55): I seek leave to make a brief explanation before asking the Minister for Primary Industries a question about tomato brown rugose fruit virus.

Leave granted.

The Hon. F. PANGALLO: As we have heard, a government decision has resulted in 400 losing work today at Perfection Fresh at Two Wells, and perhaps up to 1,200 during peak season are going to be impacted, and there could be more. The family-owned company, the largest producer of tomatoes, and its workforce, have been left devastated, even heartbroken, with potential losses topping \$9 million.

The owners have become increasingly frustrated with PIRSA as they cannot get evidence of the alleged positive results. They fear PIRSA's actions will simply force other growers underground, and not report any suspected tomatoes to the authorities. I am told two other companies have also been shut down, Gawler River Tomatoes and SA Tomatoes, and it is understood the shutdown will last for at least a few weeks. My questions to the minister are:

1. How many other countries or jurisdictions in the world have successfully and permanently eradicated the virus?
2. Why is the government so insistent on trying to eradicate a virus that can't be eradicated, when other countries, like those in Europe and the United States, manage to work with the impacts of the virus?
3. What advice has PIRSA received that prevents them from following the guidelines of other jurisdictions around the world, where the virus has been detected, yet growers are allowed to continue to sell their produce to the South Australian market when even the Premier says the fruit is safe to consume?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:57): I thank the honourable member for his question. In terms of the two other businesses that the honourable member mentioned, they were closed down several weeks ago. There has been no change, to my knowledge or according to my advice, since then. The change that has occurred has been this week in regard to Perfection Fresh.

The advice that is relied on is the technical and scientific advice in regard to whether eradication is feasible. This is a decision that is made on a national level because the establishment or otherwise of an exotic disease has national implications. I think I outlined those reasonably extensively in response to an earlier question today in question time.

There needs to be a national decision about whether eradication is considered feasible or whether we move to management. While the evidence we have shows that there are only three detections, all of which are on the Northern Adelaide Plains, and all were businesses that were already identified as having had detections, it is considered that it is still feasible to eradicate.

The circumstances that we find ourselves in here in Australia are, of course, different to other countries around the world. As an island nation we have particular advantages in the ability to attempt to eradicate disease. In terms of the advice received by PIRSA, as I mentioned, that must rely on national decision-making. The committee that was established a number of weeks ago meets regularly to consider any updates to the information and evidence that is available and provides advice accordingly.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. F. PANGALLO (14:59): Supplementary: part of the question was, where else in the world have they been successful in eradicating this disease, and why is the minister so confident that Australia can do something that nobody anywhere else in the world has done? It is almost a reflection of what happened with COVID, where Australia thought they could eradicate the virus and weren't able to do so.

The PRESIDENT: Minister, you didn't touch on overseas outcomes at all, but it is up to you. You are on your feet, if you want to answer the question.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:00): I am happy to. I think to a great extent it has already been answered, and the honourable member has implied in his supplementary question that there is nowhere else where it has been eradicated, which goes back my original answer, in which I said here in Australia we have specific conditions.

This is not politicians deciding whether or not we think that this can be eradicated. This is based on the technical advice of those who are experts in the field. However, I would note that, given that this disease hasn't been detected in Australia before, it is absolutely appropriate for us to acknowledge that we don't know everything around how this disease reacts in Australian conditions.

But what we do need to do as politicians is not make decisions simply because they appear to be simpler at the time. We need to make decisions based on the best evidence that we have. We need to take decisions based on the overall good—in this case, the implications for other tomato-growing businesses. The industry within our state and, more broadly, across the nation would be significantly impacted if we do indeed have this disease and say, 'Let it rip,' as the honourable member has, I think, indicated in the media on a number of occasions. The consequence of letting it rip while there is still considered to be a feasibility to eradicate would be devastating for our industries and would not be a responsible course of action at this time.

TOMATO BROWN RUGOSE FRUIT VIRUS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:01): Supplementary arising from the original answer: what number of properties are being tested interstate, and how often are they being tested for surveillance purposes?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:02): I am happy to take that on notice and provide a response back.

The Hon. N.J. Centofanti: You mean you don't know?

The Hon. C.M. SCRIVEN: Not off the top of my head, no.

GFG ALLIANCE

The Hon. H.M. GIROLAMO (15:02): I seek leave to give a brief explanation before addressing a question to the Minister for Industrial Relations regarding superannuation payments.

Leave granted.

The Hon. H.M. GIROLAMO: The ATO requires superannuation payments to be made and recorded quarterly. Any delayed or non-payment seriously affects workers' retirement nests. The Treasurer yesterday confirmed that GFG is behind on state government taxes such as royalties. Regular and recorded superannuation payments are a legal requirement. With questions looming regarding the financial stability of GFG, my questions to the minister are:

1. What is the minister doing to ensure GFG workers and their benefits, including superannuation, are secured?
2. Is the minister aware if the superannuation payments for GFG workers is up to date?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:03): I thank the honourable member for her question. The regulation and monitoring, as much as it takes place, of superannuation is entirely in the federal jurisdiction. But as there have been indications, particularly in the other place, this state government is doing everything it can, monitoring the situation with Whyalla, and will do all it can to support the people of Whyalla. It is what Labor governments have done in the past under Jay Weatherill, and it is what the Labor government will continue to do under Peter Malinauskas.

GFG ALLIANCE

The Hon. H.M. GIROLAMO (15:03): Supplementary: given the significance of GFG and the significant number of workers, what will the minister be doing to ensure that workers are secure and their benefits are being monitored?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:03): Again, I thank the honourable member for her question. The regulation of the industrial relations system for private sector workers for most of this century has been the sole providence of the commonwealth government. Superannuation, once again, is a creature of the commonwealth government and regulated by the commonwealth government. What I have said, and what I will say again, is this government will do what is in its power to look after the workers in Whyalla. We have in the past and will continue to do so.

SARDINE MANAGEMENT PLAN

The Hon. R.P. WORTLEY (15:04): My question is to the Minister for Primary Industries and Regional Development regarding sardine management. Will the minister inform the chamber about any changes to the way our state's important sardine fishery is managed?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:04): I thank the honourable member for his question. The South Australian sardine fishery is the state's largest fishery by volume and is hugely important to the state's tuna industry, where most sardines produced by the fishery end up as feed for farmed tuna.

The sardine sector is an important part of the Port Lincoln and Eyre Peninsula communities. I was pleased to have had the opportunity earlier this year, during country cabinet, to witness sardine vessels being unloaded, which was actually quite an amazing sight. It really highlighted the sheer volume of catch for this fishery, and was also a really good chance to meet with some of the great people who dedicate themselves to it.

The sardine fishery has been managed under a quota management system, with an annual total allowable catch, since 1995, with the fishery primarily operating in the Spencer Gulf. Over the past decade or so, gradual changes to the management of the fishery have allowed for increased fishing outside Spencer Gulf, which has had a range of benefits for the fishery.

PIRSA is now working through the process of formalising arrangements for the fishery to operate with a separate total allowable catch in the Gulf St Vincent, as has been called for by industry

for some time, with the anticipated benefits from this including fishing costs to be reduced, product quality improvement, increased business security and operational flexibility, as well as providing for protection of stocks in the Spencer Gulf.

Last year, a new management plan for the fishery commenced. This plan was consulted with industry and included rules for spatial management for three fishing zones: the Spencer Gulf zone, the Gulf St Vincent zone and an outside zone. The plan noted that legislative amendments would be required to formalise the arrangements, which have previously operated under changes to licence conditions. That work is now well underway and will mean that allocation of separate quota entitlements for the Spencer Gulf and Gulf St Vincent will soon be a reality, with the current gulf zone units to be revoked and a separate 14,000 GSV units and 14,000 Spencer Gulf units to be allocated across all sardine fishery licences.

The changes do not increase the total allowable catch for the fishery, but instead the structure under which quota units are allocated to licence holders, with total allowable catch and spatial management arrangements guided by the harvest strategy, based on spawning biomass and monitoring of fish size in both gulfs.

I am pleased that the state government has been able to positively respond to calls for change from this important and innovative sector, with the Executive Officer of the South Australian Sardine Industry Association, Claire Webber, saying, 'The new GSV zone will reduce trivial licensing conditions and gives industry a new level of certainty to access sustainable sardine resources in that area.' It is a positive step for a sector which plays a crucial role in our state's seafood industry and the wider Port Lincoln community.

PUBLIC SCHOOL FUNDING

The Hon. R.A. SIMMS (15:07): I seek leave to make a brief explanation before addressing a question without notice to the minister representing the Minister for Education on the topic of public school funding.

Leave granted.

The Hon. R.A. SIMMS: I understand that today Tasmania has secured an agreement with the commonwealth to fully fund their schools by 2029. Under the deal the federal government will lift its commitment to 22.5 per cent of the school resource standard, with the Tasmanian government committing to the remaining 77.5 per cent. Currently, the ACT is the only jurisdiction in Australia where public schools are fully funded. A report recently released by the Australian Education Union, titled *A Decade of Inequality*, demonstrated that private schools in South Australia are overfunded—overfunded—by \$79.7 million each year, while public schools continue to languish without appropriate funding. My questions to the minister representing the Minister for Education are:

1. What action is the Malinauskas government taking to ensure that public schools are fully funded in our state?
2. Will the government seek to reach an appropriate agreement with the Albanese government in Canberra to ensure that South Australian schools get the funding they deserve?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:09): I know that the Minister for Education in another place works tirelessly day in, day out, to get the best deal for South Australian public schools, but I am happy to refer the questions to the minister in another place and have a reply brought back from him.

CFMEU

The Hon. B.R. HOOD (15:09): I seek leave to make a brief explanation before asking a question of the Attorney-General regarding the CFMEU.

Leave granted.

The Hon. B.R. HOOD: When asked during the last parliamentary sitting week, the state's highest law officer refused to table the police commissioner's advice in relation to potential criminal links within the CFMEU in South Australia. The Attorney-General similarly refused to answer whether

or not he had read that advice. The Premier, in response to a similar question, told the House of Assembly that the police commissioner had made his advice public via an ABC Radio Adelaide interview. My questions to the Attorney-General are:

1. As the state's most senior legal officer, has the Attorney-General now read the police commissioner's advice on criminal links in the CFMEU?
2. Why won't the government publicly release the advice when we are told no evidence was found of criminal links in the CFMEU in South Australia?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:10): I know that the member is relatively new here and relatively inexperienced and is trying as hard as he can, but I do not think anyone here would expect advice from the police about any inquiries that they have made, if it was in a written form, to be published and tabled. That would be an extraordinary thing, and I do not think more experienced people in here would expect that to happen.

Members interjecting:

The PRESIDENT: Order! The Hon. Russell Wortley, just be quiet.

WALK FOR RESPECT

The Hon. R.B. MARTIN (15:11): My question is to the Attorney-General. Will the Attorney-General please inform the council about the recent Walk for Respect event held by Rotary?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:11): That is a good question, and I would be more than happy to answer the question about the recent Walk for Respect event held by Rotary. It was a great pleasure to join with many colleagues, a multiparty representation, at the event. There were a large number from this place and from the other place at the Walk for Respect, hosted by Rotary International as part of their Rotary Says No to Domestic Violence campaign.

Rotary District 9510 joined together with other Rotary districts in Australia, New Zealand and the South Pacific Islands for an Adelaide-based Walk for Respect to raise awareness of the scourge of domestic violence in our community. With 25 Rotary clubs and 24 domestic violence support groups and other organisations represented in the march, there was a significant turnout as we gathered on Saturday morning in Victoria Square to march in honour of stamping out domestic and family violence in our community and promoting healthy relationships.

I walked alongside many colleagues from this chamber and the other, including the Hon. Katrine Hildyard, the Hon. Nat Cook, the Hon. Mira El Dannawi, the Hon. Robert Simms, the Hon. Connie Bonaros, the Hon. Michelle Lensink, the Hon. Tammy Franks, the Hon. Jing Lee, Cressida O'Hanlon MP and Nadia Clancy MP as well as many others. Many peak domestic violence services were also represented, and there were many educative posters displayed about signs of domestic violence, particularly drawing awareness to coercive control, which was an education focus for Rotary this year.

There were in excess of 20 different signs, each indicating different coercive controlling behaviours, such as limiting your access to money or controlling the clothes that you wear. It was pleasing to see this important public education piece in tandem with the government having introduced legislation to criminalise coercive control. I thank Rotary for their proactive leadership around this campaign.

As a group, we walked from Victoria Square down King William Street to Elder Park, where there was a Rotary barbecue, sizzling sausages for a good cause. We heard from several speakers at the rotunda. After hearing from the Rotary District Governor, Ms Marie-Louise Lees, I was able to say a few words. We heard from other speakers, including the Deputy CEO of Offenders Aid and Rehabilitation Services, Ms Louise Kelly; the General Manager of Embolden, Mary Leaker; and Jenni Foreman from the Zonta women's foundation.

I would like to thank Rotary past district governor Craig Dowling for initiating this event, all the organisations that do such important work protecting women who experience domestic violence

and the Rotary Says No to Domestic Violence committee for organising the walk. Education is a tremendously important tool for us as a society in ending domestic and family violence, and I thank everyone who participated and raised awareness for such an important issue.

EDUCATIONAL OUTCOMES FOR BOYS

The Hon. S.L. GAME (15:14): I seek leave to make a brief explanation before asking a question of the Attorney-General, representing the Minister for Education, Training and Skills, on educational outcomes for boys.

Leave granted.

The Hon. S.L. GAME: I recently met with a University of South Australia researcher who clearly outlined that adults from trauma backgrounds are 20 times more likely to pass on trauma to their own children. This is well evidenced with less positive outcomes for these children. However, statistics from University of South Australia research show that boys are doing worse at almost every level of education.

Generational trauma cannot explain this because generational trauma is affecting boys and girls. The Australian Early Development Census shows boys are more likely to be vulnerable on all five development domains: physical health and wellbeing, social competence, emotional maturity, language and cognitive skills, and communication skills and general language. Our own office FOI revealed that the vast majority of suspensions and exclusions at school were boys.

It was suggested to me by this University of South Australia researcher that the imbalance is connected to the gender gap in the workforce in key areas, such as social work and primary school teaching, which are currently female dominated. My questions to the Attorney-General, representing the Minister for Education, Training and Skills, are:

1. Noting that gender imbalance in male-dominated workplaces has been a focus of equity policy for decades, does the government agree it has allowed a female-dominated gender gap in early childhood education and care, which is contributing to poorer outcomes for boys to persist, and what is the government doing to change this?

2. In light of the fact that boys are underachieving and given the ongoing negative narrative surrounding men, does the government feel it is doing enough to celebrate positive male role models and, if so, what is the government doing in this space?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:16): I thank the honourable member for her questions and I will be happy to pass them on to the minister in another place and bring back a reply.

YOUTH CRIME

The Hon. D.G.E. HOOD (15:16): I seek leave to make a brief explanation before asking questions of the Attorney-General regarding youth crime in and around the CBD.

Leave granted.

The Hon. D.G.E. HOOD: It has been reported recently, no doubt as members are aware, in *The Advertiser* and other media outlets that in the last several weeks youth crime in Adelaide's CBD is escalating, with traders on Gouger Street in particular voicing their concerns and stating that the situation is becoming 'out of control'. Businesses have expressed their concern that, although police are responding to incidents of crime promptly, as they should, the penalties given by the courts are inadequate and do not serve as sufficient deterrence.

One of the restaurant owners whose premises has been targeted on that particular street by youths as young as 11, on three occasions within just 18 months, is calling for tougher penalties for juvenile crime. He has stated:

We are trying to create some vibrancy in the city for people to enjoy...what I'm not seeing is the system punishing or giving people some kind of consequences for offending.

My questions to the Attorney-General are:

1. Does the Attorney-General concede that youth crime is at unacceptable levels in the CBD at the present time?

2. Does the Attorney-General agree with the restaurant owners that what they perceive as lax or soft penalties being applied are failing to rein in or discourage illegal antisocial behaviour?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:18): I thank the honourable member for his question, and anybody who is a victim of crime is one victim too many. We strive and see it as a primary function of government to keep the community as safe as it possibly can be. There were questions in the chamber today about the police investigating whether there is evidence that exists to make an application to me as Attorney-General for a declared public precinct in the Gouger Street area.

As I said, I haven't received any application yet, but if I do that will certainly be considered, as has been considered in other areas of the CBD where declared public precincts have been extended from just around the Hindley Street area to include areas like the Rundle Mall area, the North Terrace area and the Riverbank. If the evidence supports an application being made that will absolutely be considered. I talked about other forums that were looking at the issue of retail crime and what policy and legislative areas we might look at in relation to those.

Another area I certainly would like to highlight is legislation that recently passed both houses of this parliament, which is the toughest of its kind anywhere in Australia, in relation to adults who recruit children to commit crime. With laws that recently passed both houses of Parliament, if an adult recruits a child to commit a crime there is a new standalone offence where the adult who does that will face up to 15 years in jail for doing so, regardless of whether or not the crime was committed. If a crime that is committed has a higher possible jail term than that, they will face the greater of those two things.

It is something that, of course, we take seriously. As I said, a primary function of government is the safety of the community, and I thank the honourable member for his ongoing interest and the genuine way in which he seeks to address the safety of the community in this state.

YOUTH CRIME

The Hon. D.G.E. HOOD (15:20): A supplementary, sir.

The PRESIDENT: Even after the minister was so nice to you, you still want to ask a supplementary? A supplementary question, the Hon. Dennis Hood.

The Hon. D.G.E. HOOD: I thank the Attorney for his answer. It is a serious issue, as I think we all acknowledge. Does the Attorney have the power to declare a public precinct of his own volition without a police application? If so, has he considered that for this particular jurisdiction?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:20): I will double-check, but I am almost certain that under how the act works it is an application that is made from the police to me. It is the police who gather the evidence. There are certain statutory requirements about what is needed to make the declaration, which includes demonstrating evidence that it is needed for the safety of the community.

I will double-check, but I am 90 per cent sure that it is not something I initiate myself. It is something that SAPOL—which has the resources, the understanding, the availability of statistics—initiates and then, if the evidence is there to support the making of it, refer it to me. If that is incorrect I am happy to bring back an answer, but I am certain that is the way it works.

SHEEP AND GOAT ELECTRONIC IDENTIFICATION

The Hon. J.E. HANSON (15:21): My question is to the Minister for Primary Industries and Regional Development. Will the minister update the chamber on the latest rebate available to livestock agents for South Australia's eID rollout?

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:21): I thank the honourable member for his question, and am pleased to verbalise an answer. I have spoken in this chamber before about the national introduction of electronic identification of sheep and farmed goats.

As many would know, the first mandate in South Australia's eID rollout begins on 1 January next year, when it will become mandatory for producers to tag sheep and farmed goats born after that date with an NLIS-accredited eID tag before they can leave their property of birth. From 1 January 2027 all other sheep and farmed goats will need to be tagged with an NLIS-accredited eID tag before leaving a property.

It is also important to be aware of the relevant dates for eID scanning and recording of movements. On 1 January 2025 it will be mandatory for processors and also producers, who conduct property to property movements, to be ready to scan sheep and farmed goats identified with eID tags and to record individual movements on the NLIS. Saleyards have until 1 July 2025 to be scanner-ready.

Australia's systems for traceability of cattle, sheep and goats are world leading, and are underpinned by the National Livestock Identification System (NLIS). It is important to ensure our traceability systems continue to meet industry and stakeholder expectations to protect the state's livestock industry and ensure market access into the future.

The global market is increasingly demanding traceability of meat products, so this change is vital to maintain market access and competitiveness for South Australian producers. Moreover, the prevalence of biosecurity issues nationally and internationally only highlights how important traceability is to have the ability to react quickly to disease outbreak and protect our \$2.96 billion livestock industry.

The move from the current mob-based, visual tag system for identification of sheep and farmed goats will greatly improve accuracy and the speed in which individual animals can be traced. The eID system will allow individual animals to be traced back to their property of birth and the last property in which they resided. This will greatly reduce the time required to respond to an outbreak of an emergency animal disease, which will in turn reduce the time it takes for the industry to recover from such an outbreak.

To ensure the sheep and farmed goat industry can transition effectively through this significant reform, today I announced another rebate to assist livestock agents to purchase essential equipment required for scanning, recording and reporting the movement of sheep and farmed goats on the NLIS.

This program will assist livestock agents with the cost to purchase wand readers or pocket readers, with a 75 per cent rebate on the total cost up to a total value of \$7,000. The rebate will apply to purchasers since 8 June 2023. Eligible agents must be based in South Australia, with an active livestock agent property identification code, and can apply for the rebate until 5pm Monday 30 June 2025.

This essential equipment rebate for livestock agents is one initiative of many that this state government has put in place to assist producers, saleyards, agents, processors and other stakeholders in the sheep and farmed goat industry, with the up-front costs of essential equipment and infrastructure required to be fully ready for the implementation of the eID system, which is designed to protect the important livestock industry.

CHILD PROTECTION

The Hon. C. BONAROS (15:25): I seek leave to make a brief explanation before asking a question of the Attorney-General, representing the Minister for Child Protection, or the other minister in the chamber—either one.

Leave granted.

The Hon. C. BONAROS: On a very serious note, news has just broken that a Parafield Gardens man is to face court over the death of a seven-week-old infant in July. According to media reports, police allege the infant sustained injuries while in the care of the man before being rushed

to the Women's and Children's Hospital where he died six days later. My question to the minister is: was the infant in question and/or his family known to the Department for Child Protection?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:26): I thank the honourable member for her question. It is a very important topic given the great sadness and tragedy that such a death is, I guess, in anyone's books. I am happy to take the question on notice and refer it to the minister in the other place and bring back a response.

Matters of Interest

SOUTHERN PORTS HIGHWAY

The Hon. B.R. HOOD (15:27): The matter of interest that I have, surprisingly or unsurprisingly, is on the Southern Ports Highway, a great little road down our way which leads from Millicent to Beachport. Unfortunately, it is just not that great at the moment. In fact, it is a road one would deem completely and utterly unsafe.

I had a community forum about three weeks ago now in which 80 people from the Beachport community turned up to have their say about the shocking state of the Southern Ports Highway. We heard some pretty harrowing stories on the state of this road, stories like when a young lady—and she will like me saying 'young lady'—was bitten by a shark in Beachport and she had to jump in an ambulance and tear down the Southern Ports Highway. The ambo officers actually had to stop helping her and hang on for dear life because they were being bounced around so much on a road that was only really fixed up maybe four or five months ago.

Even more concerning than a shark attack and ambulance officers having to hang on for dear life is that our aged-care facility in Millicent cannot take residents on the road anymore—their wheelchair-bound residents—because they get bounced around too much and it causes them a fair bit of pain. We have stories of people's cars getting absolutely banged around, and some \$1,500 worth of damage on a car where this person had to drive from Mount Gambier to Beachport for work, her suspension is shot and, as I said, damage of up to \$1,500.

That constituent is wondering who she can go to. There is no-one. You cannot get any money back unfortunately, seeing these roads are not car-worthy, even though apparently we have to drive around in cars that are roadworthy. We have also seen caravans simply being warned off the highway, which is compromising the tourism industry of Beachport, a fantastic little seaside town. I love going down there in the summer with my family, enjoying all the beautiful small little businesses and cafes and the great pubs there as well.

Unfortunately, there are also a whole heap of safety issues around transporting kids. We had a bus driver, Marg, tell us there are significant safety issues, and they actually fear for transporting the kids on this road. There are no shoulders to pull off on, and it is only adding to the safety risks. The CEO of Wattle Range Council, Ben Gower, has rightly pointed out that the section of the road from Cherry Farm had a seal put on it and yet a mere three weeks later it is already cracking. The Independent member for MacKillop, Nick McBride, accepted my invitation to the forum. I was very happy that he did rock up, along with the Leader of the Opposition, Vincent Tarzia, and the Leader of the Opposition in this place, the Hon. Nicola Centofanti. Tony Pasin was there as well.

Nick said, 'The government is going to drop 18 million bucks into this road.' Everyone went, 'Oh, well.' You know what that is? That is lipstick on a pig. That is not going to do anything. It is just going to be the same old, same old. They are going to apply this 18 million bucks—it will be completely wasted. It is going to wash away at some other point into the future. What this road needs, what the community wants, is to rebuild it from the ground up. The road is about 30 years past its use-by date. It needs a rebuild. That is what it needs. It does not need good money after bad.

I was on the radio talking about this, and I mentioned that this government had decided to move us from an 80:20 split with the federal funding to a 50:50 split on regional road infrastructure. I mentioned that on radio and then people shot back saying, 'No, that's not true. This is still 80:20.' Well, that might be the case, but any road infrastructure going forward will be 50:50, and if you thought it was bloody hard to pay 20 per cent for regional roads, it is going to be a hell of a lot harder if you have to pay 50 per cent for regional roads.

What it means is that regions are getting duded again and again and again. What we need at Beachport, what we need for the Southern Ports Highway is to fix the road—fix it from the ground up. Just do three kilometres at a time. Do not put lipstick on a pig. Like former Independent member for Mount Gambier Don Pegler said—I just love it; I am going to say it again—do not put lipstick on a pig. Spend the money properly, fix the road and I tell you what: a hell of a lot of people in Beachport, Southend and Millicent will be very, very happy. Let's get it done.

ISRAEL-LEBANON CONFLICT

The Hon. M. EL DANNAWI (15:32): My plan today was to speak about the Lebanese Film Festival and the wonderful work of the Arabic Language and Culture Association of South Australia. I would still like to take a moment to congratulate them and thank them for all the opportunities they provide for us to share and celebrate our beautiful culture. Unfortunately, however, I will be using the rest of this speech to talk about the situation unfolding in Lebanon. Let me be very clear from the beginning: I do not condone any form of violence or terror against any civilians, regardless of what side of the border they live on.

On 17 September, pagers exploded simultaneously across Lebanon. Explosives were planted inside 5,000 pagers which were reportedly distributed to Hezbollah. Twelve people were killed, including two children. Three thousand people were injured, and most of these injuries were horrific, mainly to the eyes and limbs. There were no precautions taken to make sure the pagers were not in public places where they could cause harm to innocent people. They exploded in homes, supermarkets, cars, offices and many other public areas.

A day later, 14 people were killed and 45 injured by more explosions of handheld devices, including walkie-talkies. Once again, the attack was not selective in its targets. It did not discriminate between soldier and civilian. For many people in Lebanon, this sort of attack confirms our worst fears: that we are not seen as human beings but as collateral damage. UN experts have called these attacks a 'terrifying violation of international law'.

On Monday 23 September, Israel launched the deadliest attack on Lebanon since the 2006 war. They fired air strikes into southern Lebanon and a suburb of Beirut, and in one night at least 500 people, including 35 children, were killed, and over 1,000 were wounded. There have been air strikes every day since.

Thousands of families have evacuated the south, seeking safety in other regions of Lebanon, including the north, where I am from and where my family still lives. According to the Lebanese health minister, 28,000 people have already been displaced from the south. The school year has just started in Lebanon. My niece and nephew, who are 10 years old, were so excited to show me their new school bags and lunchboxes for the year ahead. Now those schools will serve as refugee camps for the displaced.

The Prime Minister of Israel said in a televised message: 'I have a message for the people of Lebanon: Israel's war is not with you.' He is urging Lebanese people to get out of the way. They make it sound simple, as if they are asking people to evacuate a building, but the attacks have already hit hospitals, medical centres and residential buildings, and it is impossible for many civilians to know if they live in an area that will be targeted.

They are saying, 'If you are killed by Israeli air strikes it is not our fault—it is yours.' This gaslighting is shameful. They said the same thing to the people of Gaza. They told them, 'Flee South to Khan Younis.' Then they attacked Khan Younis and they told them, 'Flee to Rafah.' Then they attacked Rafah and there was nowhere left for people to go.

At the latest count, more than 41,000 people have been killed in Gaza. It has been a year of unimaginable human loss. So when the Israeli government assures us that this war is not with the Lebanese people, no Lebanese person will believe it—not the citizens of Lebanon, not the Lebanese community in Adelaide, and not me.

It was not impossible to see what is happening in Lebanon coming. I have feared this escalation for almost a year now, as have many others. For many of us, what is happening now seemed like it would be inevitable if the state of Israel was not held to account for their actions in

Gaza and their breaking of international humanitarian law. The same playbook used in Gaza is now being used in Lebanon. When is enough enough?

To my Lebanese community here in Australia and in Lebanon, but especially in Adelaide, I offer my sincere and unequivocal support to you in these dark times. I hope and I pray that your loved ones and families are safe.

ADELAIDE BRIGHTON CEMENT

The Hon. T.A. FRANKS (15:37): I rise today to speak about a certain cement factory nestled snugly within our western seaside suburbs, long known as Adelaide Brighton Cement, now known as Adbri, and their Birkenhead kiln. In July, the EPA issued an environment protection order as Adbri had failed to provide an environment protection order to the satisfaction of the EPA. It had not addressed the use of best available technology to mitigate particulate matter. Adbri has until mid-October to submit their new plan.

One of the requirements of the new plan is to do community consultation, requiring access to Adbri's revised plan to inform feedback to Adbri before submitting the final version to the EPA. Working through a PowerPoint presentation and seeking instant feedback in the room on it at one public meeting certainly did not look like genuine community consultation to myself and many other people of the Lefevre Peninsula.

At the two community meetings I have personally attended complaints came thick and fast—multiple broken promises by Adbri; houses, cars, yards and solar panels covered in all sorts of dust; damage done, but a lack of compensation and a lack of response or follow-up; chronic health issues; skin irritations, eye irritations and respiratory illnesses; the unanswered need for a health study; offensive odours and smoke plumes; air pollution; inadequate monitoring; and inadequate precautionary measures.

Last but by no means least are the health and environmental impacts of burning what is called refuse-derived fuel (RDF), which contains plastics to power the plant. There was not enough time in these sessions for all the complaints to be addressed, but certainly it was not lost on me that the residents said, 'We can't burn plastic in our backyard, but you can burn plastic just across the road from us.'

A distinct reluctance occurred in those meetings as well, on behalf of Adbri, to enable the community to truly and properly voice their concerns. Why is this community feedback so important? Of the five cement factories in our nation, Adbri, without a doubt, has the most housing around it. The other four are simply not located in metro areas. Adbri is literally located a stone's throw from housing—literally just across the road—and there is more to come. There are three new large housing developments nearby, one 600 metres away, and the Le Fevre Peninsula Primary School, of course, is within one kilometre.

One burning issue, if you will pardon the pun, is Adbri's combustion, since 2003, of more and more industrial and construction waste, which includes plastic to generate heat. Within their current licence, Adbri is permitted to burn almost 800 tonnes of RDF (refuse derived fuel) every single day, and with allowable contamination by plastic of up to 20 per cent, around 150 tonnes of this can be plastic every single day.

Despite the claim made at one of the community consultation meetings that RDF was better at least than burning coal or gas, there is a growing movement internationally with scientists and doctors right across Europe, in Spain, Italy, Slovenia, and the UK speaking out against the burning of refuse derived fuel by cement factories. Multiple studies have shown that there is an increased link between cancer rates and proximity to incinerator emissions.

My understanding is that there is, in fact, no filter preventing toxic gases from exiting Adbri's Birkenhead plant, and there are only filters attempting to capture the larger dust particles. Airborne emissions from the burning of refuse derived fuel can contain various serious contaminants, such as sulphur oxide, nitrogen oxide, furans, dioxins, PAHs and heavy metals. Indeed, skin irritations, eye irritations and respiratory problems are common complaints of the residents locally and these are health issues all consistent with exposure to these pollutants.

Often dismissed as being low SES-related or perhaps related to the residents locally being smokers, it is not good enough that we do not know more. We need SA Health to actually do more work to ensure that the links between Adbri and residents' health are clarified, and that the community, ongoing with the EPA, actually has their voice heard—not only heard but responded to—for their health and safety and for their future on the Lefevre Peninsula.

DULWITCHES

The Hon. R.B. MARTIN (15:42): Tucked away in an elegant but unpretentious local shopping centre on Devereux Road, Linden Park, is a small, glass-fronted shop. When seeing it from the outside you are not likely to realise exactly what sort of shop you are looking at unless you already know. Once you enter, you will see an eclectic range of goods on show, including baby and children's wear, leather and wood products, textiles, fashion accessories, skincare, greeting cards and toys. Speak to the person staffing the till and it will quickly become clear that this shop is not like most others.

Dulwitches is a cooperative, a collective of like-minded members who use traditional artisan techniques to create a diverse and enticing selection of unique crafts: gifts, clothing, homewares, food and more. The items for sale in the shop are handmade by the members of the group who also staff the shop. Speak to one of these members and you may learn that the story of Dulwitches began 50 years ago this year, with five talented women. Their families and friends had long been the beneficiaries of their handmade gifts.

They envisaged the opportunity to translate their passions and their skills into a formal enterprise, and decided to open a small shop to sell their handcrafted wares. They found a suitable premise on Stuart Road in Dulwich, and Dulwitches opened in March 1974. The rules of the cooperative were clear: the group would make an effort not to double up on types of crafts, which is to say that if someone was contributing leather goods then their opportunity to be the sole contributor in that craft was maintained, and each member had to be a hobbyist rather than professionally trained.

The shop itself initially traded 2½ days a week. Membership soon grew from five people to 13 and, as the group's membership continued to expand, so did the shop's trading hours. Today they are open Monday to Saturday from nine to five, assisted through the support of an agreed maximum of 24 women and men members creating an impressively diverse range of goods.

Among these members is the person who introduced me to this charming enterprise. Mandy Bower was a long-term member of staff at the South Australian Labor Party, working part-time for several decades whilst she spent the other part of her week at Dulwitches. A member since 2002 and the current secretary of the cooperative, Mandy creates beautiful, handmade greeting cards and other papercraft items, knits gumnut dolls and does various other magical things with fabric as well.

Over many years, I have commissioned Mandy to make a baby blanket for each of my friends' children as they are born. I thank Mandy for putting Dulwitches on my radar long ago and, of course, for sharing her craft, as all of the members are kind enough to do so. The two longest serving current members are Shirley Wright, having joined in 1983, and Helen Chinnery, having joined in 1984. To be marking over 40 years of membership to Dulwitches is nearly as remarkable as the collective itself having endured for half a century.

While the shop's wares are constantly evolving, changing from week to week, there are some products that have been beloved and are highly recognisable among Dulwitches' loyal customers. Helen Laidlaw, a member since 1988, recalls people who had themselves received one of her iconic Dulwitches giraffes as a gift when they were young children coming back to purchase a giraffe for their own children. Dulwitches has customers whose parents and grandparents have shopped there, such is the embeddedness of Dulwitches within its community and the fondness that people have for it.

A shop can only survive for 50 years if there is something special about it, but I think it is fair to say that everything about Dulwitches is special, from the quality and uniqueness of its wares to the fact that the shop is not just a shop. It is the bricks-and-mortar embodiment of the whimsical spirit and the loyal dedication of a close-knit group of friends and colleagues.

I commend each and every member of Dulwiches, past and present, for creating the unique and individual pieces and sharing them with the world. I commend the Dulwiches cooperative on 50 impressive years of collaboration and friendship. May the next half century continue to bring each of you fulfilment and joy in your craft.

ELECTRICITY COSTS

The Hon. D.G.E. HOOD (15:46): Just as a point of interest, I actually had a property in Dulwich not that long ago. We were going to build a house there. It is a lovely part of the world. It did not eventuate and we moved to North Adelaide, but these things happen.

Members may remember that in my last matter of interest I addressed the issue of the skyrocketing electricity costs faced in our state, which are adversely affecting all South Australians. Time lapsed in terms of the time I had available to make the speech and so I did not finish it, so I will continue with that in my next opportunity to do so, which is right now.

In addition to the research and statistics that I had outlined during that contribution, the Institute of Public Affairs inquiry into the true costs of Australia's energy system also showed that our country once benefited from some of the lowest consumer electricity prices in the whole industrialised world and now has amongst the highest, if not the absolute highest.

The IPA asserts that this is being driven by a misunderstanding of energy system costs, which claims that renewables can replace coal and other forms of energy without increasing costs to the consumer. Its research and analysis has taken into consideration all costs associated with supplying electricity to the consumer, known as a 'total system cost' approach.

The IPA discovered that an electricity system built on the foundation of baseload generation, which provides power around the clock to the grid to meet base energy needs, results in the lowest total system cost. It also found that a system relying on variable renewable energy, such as wind and solar, would be at least twice as expensive as one built on coal and/or nuclear. Further, the IPA contends the federal Labor government's current energy system strategy and 2030 emissions target could quadruple the average wholesale price of electricity compared to a system built on coal.

I note with interest the opinion piece journalist Caleb Bond wrote that was published the day after I delivered my last matter of interest on this same topic, entitled 'How dumb are we to fall for the lie of cheap renewables?' In his article, Mr Bond drew attention to the fact that the state and federal Labor governments continue to ignore warnings from the Australian Energy Market Operator that South Australia, along with Victoria and New South Wales, is at risk of power shortages this summer unless extra generation is brought online as a matter of urgency.

While fossil fuel generators are going offline because of government policy, according to AEMO's annual Electricity Statement of Opportunities there are delays in new power plants coming on board. As Mr Bond outlined, AGL has walked back its plan to turn back on a gas-fired unit at Torrens Island later this year, and Engie has mothballed its diesel-powered generators at Port Lincoln and Millicent almost four years ahead of the original schedule without extra electricity to replace what they would have provided. The Premier is quoted in the article as stating:

The nonsense of the climate wars at a federal level has undermined investment. That in turn is resulting in an energy rich country that exports power to the rest of the world paying a higher domestic power price than the very countries that we are exporting our own energy to—and if that's not the best example of policy failure, then I'm not sure what is.

This is an occasion where I wholeheartedly agree with him. If that is the case, then please do something about it. As Mr Bond aptly points out, the power we are exporting to other nations that is cheaper than our own is, of course, coal and gas. For some reason, our governments are refusing to use more of these forms of energy to reduce power bills for our very own citizens, but are quite happy for those around the world to utilise it, despite the carbon emissions they would be emitting into the same atmosphere. They get the benefits, we wear the cost.

South Australians are experiencing cost-of-living pressures on all fronts, and it is evident that the state and federal Labor governments have a responsibility to review their energy policies to relieve people's cost-of-living burdens and at least provide some relief in this space. If you look at

the total system cost, we are in a situation where we are paying amongst the highest power prices in the world, and it does not need to be the case.

As I said in the introduction of my remarks today, there was a time not that long ago when Australia had amongst the lowest energy prices in the entire industrialised world. The fact that we had such low energy costs was really the basis for our industrial success and for what became known as the lucky country, an expression often used about our great nation.

I fear that, because we have departed from the fundamentals that gave us cheap energy, cheap power and enabled us to build a great industrial base, we have strayed from that and, as a result, I fear that our costs will rise and we will see increasingly more and more businesses going out of business because they simply cannot afford to pay the energy costs provided to them, and it will affect households in a similar negative fashion.

LANGHAM, MR. T.

The Hon. J.E. HANSON (15:51): Today, I rise to speak on the passing of Terry Langham. Terry was a long-time friend of my family; he knew my father and I am privileged to say that I also got to know him well. My father had a saying, which seems apt when it comes to Terry, and that is, 'It's the quiet ones you have to watch.' Terry was quiet. Behind his quite large bushy beard, it was often easy to miss the sparkling intelligence and dry humour of a man who was in so many ways remarkable.

Terry did not have the easiest upbringing—something he did not talk about very much and often kept to himself. Terry was born in New South Wales and for much of his childhood bounced around between foster homes—it was not an easy life. It is probably a time that might have left most of us with a very different mindset and approach to the world, but not Terry. In spite of his upbringing, Terry flourished into an accomplished craft master and signwriter. Many of his artworks still remain on the shopfronts and facades of Bathurst.

At the same time as many were living by the creed of 'greed is good', Terry transcended this and instead quickly came to be a central part of his local craft guilds where he was in New South Wales. As the universe decided to repay his creative interest, while he was there Terry met the love of his life in Sylvia, while also becoming an integral part of the history of creatives in that state.

In an era where people knew the cost of everything, Terry quickly became known as someone who knew the value of everybody. Terry eventually made his way into South Australia and I for one am glad that he did, and that is where many of us came to know him. Terry took work at what was then the Glenelg council. Terry's quiet, helpful and friendly demeanour meant that he made fast friends and quickly become an integral part of the workforce there. As there was not a large call for signwriting at the council, Terry worked as a general hand, but all the while taking his time to invest in defending the rights and safety of his fellow workers in the workplace.

While the times would become dominated by Howard era values of the individual, in what was a defining characteristic Terry fought quietly but with a very firm resolve to further the collective over the individual. Terry joined the Labor Party and was part of the furniture at many of its small and large gatherings alike. Once I remember him somewhat famously remarking that the Labor Treasurer at the time should stop reading his paper and pay attention to the speakers. The Treasurer put down his paper and, job done, Terry went back to being quiet.

It was only a workplace injury that eventually led Terry off the tools and to work with the Australian Workers' Union as an official, a union he eventually rose to be president of, with his name proudly on the plaque to open its headquarters, Jack Wright House in Mawson Lakes. While many workers spend their injury time getting rest, Terry built a back garden in which he could effectively stargaze, staring back at the universe as it watched over him.

It was this approach of taking the longest of views to any situation while having a firm resolve to make sure it could be best enjoyed by all that sums up how I came to know Terry when I joined the union to work alongside him. Terry worked hard during his time at the union but always with an eye to retire early so as to spend time with his true loves of family, craft and nature. Upon retiring at

age 59, Terry did just that. He returned to craft, he toured the world with Sylvia, and he took up with both the Waite Arboretum and the Adelaide Botanic Gardens.

Here, once again, Terry quietly became everyone's friend, integral to the operations and functions but also to the wellbeing of his fellow volunteers, always there to lend a hand or a drill and to share a cup of coffee and a story. I toured the Waite Arboretum with my son and Terry on more than one occasion. Like many lovers of the natural world, my son had come to love the bee hotel that Terry had built there. A picture of it sits next to his bed at home.

When the universe came for Terry, it was all quite sudden. Only days occurred between when he did not feel well and when he left us. But when he did leave, he was surrounded by his family, he was smiling and he was blowing kisses to Sylvia. Quiet he might have been, but Terry is remembered fondly and vividly by all his friends, his fellow volunteers, the Labor Party, his colleagues, his union and his family. His lasting legacy of caring not just for the natural world but also for those in it is one that speaks louder than words ever will. Vale Terry Langham.

RESTAURANT & CATERING AWARDS FOR EXCELLENCE

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:56): It is my pleasure today to rise to speak about Restaurant & Catering Australia's 2024 Hostplus Awards for Excellence for South Australia held on Monday 23 September 2024. I had the privilege to attend the Awards for Excellence on Monday evening, joining the Leader of the Opposition, the Hon. Vincent Tarzia MP, to personally congratulate the award finalists and winners for their achievements, resilience and contributions in the hospitality and dining industry throughout South Australia.

Honourable members may recall that I previously moved a motion in this place to congratulate Restaurant & Catering Australia on celebrating its 100th anniversary in 2022. This peak industry body represents over 57,000 restaurants, cafes and catering businesses across Australia, supporting and advocating on behalf of owners and operators within the hospitality industry. The cafe, restaurant and catering sectors are vitally important to our economy, generating \$45 billion in retail turnover each year and employing 850,000 people.

The Restaurant & Catering Hostplus Awards for Excellence are held across Australia each year to give restaurants, cafes and caterers well-deserved recognition for their hard work, exceptional food and outstanding service in this vibrant industry. It is a prestigious awards program that celebrates small and family business operators in metropolitan and regional centres. South Australia is widely renowned for having the best food and wine offerings in the country, and our hospitality sector is a key driver of our tourism industry and visitor economy.

As shadow minister for tourism, I am always looking for opportunities to shine a spotlight on the finest and coolest places to wine and dine in our state, and I was incredibly proud to present the award for Best Restaurant in a Winery. Huge congratulations to this year's winner, Clover + Stone Restaurant at Howard Vineyard in Nairne, for winning the Best Restaurant in a Winery award. Congratulations to all deserving winners, and a special mention to Mayura Station's The Tasting Room in Millicent and to the Watervale Hotel, who were inducted into the esteemed South Australia Hall of Fame. Special congratulations also to Mariners Ristorante for winning three awards on the night, including the top gong, Restaurant of the Year award.

I would like to take this opportunity to commend and thank the Restaurant and Catering South Australia team for all their efforts in hosting a wonderful awards gala. I want to convey my appreciation to Suresh Manickam, the chief executive officer; and Greg Hobby and Christine Reid of the Restaurant and Catering Council for their strong leadership and magnificent work in supporting this dynamic industry. The awards for excellence were well supported by Hostplus and other sponsors. The Hon. Vincent Tarzia's speech highlighted the contributions of all involved in the industry in shaping the unique culinary identity that our state is so well known for.

While recognising these incredible achievements for the industry, it is also important to acknowledge the dire situation facing our hospitality industry, which many operators are telling me is harder than the COVID period. We have seen dozens of beloved South Australian hospitality businesses and venues close over the last 12 months, with a new article almost every week signalling the end of another hospitality institution.

Operators are facing a cost-of-living crisis that is forcing consumers to tighten their belt, coupled with skyrocketing business costs that are chipping away at already very tight profit margins. Since Labor was elected in 2022, businesses have battled significant increases in power prices, the burden of red tape and rising costs of doing business. In particular, payroll tax is crippling hospitality businesses, punishing those who are trying to grow their business and taking on more staff.

Sam Worrall-Thompson, Director of EMBR Hospitality, highlighted the detrimental impact of payroll tax on his business. He told CityMag earlier this year that they are paying around \$100,000 in payroll tax alone and called on the government to reduce payroll tax to support hospitality businesses facing an absolute bloodbath. The Liberal opposition is also calling on the government to change the payroll tax threshold so that we can step up and support our dedicated industries to grow and prosper.

Bills

STATUTES AMENDMENT (GAMBLING - OPENING HOURS AND SIGNAGE) BILL

Second Reading

The Hon. C. BONAROS (16:02): I move:

That this bill be now read a second time.

This is the second of three bills that I will be introducing or have introduced today all relating to gambling. This particular bill follows on from the one that I introduced earlier today in relation to poker machines specifically. You have probably heard the saying, 'Nothing good ever happens after midnight,' but in this case we are being generous and saying 2am.

The bill seeks to ensure poker machines in this jurisdiction are turned off between the hours of 2am and 8am. It is a modest move but an important one, especially when you consider the harm gambling causes, particularly in those late night and early morning hours when people are most vulnerable. The current requirement that exists in our laws is for venues to close their poker machine rooms for at least six hours a day.

These closures can be split into two or three periods, meaning in theory someone could still play 24 hours a day by hopping from one venue to another, and we know that is quite prevalent amongst problem gamblers. We also know that problem gamblers overwhelmingly contribute the majority of poker machine revenue both for venues and in terms of government revenue. We also know that venues manipulate that six-hour break to the quiet periods that they are likely to have, so in effect somebody does not really feel like they are missing out on much.

I have certainly spoken to problem gamblers over the years who have told me how they simply wait for that venue to reopen its doors so they can go in and continue to gamble, effectively picking up where they left off on the same machine they were playing in the hope of winning back all the money that they poured into it before being forced to leave for that break that is required in terms of closure.

If you are asking why someone needs to be playing poker machines at 3am or 5am I think you already know the answer; there is no good reason. The Alliance for Gambling Reform advocates for machine shutdowns from midnight to 10am and, frankly, that is a position I support. However, I am also a realist and, if we cannot get there immediately, I suggest that let us at least move towards more sensible restrictions.

At the moment, when one door closes another can open. The venue-hopping loophole undermines the spirit of the existing six-hour closure rule, and it is high time we closed it. We should not kid ourselves: there is clear data backing this up. In 2022 the Australian Institute of Family Studies conducted a national gambling trend study, published just last year. What did that tell us? It told us that people most at risk of gambling harm are those who gamble between midnight and 8am. While the busiest times are typically in the evening, it is those late night and early morning sessions that catch the most vulnerable.

Over half of regular poker machine gamblers gamble at least once a week, and many for more than an hour each time. Alarming, 6.3 per cent of participants in that study reported gambling for more than 24 hours straight. That is extraordinary, but it is even more extraordinary that we allow

that to happen in this jurisdiction, knowing what we know about poker machines. That is not entertainment, that is addiction.

Most of these individuals are gambling alone, they are using cash. They are making it easy to hide from loved ones. This is not a social event, it is a solitary spiral. If we are serious about tackling problem gambling in South Australia—and that is what we hear; there is not a lot of meat behind that claim when it comes to either side of this chamber—if we are serious about doing something, this is one of the small measures we need to look at very seriously to add protections for people who are unable to protect themselves against those vulnerabilities. It is that simple.

The bill also seeks to prohibit certain types of gambling-related signage, specifically anything designed to lure people into venues. We all know the signs—VIP Lounge, neon lights, for example—subtly or not so subtly enticing people in. Removing those signs is another step in the right direction, and I note that in many European countries those signs are not allowed. It certainly makes those venues much less enticing for somebody wandering by. We should not be encouraging people to walk into these traps.

I am sure that when the government and the opposition are considering this their number one concern will not be in terms of community safety—if that were the case we would have already implemented these measures. The statistics alone in terms of losses in this jurisdiction show clearly that that is not our primary focus. The fact that the government of the day collects close to a billion dollars from poker machines in pubs and clubs, not including the Casino, shows that we have been half-hearted and disingenuous in our attempts to deal with the scourge of poker machines.

The government, addicted to revenue, might not be thrilled with these proposals but, just as I asked in the previous debate and as I will ask in the next debate, we really need to be asking ourselves at what cost are we going to continue to allow this industry to operate in the way it does.

There have been reports just recently—and there is a report will I refer to in my next speech from the Grattan institute just recently—that talk about the lax regulatory approach we have taken here in Australia generally to the issue of gambling overall. We know that per capita, as I said previously, we spend more on gambling in Australia than anywhere else in the world. We know that for every person, including children, there is about \$1,550 lost on poker machines, on gambling, and those figures are ever increasing.

Successive South Australian governments have continued to prioritise revenue over the wellbeing of our community. I will have more to say about this in the next bill that I seek to move, but I will continue to engage in open discussions with stakeholders, including the AHA, as we move forward with these reform proposals because I actually think there is room for common ground here, and I am hopeful we can land somewhere sensible.

I am on the record very clearly in terms of my position in relation to the poker machine lobby in this country, and the influence that they have over politics and the inappropriateness of that, and the money that they donate to political parties and therefore our reluctance to curtail the products that they provide at such huge cost to the community.

That to me is unacceptable because ultimately whatever we are receiving in revenue from poker machines pales into insignificance compared to the actual costs to the community long term. We know that. We have a longstanding position in relation to poker machines and this bill is part of that ongoing commitment to reducing harm. It is not just about protecting problem gamblers; it is about protecting their families, their futures and their livelihoods. I remind all honourable members just how rampant an issue this is throughout our community.

I also remind honourable members that in the time since we have introduced poker machines into this jurisdiction, those losses have increased from something like \$185 million, I think, in the first year of operating in this state to—and I do not want to misquote the figures, Mr Acting President, so if you will just bear with me for a tick. While I am looking for that, we know that those figures have increased extraordinarily, and members might be familiar with a recent article that was in the press on this very issue that highlighted the significance of these machines operating in the way that we allow them to operate today.

But, as I said previously, right now as it stands, despite the fact that governments and lobby groups have argued that there has not been a real increase in poker machine losses, or that there was an expectation that after COVID we would not see figures increase, the exact opposite has indeed occurred. I think at last count those figures were sitting at about just shy of \$1 billion that the government was raking into its government coffers.

I think it is also important to note that with that revenue comes a great deal of responsibility on the part of the government and, indeed, the providers of those machines, and it irks me to know that less than 1 per cent of what we collect via government and venues in terms of revenue actually goes towards the Gamblers Rehabilitation Fund.

If you consider almost \$1 billion, between the casino, the venues and the government, the proportion of spend that goes towards rehabilitative services is less than 1 per cent of the total revenue source. I think that speaks volumes about how little we have treated the impacts of poker machines. Again, as I said in my previous contribution, we are talking about machines that absolutely wreak havoc on communities: suicide, poverty, family violence, domestic violence, crime—all these factors are intrinsically linked, inevitably, with gambling addiction, yet we do nothing meaningful to address them.

In fact, the only major reform this place has made in recent years was a backwards step. When we, under the former government with the support of this government, introduced note acceptors into this jurisdiction we effectively undid the number one harm minimisation measure that we had in the jurisdiction. We have seen how much that has cost us now. You do not need to take my word for it. The figures speak for themselves in terms of those losses.

For the benefit of members, I have split these bills into separate bills, and whilst I would love the idea of discussing with government and the opposition all of the proposals together, I do not want the government to be put off one because they are all packaged together. So what I am asking of members of this place is to consider each one individually on its merits.

I did have those figures that I quoted, and I will end with this: on the anniversary of poker machines in this jurisdiction when we did an assessment in my office of those losses we had \$185.4 million in the first year. Those cumulative losses have now reached \$19.7 billion, of which the government has gained \$7.8 billion in taxes and venues have reaped \$11.9 billion. It is laughable when the government or industry says they put money back into providing appropriate services. Most of that money that I have just referred to comes off the back of not entertainment but problem gambling and gambling addiction.

So I urge honourable members to approach this bill and, indeed, the other two bills that I am introducing today with a very open mind with a view to making a genuine dent in the harm that is caused by problem gambling and poker machines particularly.

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

GAMBLING ADMINISTRATION (LIMITATION ON ADVERTISING) AMENDMENT BILL

Second Reading

The Hon. C. BONAROS (16:18): I move:

That this bill be now read a second time.

This is the third of the bills that I have referred to that I will be moving in relation to gambling. This one deals specifically with gambling advertisements. It seeks to restrict gambling advertisements on radio and television during times when children are most likely to be watching, between 6am and 8.30am and again from 4pm to 7.30pm.

The current parameters are found in the gambling code of practice rather than in legislation, and gambling advertising in this jurisdiction is not permitted to be broadcast on radio between 6am and 8.30am and for radio and TV between 4pm and 7.30pm on any day of the week. It is a small but vital step in protecting our kids from being bombarded by gambling ads and lured into lifelong bad habits.

I will say that I acknowledge that gambling is legal. Like many things, some people can do it responsibly, but when it becomes as ever-present a temptation, especially for young people, as it has become today, the risks are simply too great for us to continue to ignore.

The reality is that gambling ads are everywhere. We all know that—on our screens, on social media, on apps. They come with dangerous promises of easy money, mate bets and winning streaks. I do not buy into the claims that have been made recently, and historically, by television networks that gambling advertising is a necessary lifeline, and I will touch on that a little later. I do reflect on the fact that just recently Bill Shorten again remarked on ABC's Q&A that commercial television networks might be in diabolical trouble without ad revenue from gambling operators.

In the last financial year alone, betting companies spent a staggering \$238 million on advertising across TV, radio and online, \$162 million of that just on television. That is a significant spend, but we have to ask ourselves who is really paying the price for this. It is certainly not the networks. They seem to be doing very well off the back of those advertisements. It is the people who are losing their savings, their homes and in the worst cases, of course, their lives.

When we prioritise advertising revenues over the wellbeing of our children, we are choosing the wrong side. The complaints from the TV stations about losing ads absolutely pale in comparison to the human cost of problem gambling. As the saying goes, 'You win some, you lose more.' It is the next generation of punters that we should be worried about the most.

This bill is one way to start taking real action to prevent gambling from becoming a lifelong addiction for young South Australians. Make no mistake, every product our children access online now in one way or another is geared towards normalising gambling behaviour. It is built into the games they play, the apps they use and the videos they see, and it is all designed to normalise gambling behaviour. None of that happens by coincidence or chance. It is designed to have that impact on them.

Some might say this is an overreaction, but let's not make this more dramatic than it is. The Melbourne Cup will still be televised every November. *The Front Bar* can air after 8.30 and spruik Mick's Multi. Dedicated racing channels like racing.com and Sky Racing can continue to operate via the existing exemptions. This is about finding a balance and ensuring that children are not bombarded with gambling messages during their formative years.

Finally, it is encouraging to see this conversation once again happening at a federal level, but at the same time it is very disappointing. The 'You win some, you lose more' report has recommended a phased approach to a total ban on gambling advertising, and this has become the topic now of much discussion around the nation, particularly federally. I will get into that in a moment, but I want to remind members that we do not need to sit back and wait for what the other jurisdictions or the federal government do, because we have already gone, and we can again go, above and beyond what other jurisdictions have been doing in the absence of a nationally consistent approach.

The bill, as I said, is also in line with the most recent findings and recommendations of the Grattan Institute's report, 'A better bet: how Australia should prevent gambling harm', which cites our nation's lax approach to regulatory gambling in effectively letting the gambling industry run wild. That report also recommended a blanket ban on gambling advertising within three years, because we know that despite the backtracking—and that is precisely what we have now—of the Albanese government at the behest of the gambling lobby and media companies partial bans are not effective.

Any discussion around partial bans now is a huge disappointment, and that is reflected by the fact that so many voices have joined the chorus of opponents to what is currently being played out at the national level. There is clear evidence. You only need to look at the success of the tobacco advertising ban to appreciate how effective a complete ban can be.

There is clear evidence that shows that bans on tobacco advertising were responsible for decreases in smoking rates, especially amongst young people, when they were implemented wholly. If you want to make a dent you cannot have bans that are subject to this and subject to that. You cannot have partial bans if you are genuine about the outcome that you want.

We also need to get real about the influence the gambling lobby has in this country. How is it that 80 per cent of Australians do support gambling ads being banned, and yet we refuse to budge?

How much do those same media companies, who are again lobbying against the bans, reap from gambling operators in advertisement fees? I have already pointed to those figures.

It is really important to note that this is not a new issue by any stretch. The debate taking place today at the federal level, which is connected to this bill here, is a repeat of what occurred when the coalition government and the Labor opposition killed off Nick Xenophon's bill in the Senate in 2017, following a previous parliamentary inquiry. The arguments being levelled by the federal government, by the gambling proponents are exactly the same today as they were in 2017.

They say we cannot ban ads altogether because free-to-air TV—and Bill Shorten is on the record as saying this—is in such financial crisis that their existence relies on some level of gambling ads. That argument has not changed in those years between 2017 and now. You have to ask: what have we done to address the problem in the meantime? The reality is that we have done nothing; we have done absolutely nothing to address the issue, but the issue has become so much worse.

We are, as a nation, so addicted to the political influence—and make no mistake we are talking about the single biggest donor in terms of political donations in the nation and the most influential lobby that we have in this country—and as my predecessor said for years on end when he was in politics, what we have in Australia when it comes to the gambling lobby is absolutely akin to the gun lobby in America. This is the sort of political influence that lobby has over our politics. It is not just the gambling lobby, media companies are equally concerned because they stand to profit from gambling ads in the millions, and their competition at the moment has never been more stiff with the explosion of online platforms that they have to compete with.

The financial crisis woes are absolute rubbish, with respect. That is the line the parties have hidden behind now for years, and that is the line they are trying to hide behind now. If I can speak from some firsthand experience, if you need convincing of the sort of influence these lobbies can have over our politics then you need only look at the last election in 2018, when the former head of the AHA in answer to the question, 'Why do you donate?' said, 'They ask for it. If they stop asking we will stop giving.'

The first thing the Liberals did when they won that election, as I have said previously, was to reward the AHA with poker machine reforms that removed note acceptors in this state. A bill was introduced at the time that the former AHA president claimed as his own. If you imagine that sort of political influence now magnified at a federal level, where our gambling addiction is costing Australians over \$25 billion a year, you cannot buy this argument that free-to-air or regional media organisations are not going to be able to afford to sustain themselves because they rely on that sort of advertising or, indeed, that the gambling lobby is going to be disadvantaged.

Last year, with the former gambling commissioner in South Australia asking for a review of our codes of practice around gambling ads, we saw the exact recommendations and findings being made by him as I am seeking in this bill. That is the good news. In South Australia our restrictions, in terms of gambling advertisements, go beyond any other jurisdiction because our codes allow us to do that and we had the foresight to do that during those viewing hours that most impact kids.

What this bill I am seeking to introduce today does is simply extend that further by having the same sorts of bans in the morning and the same sorts of bans in the afternoon, during the time when children are most likely to be viewing. We can do that whilst the feds keep killing each other over what they are going to do around gambling ads.

When the former commissioner—and this is important for members to know—looked at this issue in 2023, in effect what happened was there was backlash from the media organisations and the gambling lobby that this would put South Australia at a competitive disadvantage to other states and would adversely impact revenue for government, media and gambling operators. The revenue was the main reason why the commissioner did not press ahead with the proposal to implement those extra two timeslots.

If the government puts aside its concerns about revenue impacts for government for just a moment, then we have the opportunity in this bill to go back to what Mr Soulio, the former commissioner, asked for and recommended at the time and implement further blackouts here in South Australia. Ultimately, the reason he did not press ahead with it was those concerns. But in the

face of what is happening nationally in terms of that nationally consistent approach and the resistance to a complete ban now, what I am saying to members is: let's go it alone. Let's introduce those two extra timeslots. Let's lead the nation and let the others catch up. We do not have to wait for the others. We have already gone above and beyond what every other jurisdiction does.

There is a growing call nationally. The AMA is the most recent peak body to join in the group of peak bodies and stakeholders and, indeed, federal members of parliament who are urging the national government to do the right thing, but we do not need to wait for that. This is very much an issue that ought to be addressed nationally, I agree, but we have done it before and we can do it again. We are already ahead of every other jurisdiction and can absolutely lead the way even further. This bill will enable us to do just that without interfering with that national agenda.

I cannot stress that or emphasise that enough. Revenue might be enticing, competition might be stiff, but, like I asked with my previous bill, the question has to be asked: at what cost to the community? There has to be a better reason. When 80 per cent of Australians are telling me they do not want this sort of advertising, that speaks volumes about what we all think about it, and I think it speaks volumes about the resistance from the feds. We need to rise above that. We have the ability to rise above that, and this bill would ensure that we do indeed rise above that and lead the nation when it comes to gambling advertising bans.

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

Motions

WHISTLEBLOWER PROTECTION

Adjourned debate on motion of Hon. F. Pangallo:

That this council—

1. Recognises the crucial role whistleblowers play in identifying and calling out misconduct and breaches of the law;
2. Acknowledges whistleblowers can find themselves in difficult and stressful circumstances which have the potential to damage their reputations, risk their careers and impact their personal health and safety;
3. Commends whistleblowers who report potential misconduct or breaches of the law;
4. Notes more needs to be done to protect whistleblowers when they do come forward and report misconduct or breaches of the law which harm consumers and the community; and
5. Calls on the state government to strengthen legislation that facilitates and protects whistleblowers and the appropriate disclosure of public interest information to further protect whistleblowers.

(Continued from 11 September 2024.)

The Hon. F. PANGALLO (16:33): During my speech on 11 September, I tabled two emails written by the Secretary of the Police Association of South Australia, Ms Bernadette Zimmermann, who was complaining about the abhorrent culture and intolerable behaviours towards herself and other staff by senior office staff, including her own brother, the then president, Mark Carroll.

One was addressed to Mr Carroll, pleading with him to stop his abuse towards her, which had caused her distress and health issues. The other contained serious allegations of bullying against her, which she said she had never endured anything like before. It was sent to then members of the committee of management in January 2021, among them the current deputy president, Daryl Mundy.

These were quite compelling documents and I have no reason not to believe the contents and Ms Zimmermann's concerns. The gravity of these allegations, which I had raised and which have been backed up by other female former employees, has led to SAPOL now commencing an internal investigation into the conduct of some of the police officers who sit on the committee of management, and industrial staff of the association.

This appalling behaviour was exclusively carried out by men, directed at women in that office. It would never be tolerated in any other workplace, especially in one with serving police officers running the show. I want to clarify here that I did not obtain those emails from Ms Zimmermann. They

were provided to me by another female party who also raised the alarm with me about the dangerous and unsafe workplace that existed there and in SAPOL. That submission contains harrowing accounts of abuse, and it has taken a terrible toll on that person. Like Ms Zimmermann, she was pleading for support and for someone to listen and do something about it.

So even the former president's distraught sister, who was still a police officer, tried to blow the whistle on them, but where did it get her? And of what Mr Mundy, the current deputy president who continues his assault on the failed presidential candidate Darren Cornell and also myself through correspondence to members of the association? He has been aware of the problems inside PASA for more than three years, but what did he do about them? Nothing, of course. It has been conveniently covered up and today, as right-hand man to President Wade Burns, who made admissions of sexual misconduct against a civilian SAPOL staff member—an accused sex predator—Mr Mundy blatantly ignores that most egregious conduct and continues to defend Mr Burns, while attacking and being party to expelling others who have challenged them. It is a shameful protection racket.

It is clear through Ms Zimmermann's emails that Mr Mundy was informed of the problems in PASA as far back as 2021 when staff there were complaining about the situation, and by not acting or voicing his concerns to the management he has been complicit in allowing it to continue unchallenged. His position today is untenable, and he should resign immediately.

Mr Burns would have been aware that there were culture issues when he became deputy president under Mr Carroll, because he would have been privy to the Fair Work Commission's complaints by former employees and was present at directions hearings in February this year. Certainly members and delegates at next month's conference, where the Premier and the opposition leader are due to address them, should not only demand the resignation of Mr Burns but also Mr Mundy, who continues to spread untruths in his letter to delegates on 16 September, clearly not written by him but by lawyers on his behalf. I seek leave to table the document forwarded to members of the Police Association.

Leave granted.

The Hon. F. PANGALLO: He attacks Mr Cornell who, incidentally, was cleared of any wrongdoing by SAPOL's Ethical and Professional Standards Branch. Would Mr Mundy, still a serving police officer, stand up to such scrutiny from the Ethical and Professional Standards Branch? He attacks me and Mr Cornell for bringing discredit to the organisation on Channel 9's *A Current Affair*, turning it all into a debate about the PCDA—not about the conduct of his president, which he conveniently sidesteps, not the appalling toxic culture that exists within PASA, which has been confirmed by several whistleblowers who have worked there and had to leave because of it. He continues to state that Mr Cornell colluded with me and was aligned to me because of that program.

For Mr Mundy's benefit, I will say it again: when I raised those concerns about Mr Burns in this place, I had never met nor spoken to Mr Cornell. I did meet and talk with him and other PASA members following those revelations. The information about Mr Burns and that notorious incident at the Distill nightclub—which was witnessed by many, including commissioned police officers—had been passed on to me while I was still working as a journalist with Channel 7's *Today Tonight* program and before I had entered parliament.

I know several other journalists who knew about it, too. As I said, it was SAPOL's worst kept secret. Mr Mundy is quite delusional in thinking that PASA union delegates and its members do not care or will not question what has been going on under a veil of secrecy. Here is another letter I received from another former PASA employee, who did not have an axe to grind. The author has asked not to disclose their name. It is dated 1 September 2024:

Dear Mr Pangallo

I write to you to express my concerns around the lack of protections and voice for whistleblowers about matters involving people in positions of power in Adelaide, in this example involving the Police Association of South Australia (PASA). After I send this email to you, I feel it is safer for me to just walk away as it appears some people who hold or formerly held positions of power and influence choose to crush those speaking up against them with threats of legal action and ensuring information does not come to light.

Here is my story.

I commenced my employment at the Police Association of South Australia (PASA) in August 2021. As Executive Secretary, I provided support to the Secretary, former President Mark Carroll on occasion, and the industrial team, comprising of sworn police officers and one female civilian. Part of my role was to take the minutes for the committee of management, the Police Club (SA Branch), the Police Federation of Australia (SA Branch), ad hoc delegates' meetings, the annual conference, and staff meetings, so I was privy to the internal workings and discussions of all those meetings. I dealt with confidential information daily as I also provided support with member referrals to solicitors and their recommendations regarding grievance, workers compensation, legal, disciplinary and criminal matters and supported the construction of the monthly legal report for the committee of management.

At the start of my employment, I felt proud to be a small part of a powerful trade union providing much deserved assistance and support to South Australian police officers who put their lives on the line for our community every single day. I was employed for 20-plus years in my previous position and fully intended to work for PASA until retirement.

I was given warnings early on from other female PASA staff members that a toxic culture existed within PASA and I had walked into (pardon the French) a [s-storm] that had apparently been going on since 2019 due to the inappropriate behaviour of specific senior male staff members. I chose to reserve judgement and make my own mind up rather than listen to idle gossip from people I did not know.

I gave specific senior male staff members the benefit of the doubt far longer than I should have as I like to believe and focus on the best in people, even if I witness some negative behaviour. I did not want to believe it, but unfortunately the warnings I had initially been given were accurate. I found it incredibly difficult to truly absorb certain behaviours I had witnessed given I was working for a police trade union that existed to protect and provide services to its members and to protect employed staff.

I witnessed a complete dichotomy in the treatment of police officer members, committee of management members and PASA staff, particularly by former President Mark Carroll and Assistant Secretary Steve Whetton. Those that were favoured by the former President and Assistant Secretary and others were treated with kindness and empathy. However, those that were not favoured due to some simple things like personality clashes, people who challenged the views and/or decisions of the former President and Assistant Secretary to those who were deemed too emotional were treated completely differently and with disdain.

I frequently witnessed the former President and Assistant Secretary speak about police officer members experiencing mental and psychological health issues in highly derogatory terms and refusing to take phone calls from distressed members that were not favoured by them. I also witnessed and experienced PASA staff being treated with disrespect, spoken about in derogatory terms and being strategically bullied by the former President and Assistant Secretary. The mental and physical health of PASA staff was significantly impacted and I have watched many staff members, including myself, accrue new medical conditions due to the stress associated with working in that toxic culture of PASA.

The Police Association was, and unfortunately still is, an unsafe workplace for female staff. The toxic culture was led by former President Carroll, fuelled further by the Assistant Secretary, including disrespectful, offensive, belittling and derogatory language, strategic intimidation and bullying. While spearheaded by the President, other senior male figures also engaged in these behaviours by encouraging, condoning, participating in or ignoring inappropriate behaviour towards female staff and unfavoured police officer members.

I got along with all the male staff members at PASA, some genuinely, however, with others, once I realised their toxicity, I had to get along with them out of necessity to survive in that environment. The culture at PASA was one of intimidation and fear. Without a Human Resources department, the only avenue for complaints was via the former President. That is still the case today. If your complaint related to the former President himself, or a male staff member favoured by him, raising any concerns would have resulted in lining yourself up for direct criticism and strategic bullying by the former President. Female PASA staff were too frightened to speak up.

I had hoped that when newly elected President Wade Burns took office that things would turn around regarding the toxic culture within PASA, however, it appears this unfortunately is not the case. There are still female staff employed by PASA that remain at significant risk and further questions need to be asked in that regard (e.g., have there been any more female staff resignations? Have any female staff made a formal report to an internal or external agency regarding the continuing toxic culture?)

All staff have the right to work in a safe workplace, however, this was not the case when I was employed, and from all accounts this has not changed. PASA staff cannot assist in the provision of the best support and services to South Australian police officers while being subjected to such an unsafe workplace.

I always got along with Wade Burns; however, it is such a disappointment to me that he spearheaded the campaign to expel police officer members who challenged PASA and/or him directly. PASA is a member funded organisation that exists to support and provide services to members. In my view, it is simply unjust and plain wrong that members can be expelled from membership due to challenging the leadership of the association. Members have a right to express their views about how PASA is being run. Those expelled members who put their lives on the line every day for the South Australian community will now not have access to PASA life insurance and legal support. This is a complete injustice.

Please let me take some time to provide you with some background and more detailed information about the culture at PASA.

At the 2019 Global Alliance Conference on Post-Traumatic Stress a video presentation was shown about 'Taking care of police mental health in Australia' presented by Mark Carroll, the President of the Police Association of South Australia and then President of the Police Federation of Australia (PFA). The President was introduced as being passionately committed to education, awareness and the eradication of stigma that led to the development and implementation of a compelling mental health program for police officers and their families. During the presentation, the President made the following important statements:

"The job of keeping our community safe can carry very significant psychological costs for the people involved and their families. Among those costs are mental ill-health, psychological injuries and, in the worst cases, suicide."

There needs to be "the eradication of stigma...(and)...knowledge that there is help and that it does work" and "An understanding that the sooner you put your hand up for help...the sooner you'll get better."

"The Police Federation of Australia understood that the best intention efforts of police departments and departmental psychologists weren't improving matters. In some instances departmental and/or bureaucratic interventions made things worse. It is not our intention to diminish these important efforts, but the PFA is able to tell it like it really is. We are not restrained by bureaucracies and department speak."

Families need to "...be able to recognise the early signs and symptoms, because what we do know for sure is this. The sooner an emerging mental health problem for psychological injury is recognised the sooner professional help is sought, the sooner that a police officer gets better and gets back to work, and the less damage is done to the family."

"We have to eradicate stigma. There is no shame in a knee injury chasing a bad guy at night. Equally, there is no shame in psychological injury."

"We have to understand it's not a case of one size fits all. Two cops can attend the same event: one might get a psychological injury and one might not. If you do suffer a stress reaction it's very natural. It doesn't mean you're soft, it just means you're human."

"All Australians huddle under the umbrella and safety and protection held aloft by our police men and police women. That safety and protection comes at a cost, and all of us who are not police officers have an obligation to look fairly and squarely at those costs, understand them, and to ensure our elected representatives and the managers and bureaucrats that implement policy do the right thing all the time and every time."

"I did a radio interview the other day and made the point that realigning mental health, psychological injuries and workplace health and safety in Australia's police forces will not happen overnight. It took Australia over 40-years to turn itself into a country in which most of us don't smoke, and that took a major cultural shift. It's the same for mental health."

That is the end of the quote from that video. The author then goes on to say:

I wholeheartedly agree with all those statements made by former President Carroll, and I'm certain that South Australian police officers and the community would also agree. The quotes above represent the support and services that should be provided to all South Australian police officers by PASA. That is a representation of the PASA that members want and deserve.

The former President contributed greatly to industrial matters involving policing in South Australia and to the welfare of PASA members over the years. That is clear, and I commend him for those achievements. However, sadly, from what I witnessed the former President had long since lost his passion for the job and respect for PASA members and its staff with the exclusion of those that fell within his favour.

I do try and believe there is good in everyone, however I strongly believe that the former President Carroll, in particular, and Assistant Secretary Whetton's inappropriate behaviour has been allowed to continue unchecked due to a lack of external oversight over former President Carroll's behaviour.

Treatment of PASA Members

During my employment at PASA I frequently witnessed the former president and assistant secretary speak about unfavoured members behind closed doors using disrespectful, offensive, belittling and derogatory language. Examples included:

- a) Hearing the former President and current Assistant Secretary referring to unfavoured members as"
 - "broken biscuits" and "[f-ing] crying psychos" if they were experiencing mental health problems, psychological issues and/or PTSD;
 - "maggots" and "[f-tards]";

- "weak" and "soft" for contacting PASA in an emotionally distressed state due to psychological issues stating "if they can't hack the job they shouldn't be in the job".
- b) Hearing the former President frequently comment that he "hates police" and that "they are all idiots and wankers".
- c) One would naturally assume that information relating to member's matters would be kept confidential and only shared with those who needed to know for the provision of support and services to that member. Unfortunately, that is not the case at PASA, as any information shared with the former President, Assistant Secretary, the MLO (sworn) or In-House Counsel Craig Stevens was not kept confidential. If members shared information with one of them, the information was shared between all of them, and laughed at despite any assurances of confidentiality.
- d) Hearing the Assistant Secretary comment that a particular member of the Committee of Management 'should not be allowed to travel to interstate conferences as she is on workers compensation.'
- e) In addition, to the daily derogatory language about members the Assistant Secretary frequently refused to take calls from any members who were emotionally upset, unless they were someone he favoured. If you were a member favoured by the Assistant Secretary, the support and service provided was completely different. The frequent response to a request for the Assistant Secretary to speak to an emotionally distressed member was 'I am not going to speak to that [f-ing] crying psycho'. That language is still used by Assistant Secretary Whetton today.
- f) On one occasion, I overheard a staff member's telephone request for him to contact a distressed member urgently. The response received was the Assistant Secretary would not be taking any calls, especially not from distressed members, as the President, the Member Liaison Officer (sworn) were on their second bottle of red at the Strathmore Hotel.
- g) The Assistant Secretary regularly refused to take calls from members he viewed as troublemakers as they disagreed with views and/or decisions made by the former President and Assistant Secretary (e.g., Joe McDonald, Kerry Rouse, Pauline Porter, Tammy Lauren, Briony Shedag, Darren Cornell and Mitch Manning).
- h) Being present during a PASA staff meeting in 2022 during which the President made jokes about suicide.

When I worked for PASA, members who were not favoured by the former President and Assistant Secretary, were treated with contempt or at the very least a lack of compassion. For Police officer members experiencing mental health and psychological issues, it was not the case that 'the sooner you put your hand up the better' as the former President stated in the 2019 video mentioned earlier. Police officer members should be able to know that without a doubt, if they call PASA for any reason, but particularly when they are in distress, they will be provided with assistance and compassion, even if they are not favoured by male sworn industrial team members. Unfortunately, this is not the case.

I have heard [a current PASA employee] spend hours speaking on the phone with emotionally distressed and sometimes suicidal members, trying to do everything she could to help them keep their head above water. If a call from a highly distressed member is turned away, like calls have been by Assistant Secretary Whetton, it could be the moment that tips a suicidal member over a ledge they cannot return from.

Committee of Management

Committee of Management members who challenge the views and/or decisions of the former President were mistreated. I was an Executive Officer for ethics committees since 2011 and witnessed more robust discussions with swearing than I can count. However, I have never observed such unprofessional behaviour during meetings as displayed by the former President. Swearing, although not ideal, is one thing, however, aggressive, belittling, belligerent and deliberately intimidating behaviour directed towards another person is another and should not be acceptable in the workplace of any civilised country.

Then:

I am aware that the committee were not given a copy of the submissions that I...

I will move to this section:

Toxicity and deliberate failure to engage

I worked closely with the former President's second Executive Secretary. Although they initially got on well, the toxicity of the former President's behaviour became clear very quickly, and she resigned. Out of fear the staff member did not feel able to be truthful about the reasons she chose to leave. Out of spite and for laughs the former President then deliberately chose not to engage or speak a word to his own Executive Secretary for the last two weeks of her employment, apparently laughing about it behind closed doors. He would also not allow her to attend a staff meeting, advising me that she had resigned and was no longer welcome.

Verbal abusive language

The morning after the former President's second Executive Secretary resigned I made the mistake of saying to him, while in his office dropping off files, that her resignation was a bit of a surprise (even though it wasn't), but I did

agree with some of the processes requiring improvement I knew she had discussed with him. The President snapped back at me in an instant and yelled in a very aggressive manner that 'anyone else who wants to leave can just off off as well'. I felt shocked and emotionally distressed by his behaviour. I remember thinking to myself, how can the President and CEO of the Police Association, a trade union for police, behave in such an appalling manner and disrespectful manner. The President did not appear to even recognise how inappropriate his behaviour was, and no apology was forthcoming.

Unjustified contempt for Secretary

I witnessed many instances of unjustified aggression towards the Secretary by the former President. On the morning of the 7 September 2023 PASA Committee of Management meeting, I overheard the President storm up to the Secretary aggressively and irately demanding to know why she had placed a particular legal matter on the committee agenda for decision rather than the Legal Sub-Committee. The President was irate, aggressive and rude and accused the Secretary of sending the matter to the full committee due to her own self-interest. This was an unprovoked, completely unjustified verbal attack. I knew it was unjustified as the President himself had asked me to include it on the agenda for the full committee. I would like to say that this kind of behaviour from the former President towards the Secretary was infrequent, however, sadly that was not the case. The former President's verbal and email attacks of the Secretary were frequent and strategic, designed to appear 'reasonable' to those favoured by the former President and those who did not fully understand the politics in play at PASA. The former President's third Executive Secretary even witnessed In-House Counsel Stevens unjustifiably verbally attacking the Secretary in the PASA kitchen.

It should be noted that In-House Counsel Stevens also tried to 'convince me' that the Secretary had bullied me during a routine Legal Sub-Committee meeting. I was blown away at the audacity of In-House Council Stevens even suggesting such a thing which could not have been further from the truth.

Hand on heart, I can say with one hundred percent honesty I have never witnessed the Secretary treat any staff member with disrespect and in fact can state that the Secretary was the only staff member that tried to stand up for admin staff at PASA. The Secretary has always treated me with the utmost respect and professionalism and did everything she could to support and provide good service to members. It was clear to admin staff though that the President held an unwavering contempt for the Secretary no matter what she did, that appeared to have arisen before my time from her flagging an issue with a contract of a PASA staff member, who is the wife of his best friend.

Committee of Management members who were favoured by the former President and Assistant Secretary were given royal treatment and treated with kindness and compassion; however, this is the complete opposite to how members and unfavoured female staff were treated. From what [I] witnessed, those within the favour of the former President and Assistant Secretary, find it very hard to 'believe' that those same people could treat others with such contempt...but they do.

Let me explain how PASA staff were impacted by the toxic culture at PASA.

During my employment at PASA I witnessed the former President and Assistant Secretary speak frequently about PASA staff using disrespectful, offensive, belittling, and derogatory language. Examples include:

a) Derogatory References about Females

- Referring to female administration staff as 'the old fat and uglies'
- Referring to a female staff member, who has provided over 20-years continuous service to PASA and its members as a 'psycho' behind her back for choosing to actively seek appropriate assistance for depression.
- Having knowledge that the former President had been heard saying that 'you can do anything you want to a woman, as long as you give her flowers afterwards' and about a woman that had been raped that 'clearly, he didn't buy her flowers afterwards'.
- The former President, Assistant Secretary and Member Liaison Officer (sworn) presented me with flowers and a card on my last day in the office thanking me for my contribution to PASA. It was widely known that the former President believed administration staff are below him, so although I accepted the flowers, I accepted them knowing they were disingenuous, given more to ensure my silence about inappropriate behaviour witnessed during my employment.
- Having knowledge that as a black humour 'joke' the former President [that is Mr Carroll] and Assistant Secretary [Mr Whetton] re-enacted the alleged rape of Brittany Higgins in the kitchen at PASA in front of a female staff member.

b) Lack of Care about Staff Safety

Being present during a meeting where the lack of a duress alarm for staff within the new 'state of the art' refurbished at Carrington Street PASA premises, where the former President joked and laughed "ah well, if staff get murdered, they get murdered, I will take the fall for it".

c) Deliberate Failure to Engage

Having knowledge that the former President ignored his first Executive Secretary for several months without explanation or apparent reason, resulting in emotional distress and physical health issues for that staff member.

d) Toxicity & Deliberate Failure to Engage

I worked closely with the former President's second Executive Secretary. Although they initially got on well, the toxicity of the former President's behaviour became clear very quickly and she resigned. Out of fear, the staff member did not feel able to be truthful about the reasons she chose to leave. Out of spite and for laughs, the former President then deliberately chose not to engage or speak a word to his own Executive Secretary for the last 2-weeks of her employment; apparently laughing about it behind closed doors. He would also not allow her to attend a staff meeting advising me that she had resigned and was no longer welcome.

Then:

g) Inequitable use of PASA Vehicles

[A staff member] was not provided with a work vehicle as part of her employment contract. Although I am uncertain as to why during my employment at PASA it was clear that the President also held contempt for [this person]. For that reason, the President prohibited [her] from borrowing the work vehicles of the Assistant Secretary or MLO Heffernan (sworn) to attend interviews to support members, even though she had been allowed to for years prior to that point. In contrast, an admin staff member being shown favouritism by the former President after an emotional breakdown at work in May 2023, was given permission to use the Assistant Secretary's work vehicle to drive to IKEA to purchase one 'go box' to trial for the office. This is merely one example of the inequities that the former President allowed and encouraged in the workplace. I have it on good authority that this inequity continues at PASA today.

h) Punishment for Seeking Assistance from Committee of Management

[A staff member] submitted a request to the former President to work from home one day a week on medical grounds and provided supporting documentation from her specialist. This request was denied outright by the former President, so [she] then submitted a request to the Committee of Management, and it was approved outright.

On Thursday 21 October 2021, [this staff member] worked from home as approved. That morning, I overheard the former President tell the receptionist to advise admin staff via email that ALL incoming calls were to be forwarded to [her] for the rest of the day. Assistant Secretary Whetton and MLO (sworn) Heffernan were standing behind the former President, and I could hear them snickering in the background as the former President provided instructions to the receptionist. The three of them then left the office to have their daily extended coffee break (up to an hour).

It was standard practice at PASA that calls from members were shared equally...to ensure equitable workload distribution within the industrial team. On the day I speak of [this staff member] was forced to manage ALL calls received for the entire day, even though both the Assistant Secretary and MLO (sworn) were at work and able to take calls. There were, of course, times when member's calls would fall to one industrial team member (e.g., if two were attending member interviews, PDT—

that is the Police Disciplinary Tribunal—

or the SAET), however, when workload is shifted to one industrial team member out of vindictiveness, it is not appropriate and a clear manoeuvre of strategic bullying.

At the next weekly industrial Caucus meeting, [the staff member] queried the former President why the receptionist was told to advise staff to direct all calls to her that day. The former President responded abruptly and loudly with anger, muttering that the receptionist must have misheard, and he would never have advised the receptionist to do such a thing; but of course, he did. It appeared from my perspective that the President had advised the receptionist all calls should be allocated to [the staff member] as a form of punishment for going above his head to get the work from home arrangements approved by the Committee of Management.

i) Double Standards

In the spirit of inclusivity the former President's third Executive Secretary (on to his 4th or 5th now) suggested all PASA staff be invited to a Christmas lunch off site. The former President scoffed loudly at this suggestion and advised this would not be allowed. On 23 December 2022, the former President, Assistant Secretary and MLO (sworn) then proceeded to go on a 4-hour celebratory Christmas lunch while all female staff had to remain at the office and take a standard 30-minute lunch break. While a more minor example, it is just one of the many frequent double standards that were championed by the president.

j) Minimisation of Female Staff PIDs

Staff were asked to update their Position Information Documents (PIDs). While the former President made it appear that the Secretary and MLO (civilian) were given the opportunity to update their PIDs they were not as they were edited and/or changes were overridden to suit the preferences of the former President, Assistant Secretary and In-House Counsel Craig Stevens.

Once staff had updated their PIDs, the In-House Counsel then removed the detail he deemed appropriate from the PIDs of female staff (admin and industrial staff) stating that PIDs were intended to just be a broad summary of duties. That would have been fine, except for the fact I noted at the Committee of Management meeting the PIDs and duties for male members of staff were greatly expanded upon, in contrast to the PIDs and duties for female staff which had been minimised.

MLO...(civilian) PID was minimised, in comparison to MLO Heffernan's (sworn) PID, even though they undertook the same work. In addition, the PID of the MLO (sworn) position stated that he provided regular 'reports' to the Committee of Management, which was not true.

The Secretary's PID was also significantly minimised, with many of the Secretary's duties being included in Assistant Secretary PID without discussion or justification. When the Secretary challenged the minimisation of the duties in the PID, updated by the President and In-House Counsel Stevens, I clearly remember her being met with a tirade of insults and aggression from the former President, while those favoured by the former President remained silent. The [civilian MLO and] Secretary were out of favour with the President, and minimisation of PIDs was a clear consequence and punishment of the former President's contempt for them both.

k) Occupational Health & Safety

In...September of 2023, I assisted the Police Association to transition document filing from hard copy to primarily electronic. Due to the sheer volume of grievance, workers compensation, discipline and criminal matters the Secretary dealt daily, the Secretary decided that new matters would be electronic but hard copy files be used for existing matters until finalised.

After the refurbishment of the Carrington Street PASA building, PASA staff returned to Carrington Street to work. However, it became apparent that the low style of shelving was an occupational health and safety issue for admin staff, particularly those with spinal injuries. The former President implemented a 'clean desk' policy to keep the newly refurbished office looking modern and uncluttered. I understood that part, however, I did not understand how the former President could prohibit the placement of files on top of shelves below waist height, after staff highlighted the occupational health and safety issue to him. The former President's desire for a 'clean desk policy' appeared to trump the health and wellbeing of staff with spinal injuries.

l) Removal of Avenue for 'Anonymous' Complaints

The former President allowed staff to have an anonymous 'suggestion box' in the main office following receipt from staff. Whenever suggestions were made the former President did not like it, male members of staff would question female staff (with the exclusion of the Secretary) after the meeting to ascertain who made the suggestion. If a suggestion was submitted and in handwriting, the handwriting was compared to the handwriting of female staff. This was incredibly intimidating as it made female staff feel they would be targeted if they submitted a suggestion the former President did not approve of.

After several suggestions had been made that the former President did not like (i.e., including holding an anonymous staff culture survey) the former President advised staff at the 2 February 2023 meeting the suggestion box would no longer be available and that any staff suggestions are welcome, but must be communicated directly to the former President. He said, "my door is always open".

Female staff did not feel the former President was approachable as he may blow up if he did not like a suggestion and did not feel he would take issues/concerns discussed seriously or protect staff members' confidentiality. Anything discussed with the President was always shared with the Assistant Secretary, MLO sworn and In-House Counsel, despite any assurances of confidentiality the former President made, and was likely to be joked about in the lunchroom.

Female staff walked on eggshells around the former President due to his unpredictable and vindictive nature. He was known for blowing up in anger and/or being dismissive and rude, without seeming to be aware of the impact he was having on staff and their stress levels. As stated by one admin staff member, you have to know when to "duck and cover" if you work around former President Carroll.

Consequently, the removal of the suggestion box meant that admin staff no longer had an avenue to make suggestions and/or comments regarding the workplace.

m) Staff Culture Survey

The former President organised for a PASA Staff Culture Survey to be designed by Square Holes after two suggestions had been received for a staff survey to be run by the Employee Assistance Program (EAP) in the staff suggestion box before its removal. After the former President ignored the first suggestion for a survey, he relented after the second suggestion was made. However, he made it clear to staff how annoyed he was that the suggestion had even been made. After the second suggestion had been made, male members of staff questioned female staff to try and identify who submitted the suggestion.

The former President has a long-standing relationship with Square Holes, which is why I presume the suggestion was made for the survey to be designed and run by the Employee Assistant Program (EAP). The former President ignored that request. No admin or female staff member believed that a survey designed by Square Holes

would be anonymous, and that all responses would be included due to the former President's expected manipulation of results.

The President verbally advised staff that the survey would be 100% voluntary, anonymous and confidential. The online survey was emailed to staff on 22 December 2022. Despite assurances of anonymity, identifying screening questions were included (e.g., How long have you worked at PASA? etc) and although staff were not advised of this, all surveys were linked to each person's supervisor and questions were provided to each staff member in a different order. A staff member and I discovered this while completing the survey at the same time over the phone. This was far from an anonymous and confidential survey, and we all knew it.

According to verbal advice, the survey was also 'voluntary' however, the former President asked and reminded female staff to complete the survey on several occasions. Some admin staff were even sent email reminders to complete the survey by the former President, which demonstrated that he already knew the identity of staff who had not yet completed the survey.

All admin and female staff members (excluding the Marketing Consultant who is the wife of the former President's best friend) felt (1) pressured to complete the survey; (2) and pressured to respond in a way the former President would approve of (i.e., in a way that reflected positively and glorified him); and not tell the truth about the toxic culture of PASA due to fear of repercussions from the former President.

I am aware that two female staff members did include negative commentary about the former President and the toxic culture of PASA, and I commend them for doing so. However, when survey results were presented by the former President, predictably those comments had been excluded as the staff who completed those surveys apparently 'failed' the screening questions. No survey intended to be anonymous, and to collect the true views of staff, should ever contain screening questions in the first place.

If one were to review the NHMRC's National Statement on Ethical Conduct in Human Research (updated 2023), ('National Statement') it would be very clear that it is not possible to guarantee anonymity or confidentiality for surveys conducted with a small population pool (i.e. in this case 14 staff members). In addition, where a survey is undertaken by an employer/manager where a significant power differential exists (i.e. President versus admin staff), there is innate pressure for staff to participate and respond only in ways that will be approved by the President due to staff fears of repercussions. Conducting a survey under these conditions is deemed not to be ethical by the National Statement (refer to chapter 4.3 and paragraphs 2.2.9, 3.1.17, 3.1.20 and 3.1.27). While I appreciate the staff survey was not conducted for research purposes, the guidelines on which the National Statement are based have been designed for the protection of participants (i.e., PASA staff in this case) which can also be used as guidance for employers to undertake staff surveys in an ethical manner. In no uncertain terms, the PASA survey was not undertaken in an ethical manner, with the protection of PASA staff in mind. Survey results reported were basically propaganda manipulated by the former President with the intention of convincing the committee of management and delegates that PASA is a safe and healthy workplace. Unfortunately, the opposite was true, and former President Carroll was spearheading a toxic workplace culture designed to protect his own reputation.

n) Mandatory Audio Recorded Interviews without Informed Consent

On Wednesday 14 June 2023 at the PASA temporary office at 420 King William Street, one admin staff member experienced an emotional breakdown due to long-term excessive workload. As a close friend of this staff member at the time, I felt emotionally distressed about her emotional breakdown and felt concerned for her welfare as did all other admin staff.

Later that morning, the admin staff who had been present during the staff member's breakdown were told to go to a room to speak with the former President behind closed doors, one-by-one, about what had happened. When it was my turn I entered the room, feeling quite nervous as I found most conversations with the former President stressful due to never knowing how he would react. When I entered the room, I realised In-House Counsel Craig Stevens was also present which I had no forewarning of. No explanation was provided as to why he was also present that I can recall. I felt incredibly uncomfortable and stressed from the start, given how unpredictable the President could be and given the clear power differential between the President, In-House Counsel versus myself.

My recollection is that the former President proceeded to advise that they were interviewing staff with regard to the staff members "episode" (as he referred to it as) as he expected it to result in lodgement of a workers compensation claim against PASA. I got the impression the purpose of the interviews was to protect PASA and the former President rather than protecting the welfare of the staff member, and other staff members who felt distressed from what they witnessed and their own long-term high workload.

To my shock, I was then advised the interview would be audio recorded on the former President's mobile phone. I did not feel that I had any choice, and I was not provided with information about what would be done with this audio recording, nor was there a formal informed consent process in place to protect staff.

From that point onwards, my emotional distress levels increased, and I felt like I was being interrogated, like I had done something wrong, rather than a 'discussion' or 'interview'. I don't think it is even legal to audio record an interview/interrogation with a convicted criminal by Police officers without the provision of a clear and informed consent process, yet here we were, PASA admin staff being subjected to such treatment.

During the interview/interrogation I explained why I thought my colleague experienced an emotional breakdown, which was due to the weight of long-term excessive workload. The former President then asked, why if that was the case, had I, or other admin staff, not taken over the duties of the staff member who broke down prior to this point. At that point I could not contain my emotion and broke down also, as I was also dealing with long-term high workload myself with no capacity to take on any additional work. The former President then became defensive in my view, rather than show any compassion for my situation. I was the Executive Secretary, primarily for the Secretary, whom he had nothing but contempt, and in my view, most of the time it appeared the former President allowed that contempt to flow on to me without justification.

After I emotionally broke down, In-House Counsel Stevens interjected to say that they 'strongly encourage me to make an appointment with the EAP Access Program to get the medical attention I need.' That was completely insulting and offensive, as 'counselling' was not what was needed here. The long-term workload of the admin staff was too high, especially after a former admin staff member had moved interstate and not been replaced. The Secretary was aware of the high workload of admin staff, but her ability to enact change for admin staff had been blocked on numerous occasions by the former President, yet he continued to unjustifiably blame the Secretary.

At completion of each of our interviews, the former President asked each of us to also email him a written account of what had happened without any explanation of why that was required. No admin staff member provided this information to the former President.

After my emotional breakdown during my interview/interrogation, there was no follow-up from the President to check if I was okay, or if I wanted to talk further about my high workload. I did not feel that the former President showed any regard for my health and wellbeing, or any of the other admin staff members who were also distressed, as would be reasonably expected from an employer.

Following the interviews, all admin staff who had been involved were significantly emotionally distressed and all contacted members of their family or friends for support and advised the Secretary about what had occurred as she had not been present at the time. In her duty of care as Secretary, she informed the Committee of Management of the events that occurred via an email on 15 June 2023. It is my understanding that the former President then emailed the committee with advice that the Secretary was overreacting and to ignore the Secretary's email. The Secretary was not overreacting. The Secretary was reacting in a reasonable and appropriate manner given the information provided to her and the significant emotional distress experienced by admin staff.

o) EAP Access Program Presentation

In the week or so after the staff members emotional breakdown, the former President and Assistant Secretary organised for an EAP Access Program to be presented to staff. We were advised that attendance was 'voluntary'. It was organised on a day that two of the four admin staff members had a routinely scheduled day off, including the former President's own Executive Secretary.

While we had been informed that attendance was voluntary, the former President personally asked each of us whether we were going. In addition, when one staff member responded 'no' she would not be going, the former President asked for an explanation as to why she would not be attending. Completely inappropriate. Except for the staff member who had the emotional breakdown in the office leading to the interviews, all admin staff felt the purpose of the EAP access program presentations were more about protecting the organisation and the former President rather than genuine care about the welfare of the staff. This was the opinion held by admin staff due to the way the former President had mishandled the interviews and due to his mishandling of the PASA culture survey.

I chose not to attend the presentation. I found out later that the EAP access program presentation was about emotional resilience in the workplace, which is frankly insulting as none of us would have lasted that long at PASA without resilience. A second EAP access program presentation was organised for Friday 14 July 2023. The former President again informed us that attendance was voluntary. However, despite that an email was sent to staff by the Assistant Secretary that strangely stated that emails would be saved. This gave admin staff the impression that Assistant Secretary Whetton would be keeping a record of staff who attended and those who did not. The reminder email was also sent again by the former President, which resulted in staff feeling further pressure to attend.

This was a toxic and unsafe workplace spearheaded by former President Carroll. I had gone from being proud to feeling ashamed to be part of a police union led by a President who spoke in such a derogatory manner about police officer members and association staff. What happened next was a series of events which have led me to the despondent mindset that I now find myself in with regards to this matter.

Staff complaint to Committee of Management

In July 2023, with no HR department a significant proportion of female PASA staff spoke to some trusted Committee of Management members to flag our concerns and distress about the unsafe workplace. A representative anonymous complaint was submitted to the committee in August 2023 for action, submitted anonymously initially due to fears of repercussions from the former President. Staff had hoped the committee would act swiftly to assist staff; however, it soon became clear that would not be the case. There was no help coming.

An independent investigation would be commenced; however, it would be a very lengthy process, much like the special investigation undertaken involving allegations brought against the former President. In addition, the staff impacted had no faith an investigation would result in any protection for staff, as a significant proportion of committee

members were blindly obedient to the former President due to favouritism, only voting in favour of matters he approved of.

The staff impacted felt incredibly let down and unprotected by Deputy President Wade Burns and Vice President Daryl Mundy. I felt I had a good working relationship with both the Deputy President and Vice President; however, neither of them ever asked me directly what was really going on at PASA.

Admin Staff Resignations

Impacted staff did not feel protections were in place for them or protections that would act swiftly enough and for that reason three female staff members, including myself, resigned from PASA within quick succession to escape the unsafe and toxic workplace. We felt there was no other choice, as if we submitted a complaint to SafeWork SA or the Fair Work Commission while still employed by PASA the repercussions from the former President behind closed doors would be unbearable.

The former President's third Executive Secretary tendered her resignation in August 2023 whilst on annual leave, effective early September 2023. I resigned in September 2023 and another female staff member resigned a month or so later. The former President would like others to believe that the three staff members who resigned colluded into resigning at similar times, but this was not the case. We were all just reacting to the last straw of the former President's inappropriate behaviour when we were interviewed/interrogated, and audio recorded without formal informed consent. It was not financially viable for any of us to resign without having obtained other employment first, and none of us could have planned when a job application would be successful. We were all just fortunate enough to obtain other employment around the same time. There was never any 'collusion', we just turned to each other for emotional support as we had all experienced the same thing, and we could not speak about internal PASA matters to anyone else.

The former President would also like people to believe that I left purely for financial reasons. This is not true. Yes, I am a single struggling homeowner, but I stayed as long as I did out of loyalty to PASA and its members. If I had wanted to leave for financial reasons, I would have left a long time before I did. About a week after I submitted my resignation, the Media Officer initiated a discussion with me, during which he asked if I would stay working for PASA if they matched the salary of my new job offer. I declined this offer, as I was leaving purely to escape the toxic culture and unsafe workplace. I could not communicate that to the Media Officer, as I was aware he was close to the President and did not feel safe in doing so. I did not feel safe advising any male staff members, or male Committee of Management members who were favoured by the former President, the real reason I was leaving. It was simply not safe to do so.

Fair Work Commission Applications

After the three of us resigned, we felt relieved to have escaped the toxic culture of PASA, but also felt it was not right that we felt no choice but to resign before we could try to get assistance from the Fair Work Commission. Submission of an application to SafeWork SA or the Fair Work Commission prior to resigning would have placed laser focussed targets on each of our foreheads by the former President and the Assistant Secretary. We could not take that risk, and we each submitted applications to the Fair Work Commission independently after we had resigned. This was the only way we thought we would have any protection, because the Committee of Management had let us down in a big way.

A solicitor with knowledge of policing and industrial matters had been recommended to me by one kind Committee of Management member, so I just ran with that not knowing what else to do. The other staff members who resigned ended up using the same solicitor. The fact that the solicitor we all used was the same one used in the matter of former PASA Deputy President, Samantha Strange against former President Carroll, is neither here nor there, despite what the former President would have members believe. Our complaints against the former President and Assistant Secretary in particular were separate and completely unrelated.

I prepared an application to submit to the Fair Work Commission, however, in the lead up to submission, my fear of repercussions from the former President intensified to the point I did not feel I could proceed without some assurance of protection, and I advised my solicitor accordingly. The former President's third Executive Secretary was as fearful as I was and did not want to submit her application without some discussion and assurance of protection.

Meeting with Senior Members of SAPOL

To try and obtain some assurance of protection for us both, our solicitor (Ms Julienne Dewar) organised a meeting with senior management at SAPOL headquarters and invited us both to attend. After consideration, we agreed to listen to what they had to say before making a final decision about our individual submissions to the Fair Work Commission, but I was still feeling apprehensive. I attended in person and the former President's third Executive Secretary attended via telephone. I was advised that former PASA Deputy President Samantha Strange would be in attendance as she also had matters to discuss. I met her for the first time that day. I had never met her previously as Ms Strange had resigned from the PASA Committee of Management prior to my time at PASA.

The people who attended the SAPOL meeting, in addition to Ms Dewar, Ms Strange and me (with the President's 3rd Executive Secretary on the phone), were Assistant Commissioner Simon Watkins, Detective Superintendent Rob Papworth (Head, Ethics and Professional Standards Branch), Mr Peter Shanahan, Legal Counsel for Commissioner Grant Stevens (via telephone) and a senior solicitor for SAPOL. Detailed discussions were held for

about an hour and sufficient assurances were provided by SAPOL to enable the former President's third Executive Secretary and I to move forward and individually submit applications to the Fair Work Commission regarding conditions at PASA. Approximately one month later, a third admin staff member submitted her resignation to PASA for the same reasons that we did and chose to submit an Fair Work Commission application also.

FWC Application—Former President's Executive Secretary No. 3.

The former President's third Executive Secretary submitted her application to the Fair Work Commission before I did and consequently hearings were organised for her matter first. What happened next utterly astounded both of us. The former President organised for seven (yes, seven) solicitors, including King's Counsel solicitors, to represent PASA in person at a Fair Work Commission hearing, against the third Executive Secretary's one solicitor. Presumably the seven solicitors were paid for using PASA member funds without their knowledge.

It is my understanding that the former President and current President have not been transparent with members about how much of members money was spent on defending three Fair Work Commission applications from former PASA staff acting as whistleblowers on the toxic culture of PASA spearheaded by the former President. To my knowledge, costs have only been provided to members up until August 2023, before the Fair Work Commission applications were even lodged. Don't members have a right to know what their money is being spent on...and how much of it is being spent?

The former President also outright refused Committee of Management member requests to view the application submitted to the Fair Work Commission by the former President's third Executive Secretary. From what I understand, the former President advised the committee it would not be given access to the statement as it may prejudice them if they were to be called as a witness for the matter. Nonetheless, the Committee of Management were expected to approve funding for the seven solicitors without reasonable justification of why seven were required and without citing any invoices associated on receipt. The ongoing invoices for the seven solicitors were never viewed by the Committee of Management, only the former President, and presumably Deputy President Burns and the Assistant Secretary and In-House Counsel Stevens. Is that how a Committee of Management should run? I can't see how any police officer would think that is okay.

The former President's third Executive Secretary and solicitor were bombarded with letter after letter of significant length (via email), and frequently several a day, from PASA solicitors, not just from Michael Ats of Lieschke & Weatherill. This was incredibly distressing for the third Executive Secretary in the lead up to the first in-person Fair Work Commission hearing for her matter.

During my employment at PASA, I learned quickly that the President's modus operandi was to strategically intimidate others in meetings, whether it be SAPOL senior management, Commissioner Grant Stevens or members, to gain the upper hand and to obtain his desired outcome. It was obvious that former President Carroll's engagement of seven solicitors for the first hearing of this Fair Work Commission matter was purely an intimidation tactic intended to result in the third Executive Secretary withdrawing her application.

From what I understand, the hearing went for several hours, and the third Executive Secretary was so emotionally distressed by the situation and the intimidation tactics that she was visibly shaken and had to keep her eyes closed, so much so that Fair Work Commission Deputy President Anderson (judge of the matter) asked her if she would prefer to leave the room. Former President Carroll got the result he desired as after the hearing the third Executive Secretary's fears of repercussions intensified and the next day, she withdrew her Fair Work Commission application purely due to the intimidation tactics of the seven solicitors in a position of greater power; not because the information provided in her statement was vexatious as former President Carroll would like the Committee of Management to believe. Deputy President Mundy has recently tried to convince members that the Fair Work Commission applications of the three resigned admin staff were withdrawn as the veracity of the applications were tested and they failed. That is not true. Simply put, they were all beaten down by a powerful union with unlimited legal funding to crush anyone who dared speak out against former President Carroll in particular.

The third staff member who resigned and submitted a Fair Work Commission application withdrew her application at this point out of fear of being crushed by the Carroll union machine. I was scared, intimidated and horrified at the lengths the former President would go to, to crush each of us under a never-ending legal battle, but at this point I held on and continued down the path of my Fair Work Commission application, as what I had witnessed at PASA was so wrong.

My Fair Work Commission Application

As with a previous application submitted to the Fair Work Commission by the former President's third Executive Secretary, from my understanding the former President again outright refused Committee of Management member requests to view the application I had submitted to the Fair Work Commission. Committee members were again advised that they would not be given access to my statement as it may prejudice them if they were to be called as a witness for the matter. In addition, the Committee of Management were again expected to approve funding for the multiple solicitors, without explanation as to why and without sighting any invoices associated once received.

Given the distressing number of PASA solicitor emails Ms Dewar and the President's third Executive Secretary were bombarded with during her matter, a decision was made for only Ms Dewar to receive copies of PASA solicitor emails/ letters during my matter (i.e. not me) to minimise any emotional distress for me. Despite that, hearing

about the bombardment of letters from several different solicitors and their contents from my solicitor was highly distressing and intimidating for me.

During this period, I also received a WhatsApp phone call from former President Carroll even though it was inappropriate for him to do so. Although former President Carroll claimed, via affidavit, that he inadvertently called me while looking at messages in WhatsApp; given the length of time the phone rang, and the location of the app call button, I do not believe that to be the case. I did not answer the call. The phone call resulted in me feeling even more intimidated, which I strongly believe was the intention of the call. In December 2023, even though Fair Work Commission Deputy President Anderson placated the former President by including wording to the effect that the phone call was likely not intentional, a Protection Order was still put in place to prevent former President Carroll from contacting me again.

I was contacted by the media and asked whether I would give permission for them to gain access to my Fair Work Commission application documents. As I have never submitted a Fair Work Commission application, I did not want to do the wrong thing, so I called the Fair Work Commission for advice. The written response I received from senior Fair Work Commission was later shared with the former President and his solicitors who were intent on convincing the Fair Work Commission that my application was vexatious, and my contact with the media supported that, even though it was the media that contacted me. The Fair Work Commission Deputy President also sought permission to access my phone call to the Fair Work Commission. I gave permission freely as I had nothing to hide, however, I felt increasingly intimidated by written threats to sue me for costs (of seven solicitors) and completely unprotected as a whistleblower. It was at this point, on the 16th of January 2024, that feelings of intimidation led me to feel that I had no choice but to withdraw my Fair Work Commission application. I felt shocked and so incredibly disappointed that all I had done was tell the truth of what happened at PASA with the former President and Assistant Secretary, yet there did not appear to be any protections in place for me within the Fair Work Commission process as a whistleblower.

I always knew I would need to present my side of things, and the former President would submit his side of things. I recognise and support the need for natural justice for both parties. What I did not expect was the Fair Work Commission to seemingly allow tactics of intimidation to be used by the then President and his seven solicitors (including King's Counsel), without recognition of the significant power differential between then President Carroll, who was not only a Police officer, but a President and CEO of a powerful Police Trade Union, against us, civilians who had very limited funding against a Goliath who would not stop until we were crushed to dust. If any of us had proceeded further telling the truth, we would have been interrogated by King's Counsel solicitors in the witness box, picked apart like 'criminals'. Where is the natural justice for the little guy here, I ask you? The answer is clear—there were no protections or support. The person with the most legal funding and influence in political circles wins, full stop.

We all lost complete faith in the Fair Work Commission process, which we had foolishly believed was there to protect us. We were very wrong.

In regard to my Fair Work Commission application, the former President knew full well I am a single income homeowner with a mortgage, and could not risk losing my house or taking a chance on a process I had lost faith in. If former President Carroll and his solicitors did manage to convince the Fair Work Commission that my application was 'vexatious' and sued me for costs, even though that was not the case, I would have lost my house and he would have lost nothing as members were footing the bill for his costs. Continuing with the process was simply not worth the risk to my house and my emotional and physical health. As mentioned in my statement, I have heard former President Carroll say to someone on the phone regarding litigation that he will make sure those women lose their homes, so I do not feel that I had any option but to withdraw my application. One of the former President's solicitors, HWL Ebsworth Lawyers, threatened to take legal action against me if I share what I know. We should not be forced to be silent when all we have done is tell the truth about the toxic culture that can be corroborated by others.

When I withdrew my application from the Fair Work Commission, I sent an email to the Fair Work Commission, which was also copied to then Deputy President Wade Burns. I explained all the reasons I was withdrawing my application and made a personal request to him to further investigate the allegations of inappropriate behaviour of PASA as there were still female staff members at risk. To my knowledge, the former Deputy President, and now current President Burns has not taken any action to safeguard female staff in situ at PASA.

Select Committee Submissions

Around November 2023 the former President's third Executive Secretary and I became aware that a Select Committee on support and mental health services for police had been convened to ensure appropriate services were being provided to South Australian Police officers. The third Executive Secretary chose to make a submission to the Select Committee in December 2023; however, I did not choose to make a submission until February 2024 due to continuing fear of repercussions from now former President Carroll.

I seek leave to conclude my remarks after the dinner break.

Leave granted; debate adjourned.

Sitting suspended from 17:59 to 19:45.

The Hon. F. PANGALLO: The letter continues:

In my opinion, sworn Police officer staff employed by the Police Association of South Australia, including the President, should be held to an even higher standard than civilian staff, that of course should also act with professionalism. Sadly, the standards of behaviour by the former President and current Assistant Secretary fell and falls well below what anyone would consider appropriate or professional. Unfortunately, the toxic culture spearheaded by the former President appears to have seeped into the bedrock of the Police Association, due to specific staff still employed at PASA. Yes, there is a new President but, as I mentioned, I am bitterly disappointed that the current President has actively driven a campaign to expel unfavoured members who question the leadership of the Police Association.

Also, although I am not aware how the information came to light, if President Burns did in fact sexually assault that female staff member as alleged, which seems to have been confirmed by Commissioner Grant Stevens, then I can't see how it is appropriate for him to be the President and CEO of a Police Trade Union that represents male and female Police Officers. A Police Trade Union that has NO oversight by any governing body in Australia, including the Police Federation of Australia.

All these issues surely must be addressed somehow to eliminate the toxic culture that still exists at PASA before equitable services can be provided to ALL Police officer members, despite whether they are favoured by male PASA industrial staff or not. In addition, mechanisms need to be put in place to protect and safeguard ALL staff, but particularly female staff, from the impacts of the toxic and hostile culture at PASA, as without an HR Department there is no protection. The only protections offered appear to be given to the niece of Assistant Secretary Whetton, and her best friend currently employed at PASA.

I write this letter to you as I can no longer deal with this matter, as it is very clear there are no protections for whistleblowers and the deck is stacked clearly in favour of those with the most power and influence and legal funding. Even at local government level, which I have now lost complete faith in, the truth does not appear to matter. It significantly saddens me to know that we apparently still live in a society which favours the power, money and influence over the truth.

I have nothing to gain personally by writing this letter to you, or from the submission I made to the Select Committee. In fact, I have done so despite very real fears of repercussions for myself. The Police Association exists for the service of its members and is funded by its members. As former President Carroll has said himself, 'the power lies with the membership', however, this power is overridden when the truth of what happens behind closed doors at PASA is actively hidden from the membership.

Thank you for your time.

You can see that that is a pretty harrowing and compelling statement from somebody who has experienced a nightmare situation working at the Police Association. Here is another short letter that was sent to me:

On 21/6/24 at the Police Association of SA retiring members dinner at Adelaide Oval, former President Mark Carroll was heard introducing his then Executive Assistant to a senior and well respected public servant as his, 'Door Bitch'. The EA was shocked as were others. The EA resigned from her position last month citing the workplace culture as the reason for her departure.

This EA was hired along with another EA to replace the previous 3 former female employees who lodged complaints with Fair Work Australia in relation to the workplace being toxic and dysfunction due to the leadership style of former President Mark Carroll and the behaviour of Assistant Secretary Steven Whetton.

It is our understanding that a current EA is absent from the workplace due to submitting a work cover claim in July 2024.

This brings a total of 5 women who have resigned from the Police Association in 2 years with a further 2 who are absent from the workplace due to extended leave or work cover both relating to the toxic workplace culture. Considering there are only 12 individuals employed at the Association, the alarm bells are ringing off the charts but no-one is listening especially current President Wade Burns!!!!

What will it take for female employees to feel safe in this organisation?

I was also sent these bullet points from another PASA whistleblower:

- Mark Carroll
- The former Police Association President Mark Carroll has been described by the majority of female employees as aggressive, irrational, immature, unpredictable, controlling, disrespectful and vindictive. His behaviour particularly since 2019 has been unconscionable.
- His complete lack of leadership, fairness professionalism and respect particularly towards female employees gave male officials within PASA permission to behave in a disrespectful way towards others, particularly women and particularly towards Secretary Bernadette Zimmerman.

- He referred to members of the Committee of Management, female employees and members as '[c's], [d-heads] and moles'.
- 7/6/21
- Mark Carroll was talking about how much he hated Samantha Strange. He referred to her as a fat pig. He then said that he hoped she would hit a tree and die in a car accident.
- 19/8/21
- Mark Carroll described female employees of PASA as, 'old, fat and ugly'.
- Steve Whetton
- Steve Whetton made it very clear to staff that he did not believe in Post Traumatic Stress Disorder. He referred to those members as 'weak'. He had no compassion for them whatsoever. He called them a range of names but in particular, '[f-wits]' and '[f-tards]'. He also used words such as '[d-head]', 'mole' and '[effing] idiot' to describe members.
- 22/5/23
- Steve Whetton and Andrew Heffernan returned from Darren Mead's funeral. They said the venue was at full capacity and that it was full of the usual '[f-tards]'.

You will note that there is a consistency here from all the sources I have referred to in my speech this far. They are not making it up. They are not lying. They are credible and truthful individuals. They have been crying out for help and had nowhere to turn. They remain fearful of PASA's ruthless and expensive legal muscle, paid for not by those whom they have accused but from the fees of unwitting PASA members.

Since my last speech on this issue, the former president has categorically denied all the allegations that have been made against him and has challenged me to repeat them outside this place. He is most welcome to make a citizen's right of reply if he feels aggrieved or wants to challenge and refute the weight of accusations made against him by so many, including his sister. But he would not want to mislead parliament.

I certainly do not want to put PASA members through any more legal expense, as they have already had to cough up over \$1 million so far in actions designed to keep all this out from public view. And it is true to say that they have not been tested in any civil jurisdiction to date, although Mr Mundy said they had been but has since been forced to correct his embarrassing error.

You can understand, from the gut-wrenching testimonies I have read out, why employee whistleblowers have been so reluctant to come forward until now. I have never known anything like this and it has been conveniently hushed up until now. Hopefully, there will be winds of change blowing through that wretched office, and it cannot come soon enough. It is up to the 4,500 members of PASA to exact that change and have a union management that promotes respectful workplace ethics and values, as unions are obliged to do.

There are some who might want to criticise me for what I have outlined here today and two weeks ago, but my intention is to protect the innocent and speak up for the underdogs with no voice and who cower in fear of retribution and losing their jobs. I do so because the truth needs to come out about the rogue behaviour of this union in order that it gets cleaned up for the benefit of its membership base, the reputation of SAPOL, and the ongoing safety of the union's employees. There should be a full, open and independent review of PASA's workplace practices, safety and culture.

Under work health and safety laws, organisations are required to manage the risk of psychosocial hazards in the workplace. A psychosocial hazard is anything that could cause psychological harm—for example, harm someone's mental health. This includes anxiety, depression, PTSD and sleep disorders. Common hazards include job demands, poor support, management, poor organisational justice, violence and aggression, bullying, harassment and conflict or poor workplace relationships and interactions.

From the statements made to me, PASA ticks all these unwanted boxes. I urge union members to come out in force at the next elections and cast a strong vote for change. I urge delegates at next month's conference to demand change.

In the meantime, it is extremely disappointing to know that SafeWork SA is also investigating workplace issues right here at Parliament House. From my perspective, I have never experienced nor witnessed this type of behaviour in the period I have been here. I hope it is addressed and it leads to a better environment for staff. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

Bills

STATUTES AMENDMENT (SEX INDUSTRY—EXIT STRATEGIES AND SPENT CONVICTIONS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 5 June 2024.)

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (19:59): I rise today to speak briefly on this private member's bill and indicate that I will reserve my right on my position until hearing other people's contributions and the deliberations that others have, including possible amendments.

It is no secret how I have voted in the past on matters concerning the rights of sex workers. I fundamentally believe that, like any other worker, a person working in the sex industry should be afforded the right to safe workplaces and should not be exposed to a stigma for their choice of work or treated as a victim who cannot think for themselves and make decisions about their own life.

I have spent many occasions over the years sitting down with representatives of the sex work industry and with sex workers to hear their views on how proposed law reforms such as this might affect their lives. In discussion with these groups and these individuals on this proposed bill, there have been significant concerns raised about the implications of these changes, particularly with regard to the main elements of the bill, the spent convictions regime and the ministerial assistance scheme for exiting the industry.

I wish to briefly relay some of the concerns voiced by representatives of the industry and also some of my own as to the legal and practical impacts, particularly from a government perspective. Firstly, in regard to the proposed spent convictions regime, the bill proposes that a prescribed prostitution offence conviction can be spent if an application is made by the convicted person to a magistrate, who can make an order for that conviction to be spent providing other conditions are met first. A person can only make an application for their eligible conviction to be spent if they can first demonstrate that they have exited the sex industry.

The requirements around proving a person has in fact exited the industry are particularly onerous and a significant departure from current practice within the highly nuanced spent convictions regime. Namely, under this bill a person must demonstrate that they no longer engage in that relevant behaviour and that they have not done so for at least three months before making an application. They must also demonstrate an intention not to commit any of those relevant offences at any time in the future and, somewhat bizarrely, that they have made an application to the minister for assistance to exit the industry, regardless of whether or not they have in fact already left the industry or want to make such an application to the minister.

I wish to note that the involvement of the minister in the first instance in a spent convictions regime is highly unusual and would be a very significant departure from the usual practice within the confines of the highly complex spent convictions regime in this state.

It is unclear why the honourable member has included any involvement of the minister in this proposed expansion of the spent convictions regime. It is also unclear why it has been chosen to be an arbitrary three-month period for the person to demonstrate they have been out of the industry and, similarly, why there is an intentionally drafted ability for SAPOL to prosecute a person for past behaviour if they return to an industry that they otherwise would be protected from if they remain out of the industry. Representatives of the industry are acutely concerned that this would unfairly target certain workers and increase the potential of police surveillance of them.

Regarding the minister's assistance strategy proposed in this bill, industry representatives have also raised concerns about how this might operate and its implications for sex workers. It is seemingly modelled on some elements of what is commonly known as the Nordic model. This scheme poses further concerns in regard to the ministerial involvement in an individual's life circumstances and would greatly depart from the practice of most ministerial responsibility. Further, with no legislated caps on the time or cost allocation to any one individual application, the potential resource implications on any government are extraordinary to the point of being unquantifiable.

Such assistance provided by a minister would likely be subject to judicial review by a court and so the resources dedicated to any applicant may amount to be extraordinary to the point of being, in some cases, possibly ridiculous, even if such assistance is needed or not desired by the applicant. Again, questions need to be raised about how a minister might satisfy themselves that the applicant genuinely wishes to exit the sex industry—another patronising and potentially degrading aspect of the bill to the applicant.

Finally, I wish to point out a concern of mine and industry representatives with the proposed amendment to the meaning of 'procurement for prosecution' in section 25A(2) of the Summary Offences Act 1953, which would delete subsection (a)—that is, 'procures another to become a prostitute'—and replace it with 'causes, assists, facilitates, persuades or encourages'. The concern with this change to the existing criminal offence is that the new words 'cause', 'assist', 'facilitate', 'persuade' or 'encourage' have the potential to capture a broader scope of behaviour than is currently criminalised and may have unintended consequences.

I do not find this bill in its current form to be workable or reflective of what is desired for reform from those who participate in the industry, which is the very community this bill purports to be for. I look forward to hearing contributions of other members and, as I stated at the outset, I will indicate my position on the bill as it progresses, and I indicate that there will be a substantial number of questions about the operation of this bill and its clauses.

The Hon. H.M. GIROLAMO (20:05): I rise today to indicate my full support for this bill. I commend the Hon. Nicola Centofanti for introducing it and for her obvious desire to protect and provide for some of the most vulnerable people in our society. Her hard work and commitment in this area are admirable. I would like to recognise the rigour she has invested in formulating the provisions of this bill. It is clear that she has great thought to the legislative framework that will assist prostituted people to exit the industry.

There are also many courageous women and men who deserve thanks for the creation of this bill, particularly the advocacy of WEEP, with Amanda Brohier and her family and the broader ACL team, but most importantly the brave survivors of the industry who have stepped forward to tell their stories. Thank you to everyone who has contributed: without you, we as members cannot bring forth bills like this.

As I have indicated in my previous speech in this place, I am a strong supporter of the Nordic model of prostitution reforms as a means to reduce the prevalence of prostitution and support for those wishing to exit the industry. Sadly, that bill introduced by the Hon. Nicola Centofanti was not successful, but I am greatly heartened by this bill, which continues in the vein of the previous bill in affirming the rights of the individuals to seek better and safer livelihoods.

In essence, this bill provides benefits to those who have a genuine desire to exit the industry, so in a real sense incentivises their exit. Should they choose to leave the industry they are afforded protection from prosecution and, after a certain passage of time, they will be able to have their prostitution-related convictions spent. It is important to note that under this bill, should a person return to offending, their protection from prosecution ceases to apply; their immunity, so to speak, is lifted.

Most importantly, in my view, the bill provides prostituted people with real practical help should they choose to exit, by offering access to education, vocational training, job placement services, health care and legal support. It fosters long-term self-sufficiency and reduces the likelihood of them returning to prostitution. The assistance contemplated in this bill includes providing the person with information as to what resources and services are available, including non-government services as well as providing direct assistance. Any assistance is likely to involve the collaboration

between the minister, government agencies, non-government organisations and community groups. There is clear evidence that exit strategies help.

A 2010 Swedish study found that a significant portion of those who sought help through government-supported services were able to transition out of prostitution. Similarly, in the Netherlands, data from various NGOs in government reports suggests that exit programs have helped many individuals leave the industry.

The story of Anna (a fake name used for privacy) paints a clear picture of a strong role exit strategies play in helping those who wish to leave the industry. Anna had entered the industry due to financial difficulties and became trapped, struggling with addiction and trauma. It was near impossible for her to leave the industry, but thankfully Anna heard of the Amsterdam Prostitution Information Centre, a government-funded organisation. She reached out to them and they provided her with a range of resources, including counselling, addiction treatment and job training programs. Anna was also helped with accommodation and health care. After several months of support she was able to secure a stable job in a different sector and has today successfully left the industry.

In Canada the end-demand strategy provides for exit support services. Local reports and evaluations of specific programs show positive outcomes, including improved access to health services and employment opportunities. The UK government's prostitution strategy, which funds exit programs, has seen notable success. The Streetwise project in London has provided a combination of support services, and in doing so has helped individuals leave street prostitution.

We cannot underestimate the importance of spending convictions for those who wish to exit. I recently came across the story of Fiona Broadfoot from the UK, who had been groomed into prostitution as a teenager and had accumulated a total of 39 convictions for soliciting and loitering by the time she was just 17 years of age. Despite leaving prostitution, her criminal record continued to severely limit her employment opportunities and perpetuated the stigma associated with her past.

In 2018, Ms Broadfoot, along with two others, won a High Court case where they successfully argued that the disclosure of the convictions for working in the sex trade many years ago was disproportionate and a breach of article 8 of the English Human Rights Act, the right to a private life. Were it not for the decision of the High Court in this case, she would still be in a disadvantaged position.

Here in South Australia we have an opportunity through this bill to provide expungement for past offences through a relatively simple application to a magistrate, at no cost to the applicant. By offering protection from prosecution and expunging prior convictions, this bill removes substantial barriers to a fresh start and alleviates the stigma associated with past involvement. The exit strategies empower people to rebuild their lives in dignity and opportunity.

It is high time we recognise the value and worth of people caught in prostitution and do all we can to assist them if it is their wish to leave. This bill provides an opportunity for South Australia to lead the way in reforming the sex industry. Again, I commend Hon. Nicola Centofanti for its introduction and I look forward to seeing this bill receiving the requisite support in this place.

The Hon. T.A. FRANKS (20:11): I rise to oppose this bill. I imagine that it will come as no surprise that the Greens, who have a policy position, a party position, from our grassroots membership right to every MP, support the decriminalisation of sex work right across this country. Unfortunately, South Australia has some of the most punitive laws and is still the furthest away from decriminalisation of any state or territory in this nation.

This is a bill that purports to be trying to help people. It infantilises people; it treats workers as criminals. I tell you what: rather than spending convictions for people who engage in adult consensual sex, how about we stop convicting them? That would be the progressive way forward.

We have a system that currently sees our SAPOL resources put into entrapment of adult consensual sex workers and their clients—people simply making an honest living, providing a service in exchange for reward as workers. What we should be debating here tonight is ensuring that they have workers' rights, good conditions and that our laws are reflective of decriminalisation—decriminalisation that now exists not only in New South Wales and New Zealand but Queensland,

Victoria, the Northern Territory and so many other jurisdictions that are now far ahead, treating sex workers with the dignity and respect that they deserve.

This parliament could work towards that, but we have found it too hard so far. What I would suggest is this parliament should look at decriminalisation of sex work, as those other jurisdictions have done and in the same way that Queensland did—and my goodness, Queensland is leaps and bounds ahead of us right now—and refer this matter to the South Australian Law Reform Institute. This will allow us to have a proper, informed debate and not these fairytales and fantasies and stories about so-called 'prostituted people'—who, I would note, in that particular story in the contribution by the Hon. Heidi Girolamo, if they were under 17 were actually being trafficked. They were a minor and that was not sex work.

But continually in this debate, proponents purporting to try to help people conflate sex trafficking with sex work. One is consensual and adult, the other is a crime. One deserves real protections, and those real protections come with rights and respect, the ability to unionise, the ability to organise and having their voices heard. With that, I oppose this bill, but should we get to the committee stage, I of course do have amendments.

The Hon. B.R. HOOD (20:15): I rise in support of this bill. From the outset, I want to sincerely thank the Leader of the Opposition in this place, the Hon. Nicola Centofanti, for her extraordinary efforts in bringing two Australian-first pieces of legislation seeking to reform prostitution in South Australia. Nicola, you have done a tremendous job, and as well as Amanda Brohier and her team at WEEP, you deserve praise and recognition for your many months if not years of hard work and advocacy in this space.

After the recent debate and unfortunate defeat by just one vote of the Nordic model bill proposed by the Hon. Nicola Centofanti, we have before us today another proposal that seeks to assist those who are involved in prostitution but have a desire to leave the industry. This bill proposes similar exit strategies to those proposed in the previous iteration on this issue. In brief, this bill provides that the prostituted person who wishes to exit the industry can avail themselves of the following support mechanisms:

- assistance from the minister upon application, who must take all reasonable steps as the minister deems appropriate;
- the prostituted person will be granted immunity and treated as if they had not committed a prostitution-related offence upon leaving the industry; and
- all prostitution-related offences will be spent upon application and after showing that they have been out of the industry for three months.

In essence, this bill provides women with the opportunity to leave a vulnerable and exploitative industry and rebuild their lives. In her second reading explanation, the Hon. Nicola Centofanti noted the great success France has had since the introduction of the equality model of prostitution in that country. The French Ministry of Equality, in April 2023, reported that 1,247 people—almost exclusively women and girls from marginalised groups—accessed state-supported exit initiatives.

Incredibly, 95 per cent of those completing the program successfully and permanently exited prostitution, heralding a transformative and positive outcome for their lives. Financial assistance, legal aid, housing and access to education and job training have enabled many French women to transition to new and fulfilling careers.

The practical support that this bill before us provides is essential for women to successfully transition to new livelihoods. The bill removes the stigma associated with prostitution, enabling them to better access employment and social opportunities. I reiterate my support. I thank the Hon. Nicola Centofanti for her exit strategies and spent convictions amendment bill and wholeheartedly commend it to the chamber.

The Hon. R.A. SIMMS (20:17): I rise to speak against the Statutes Amendment (Sex Industry—Exit Strategies and Spent Convictions) Bill. In so doing, I draw on the longstanding policy of the Greens. We have always supported the decriminalisation of sex work. Indeed, on a personal

level, I have always supported the decriminalisation of sex work, and I think it is high time South Australia joined other states in legislating in that regard.

I think it is relevant to this debate to look at the views of people who work in this industry, so I do want to take a few minutes to read the statement that has been provided to me by SIN, the Sex Industry Network. SIN is a peer-based organisation funded by SA Health to promote the health, rights and wellbeing of SA sex workers. Reading from their correspondence:

We are a member-based organisation and are best placed to deliver broad and consultative feedback on legislation affecting sex workers.

In June of 2024, the Honorable Nicola Centofanti, MLC, introduced a Bill to amend the Spent Convictions Act 2009 and the Summary Offences Act 1953. The Bill seeks to do the following—

- Expunge certain sex work/sex industry related convictions under strict parameters.
- Apply for Ministerial assistance to leave the sex industry.
- Change the definition of sex work in current legislation.

While SIN, and the broader sex worker rights movement, support spent convictions and expedited assistance for sex workers, we have grave concerns regarding the following—

and I will read out some of their concerns for the benefit of *Hansard*—

- The parameters for accessing the spent convictions and amendments.

In [the Hon. Nicola] Centofanti's bill an individual must 'demonstrate' they have been out of the sex industry for a minimum of 3 months; they must also 'demonstrate' an intention not to engage in sex work in the future. It is not clear how or what demonstration may involve. The inclusion of these caveats is stigmatising and discriminatory. The bill is effectively saying that the only cohort able to access spent convictions amendments are those who have renounced the sex industry and positioned themselves as victims. These amendments DO NOT recognise sex work as work and do not acknowledge the value inherent in spent convictions for sex workers broadly.

- The parameters for accessing Ministerial assistance.

The bill requires the minister to be 'reasonably satisfied' that the applicant 'genuinely' wishes to leave the sex industry. Leaving the sex industry involves demonstrating an intention not to engage in sex work in the future. The nature of this demonstration is not clear, nor are the government's financial and administrative responsibilities and parameters regarding assistance.

- The barriers existing criminalisation laws cause.

Under the current criminalised framework, many sex workers have no appetite to engage formal government support. The Ministerial assistance program proposed by [the Hon. Nicola] Centofanti's bill will require disclosure of sex worker status to a government body. This, coupled with a requirement to demonstrate a genuine desire to leave the sex industry, will cause many past and present sex workers to reject the strategy outright.

Finally, the correspondence notes:

- The title of the Bill and the language in the Bill.

Language is powerful. Using the word 'Exit' is stigmatizing and derogatory. This is targeted language that we don't use for any other industry. We recommend removing any mention of exiting the sex industry and using alternative language instead.

I am inclined to agree that a lot of the language in this debate features quite paternalistic and patronising assumptions about people who work in sex work and assumptions about their life conditions and their personal circumstances. It continues:

SIN recommends opposing the Bill in its current form.

And I support their recommendation.

The Hon. D.G.E. HOOD (20:21): I rise to speak in strong support of this bill, which seeks to implement comprehensive exit strategies for those in South Australia who are engaged in selling sex and seeking to leave the sex industry whilst receiving immunity from existing criminal penalties.

It is indeed the first bill of its kind to be introduced in Australia, as I understand it, and I commend the Hon. Nicola Centofanti for her initiative in pursuing these legislative reforms in our

parliament. This bill, of course, follows the honourable member's efforts to introduce the Nordic model in our jurisdiction, which, again, was the first attempt to do so in our nation, as I understand it. As members would recall, that bill was defeated by just one vote in May this year, which indicates there are aspects of that particular framework that warrant further consideration by this parliament.

An essential component of the Hon. Nicola Centofanti's Summary Offences (Prostitution Law Reform) Amendment Bill was the provision of a well-resourced network of support and exiting services for victims of sexual exploitation, most of whom, of course, are women. I will use the term 'women' in this speech to refer to all those who are involved in the sex industry because they are predominantly women.

As I mentioned in my second reading contribution to that bill, there are unfortunately far too many accounts of women who have been lured into selling sex at a young age, having been recruited either by force, fraud or coercion in some cases, or because of the need to simply survive financially.

In instances where women attempt to leave the sex industry, some are forced to return for a variety of reasons, including a lack of alternative employment opportunities. An increasing number of countries throughout the world with varying approaches to managing the sale of sex are recognising the vital need for government assistance for those leaving the sex industry and are taking action accordingly. So there is precedence for introducing similar measures here in South Australia, as we are debating tonight.

It is important to note that one of the most extensive research papers on the sex industry to date—with some 854 participants residing in nine different countries, so quite a varied sample—found that 89 per cent of people wanted to escape the sex industry but lacked suitable options and alternatives to do so. That is nine out of 10, roughly, which is obviously a very substantial number and, I believe, somewhat compelling when it comes to validating the need for our state parliament to develop exit strategies for people who find themselves in that exact situation here in South Australia.

Even those who are adamant that there are those working in the sex industry who willingly entered and remain in the industry willingly would have to admit that there would be a vast number who have not entered willingly and are not staying in the industry willingly, and they deserve our attention and assistance accordingly, as this bill purports to do.

It would be a travesty not to provide every assistance and opportunity for those who are in the sex industry against their will—against their will, and of course, as I said, that study indicated something like 89 per cent were, in that study at least, in the industry against their will. It would be a travesty not to assist them to leave the industry and move on to other pursuits according to their own will.

This bill, therefore, rightly provides for a person who provides sex in exchange for payment to apply to the minister without charge for assistance to exit the sex industry. On receipt of this application the minister must, if satisfied that the applicant genuinely wishes to exit the industry, cause such assistance as the minister thinks appropriate to be offered to the applicant to facilitate this successfully. The type of assistance may include, but is certainly not limited to:

- the provision of information about government and other resources available to the applicant;
- the provision of education and training services;
- assistance in finding accommodation;
- assistance in finding employment; and
- assistance in accessing services such as those provided by health and legal practitioners.

This is reflective of what many countries throughout the world are already providing to those in their own jurisdictions who wish to exit the sex industry.

One of the most significant aspects of exit strategies is the provision of safe and stable housing, which, of course, is a problem for so many in our society at the moment. Some women who

sell sexual services are either homeless or living in precarious situations which may force them to remain in the cycle of exploitation—and, as previously stated in the study I mentioned, some 89 per cent would exit, in that study at least, if they felt they could reasonably exit.

Education and vocational training is also often essential, as many would find themselves without the skills and qualifications necessary to secure stable employment should they exit the industry. Programs that provide job training and education give these women the tools to pursue new careers, empowering them to achieve financial independence, which not only helps them leave the sex industry but also breaks the cycle of poverty that can sometimes drive it.

Mental health support is, of course, equally essential. People selling sex can suffer from trauma for all sorts of reasons, including from childhood abuse, potentially; exploitation whilst they are in the industry, possibly; or even just the societal stigma of the job that they do. Exit strategies that incorporate counselling and mental health services give women the opportunity to heal and recover and they are entitled to that, in my view.

Furthermore, legal support is crucial for those seeking to exit the industry as well. Assisting in navigating legal systems, which can be entirely complex to someone who is not familiar with them, ensures that these women are not trapped in the legal consequences of decisions they may have made in their past and the legal ramifications thereof.

In countries where exit strategies have been properly funded and implemented, such as France, and there are others, but France is a good example, women have not only been able to leave the sex industry but in many cases—and they study it closely in that country, as I understand it—have gone on to make meaningful contributions to their communities in other endeavours and, no doubt, enjoy the opportunity to do so.

These programs, when properly resourced and supported by government—which, of course, is the object of this bill—demonstrate a tangible reduction in the number of women selling sex for a living, while improving social cohesion and, probably, public safety. As the Hon. Nicola Centofanti previously noted, according to a report released by the French ministry in April last year, some 1,247 persons in sex work, almost all of whom were women and girls, accessed state-sponsored exit programs and 95 per cent of these individuals successfully left the industry. I believe that provides the impetus for our parliament to follow France's lead.

I firmly believe that exit strategies for those trapped in the sex industry are a logical and essential step in the right direction with regard to reform here in South Australia. It is, after all, in the end their own choice—their own choice. No-one is forcing them to leave; it is their choice. The proposed amendments in this bill will only prove to benefit our community as I believe, and certainly help those who voluntarily choose to leave the industry and are provided with the assistance they require.

I should point out that I will be strongly supporting this bill. Just for the chamber's information, I am in a paired arrangement this evening with the Hon. Michelle Lensink who is determined to oppose the bill at the second and third reading. I will be supporting the bill at the second and third reading, so we will both be paired out. My vote will counteract hers or vice versa, whichever way you like to look at it. Of course, the same will be said of some of the amendments that we will encounter tonight. Again, I reiterate: I strongly support the bill.

The Hon. L.A. HENDERSON (20:30): I indicate that the Statutes Amendment (Sex Industry—Exit Strategies and Spent Convictions) Bill 2024 is a conscience vote for the Liberal Party, as is standard practice for such matters in our party. I appreciate the passion that the honourable member has for this topic, as she has previously brought legislation as well.

As the parliament has only recently (in the last few months) dealt with a bill relating to legislating for prostitution, I do not propose to relitigate the issue more broadly. Should those listening or later reading the *Hansard* be interested in my philosophy around prostitution, I refer them to my contribution on 1 May 2024.

I indicate from the outset that I will not be supporting this bill as I believe it goes too far toward decriminalisation and deviates from what I would like to see in a legislative framework for prostitution. It is my concern that this bill seeks to weaken the existing legislative framework rather than

strengthen it. In my belief, this legislation is a progressive step in the direction of decriminalisation, and, as such, I cannot support it in principle.

Throughout my contribution, I will refer to the impact upon women, as those who are prostituted are more often women. I acknowledge that this is not solely applicable to women. Given the existing legislation and the proposed bill use the term 'prostitution', I will, too, but I mean no disrespect in doing so. I would like to make it clear that when we are referring to prostitution throughout my contribution, it is my starting presumption that we are referring to consensual prostitution in which all individuals are willing participants.

Today, we are not legislating for rape, assault, abuse or sex trafficking. Whilst they are sometimes interrelated issues, they are separate offences and not what is being legislated for here today. Should that legislation not be sufficient, the state and federal parliament should address those issues, but the issues should not be conflated.

I appreciate that I may take a different and probably more conservative approach to this issue. One of the great privileges of living in Australia with a robust democracy is that we are able to have these debates and to share different views. One of the great things about being a member of the Liberal Party is that we are able to exercise our conscience in such votes. The day that people feel that they are not able to exercise their conscience is a day that we should all be concerned. It is with my conscience that I vote today.

It continues to be my view that the best way to legislate for prostitution is through the full criminalisation of prostitution with what I would call safe harbour provisions, a legislative framework where those who are seeking police support, health services, HIV treatment and prevention, sexual health services or housing support could not be charged with prostitution-related offences when disclosing the offending for the purpose of seeking those supports whilst also providing exit strategies.

This is a model that I have previously spoken about and I refer to my contribution from 1 May. As acknowledged at that time, the support for such a model would likely not exist in this chamber. I raise this model today to clearly articulate where I sit on the political pendulum in looking at a legislative framework for prostitution. In determining whether to support the bill before us today, I have sought to determine whether I believe the status quo or the proposed bill better align with my values on this issue. It is my view that the status quo better achieves this.

The bill before us today provides for spent convictions that are, in my opinion, too generous, reduces the existing criminalisation of the sale of prostitution by providing immunity provisions going further towards a decriminalisation model rather than a criminalisation model, does not target the purchaser, and addresses exit strategies. As a general principle, I support the provision of exit strategies and would have been willing to consider spent convictions had they been stricter in their application.

In speaking with current and former prostitutes, I appreciate there are many barriers to leaving prostitution and this is particularly the case if someone has a conviction. I think it is important to highlight that, as an example, between 1 January to 30 June 2024, no person received a conviction in court for the section 25 and section 28 offences under the Summary Offences Act.

I also think it is important to note, on information I have been able to gather via FOIs, that there were no arrests and no fines imposed for keeping or managing a brothel during the date range of 25 September 2022 to 26 September 2023. There were, however, five reports for the offence of keep brothel within this date range.

There were no fines imposed for soliciting for the purpose of prostitution during the date range of 25 September 2022 to 26 September 2023. There were no arrests or fines issued for living off the earnings of prostitution of another person, including escort services, during the date range of 25 September 2022 to 26 September 2023. There were no arrests or fines issued for procurement for prostitution during the date range of 25 September 2022 to 26 September 2023.

Despite this, we must still be satisfied with the legislation this parliament passes for when it is utilised by law enforcement. I have a series of concerns with the provisions set out in this bill for spent convictions. Some of these include the ability for those who have been keeping and managing

a brothel to apply for spent convictions. It is my view that these persons have been exploiting the vulnerability of women and, as such, any spent conviction being granted is fundamentally a very different proposal to providing spent convictions to prostitutes, who are often vulnerable and exploited.

I do not support an extension of spent convictions to those keeping and managing brothels. I believe the requirement for the prostitute to not have been providing sex in exchange for payment for at least three months to be insufficient. I do not believe that three months is sufficient time to be able to establish sustained change of pattern of behaviour. I believe that ultimately this presents the risk that someone may be able to have their conviction spent and then later go back into prostitution.

The bill also establishes that the exclusions set out in the Spent Convictions Act do not apply to a prescribed prostitution offence, which is otherwise spent under section 8D. Practically, what this means is that people who are applying for a working with children check or a police check do not have to disclose their conviction and, as such, prior offence is disregarded. It means that someone who is looking to care for children (vulnerable people) or to work for SAPOL, for example, will not have to disclose their conviction. I do not support the removal of these exclusions.

Whether someone has had a conviction and shown a pattern of behaviour where they have been breaking the law, especially if they were managing a brothel, is directly relevant to whether they would have been deemed a fit and proper person. I am not saying this to disparage people or to suggest that their past conduct should forever jeopardise their future, and it is not to say that someone who had a prior conviction would not get a future role, but it is relevant to whether or not a person is suitable in some industries, particularly when working with vulnerable people or in a position of power.

Whilst I do not support the provision of spent convictions as set out, it is important for all legislation in this place to be workable. I highlight some of these practical issues despite my not supporting it. I question how someone will prove that they have left the industry and to prove they do not intend on going back. This is something that has been raised as a concern with me by sex workers. It is my understanding that this is predominantly a cash-based industry and, as such, I imagine this may prove difficult.

There is a requirement for an application to the minister be made to access spent convictions. I note my thoughts on the application to the minister set out here also apply to the proposed amendments to the Summary Offences Act. I acknowledge it is highly likely that there would be an inherent mistrust in coming forward and disclosing offending in an application to the minister.

It should also be acknowledged that there may be literacy barriers or English as a second language barriers that may make accessing such provisions challenging. There is no requirement for the applicant to have meaningfully engaged with the exit strategies prior to accessing spent convictions or the immunity provisions, merely that an application needs to be made. As a result, I fear that such application effectively becomes a tick box exercise.

As a Liberal member, I believe in minimal government intervention. As such, I query why those who may be able to seek employment or housing independently and not look to the government are not able to access the legislative framework unless they have gone to the government. Whilst I do not support the framework, I merely look to query why government intervention must be thrust upon people in order to benefit from the provisions this bill seeks to achieve.

The bill seeks to amend sections 25 and 28 of the Summary Offences Act, which deal with soliciting and keeping and managing brothels, to provide what has been described as immunity. This is one of my key, fundamental issues with the bill as proposed. The starting position is that someone has committed an offence under the Summary Offences Act. This bill does not remove soliciting or keeping and managing brothels as offences, and by creating immunity provisions through this legislation we are acknowledging that these offences still exist. Despite this, a person would be given a free pass from future charges being laid for prior offending, if you will, should they meet the criteria set out in the bill.

In my opinion, you either commit an offence or you do not. If you are soliciting or keeping and managing a brothel, such activities are either offences or they are not offences. Immunity

provisions operate, in my view, in a manner which can lead to clunky and perhaps undesired consequences. Put simply, if we are going to view soliciting and managing and keeping a brothel as a criminal offence then it should be treated as such. Similarly, if components are to be decriminalised as, for example, in the Nordic model proposed earlier this year, then they should be treated as such without exemption.

In my view, therefore, laws around prostitution are either all in or all out, and immunity provisions seek to muddy the water in this respect. Perhaps if I could use the example of selling drugs: if a drug dealer ceases to sell drugs, it does not mean that they have not previously committed an offence and should not be held responsible.

I disagree with the premise that because someone has decided to no longer commit an offence and has decided to seek help through the minister, their prior offending is absolved. Whatever the reason, a decision was ultimately made to enter prostitution, even if through desperation, even if vulnerability is involved.

To be clear, I am not saying that someone does not deserve a second chance or that prior judgement should determine what opportunities one has in their life, but personal responsibility should not be negated, and in my opinion such personal responsibility serves as an important deterrent from entering prostitution in the first place.

Further, I disagree with such immunity as it weakens the existing legislative framework. As mentioned, I support the full criminalisation of prostitution. The proposal of providing immunity moves too close to a decriminalisation model for my comfort by working to erode the existing criminality. This is not something that I support.

Whilst I disagree with immunity being provided for soliciting, I take particular concern with the provision of immunity for keeping and managing a brothel. I appreciate that the member has made clear in her second reading contribution that the bill 'does not give the benefits of spent convictions and immunity to those who are running brothels in the conventional sense or to those large-scale operations' and that she has 'deliberately confined it to a narrow group of people'.

However, I am not comfortable allowing immunity for those who have operated a brothel, no matter how small it may be. If someone is managing a brothel, in my belief, they are preying on the vulnerability of other women and should not have the privilege of immunity purely because their operation was smaller. In my opinion, managing a brothel is unethical, and postulating about what size a brothel is is irrelevant.

I further note concerns around the wording provided for in the clause—'not more than 2 persons provide sex in exchange for payment in the brothel at any 1 time'. I query if the unintended consequence is that it establishes a loophole for organised crime and for more than two people to ultimately be operating out of a brothel.

It should be noted that unlike the definition of 'exited the sex industry' provided for in this bill for the Spent Convictions Act, the definition set out in the bill for 'exited the sex industry' for offences under the Summary Offences Act does not provide any time requisite for the individual to have been out of the industry to access such immunity. This is not something I support. I further note this leaves open the possibility for loopholes to be exploited.

I have already highlighted my concerns regarding the workability of the application to the minister to access exit strategies and do not propose to relitigate them. I do, though, highlight that when someone puts in an application to the minister they do not have to have exited the industry already. This further shines a light of the lack of waiting period before someone can access said immunity and opens the possibility for someone to use this as a loophole.

To be clear, I support exit strategies, but a series of questions have been put to me, and I seek to pass them on:

- Are supports that are to be offered intended to be new supports and programs, or is the intention for the minister to refer to existing services?
- Is it proposed that there would be an additional budget for these services?

- Is it the honourable member's intention that provision of education and training services means to pay for degrees or qualifications for applicants, or is it to direct them to existing opportunities?
- What is the burden on the minister? Is it merely providing a phone number that will satisfy this obligation?
- Is the applicant to be given long-term or short-term housing, noting that we are in a housing crisis?
- Is there an obligation for those applying to the minister to be given higher priority for housing than others on the list?
- Does assistance in accessing legal practitioners mean referring to legal aid or does it mean assisting in costs?

This bill seeks to delete a phrase like 'engage in procurement for prostitution' and substitute it with 'procure a person to provide sex to another person in exchange for payment', or delete 'prostitution of another person' and replace it with 'sex provided by another person in exchange for payment', or remove 'prostitution' and substitute it with 'sex provided in exchange for payment'. In my opinion, it appears contradictory for such changes, which would ordinarily be used to normalise an offence or even decriminalise it, to be inserted when the bill retains criminal offences for prostitution, with spent convictions and immunities therein. If we are retaining prostitution as an offence I do not support changing language around this.

I note these are not my only concerns about the bill, but I articulate some of my key reasons for why I will not be supporting it today. Fundamentally, I take a more conservative approach to this issue. Given that there are no recent convictions recorded, I see no urgency in rushing through legislation that, whilst having good intentions, has not addressed the unintended consequences for vulnerable women and has many components that do not sit with my conscience.

It is my firm view that the existing legislative framework or status quo better provides for the criminalisation of prostitution and that the proposed bill acts to further decriminalise certain behaviour should the individual meet the established criteria. I think the criminalisation of prostitution acts as an important deterrent to entering into an industry that I do not believe should be a viable career prospect, particularly for young women. It is my belief that the best way we can support women is to stop them from entering the industry and to criminalise the sale of prostitution in the first place.

In summary, I oppose the provision of immunity and believe the spent convictions provided for in this bill are too lenient, and I am particularly concerned about the extension of immunity for those keeping and managing brothels. Unlike the honourable member's previous bill, based on the Nordic model, this bill does not address the purchase of sex or hold those who are exploiting women to account by criminalising the purchase. As such, given the proposed bill is walking away from some of the existing criminal elements but not addressing the gap in reducing demand, I cannot support it.

For the avoidance of doubt, I do support providing exit strategies for those who are in need, should they want to access them. I indicate that I will be supporting amendment No. 1 [Centofanti-1] and that I will be opposing the amendments in the name of the Hon. Tammy Franks and the Hon. Emily Bourke. With this, I conclude my remarks.

The Hon. C. BONAROS (20:47): I rise to very briefly speak on this bill. Despite the opinions on another bill that were expressed in this place earlier today, namely, the bill dealing with the termination of pregnancy, it is my firm view that what we ought to be doing is referring this matter to the South Australian Law Reform Institute and receiving back an impartial report that considers all of the issues, all of the proposals and all of the alternatives. Clearly, we are divided in our views, and rather than proceed with what can only be described as a piecemeal approach that will not deal with this issue once and for all, or all of the issues that surround it, that is the most sensible way forward. It is clear to me that we cannot even agree on appropriate language, let alone policy, in this area.

I note for the record also the previously stated position of SAPOL in relation to this issue and the need to take that into account when considering exit strategies, decriminalisation or the regulation of the sex industry.

Regulated, decriminalised, exit strategies—whatever your position is I think it is clear that we need a properly informed debate, and we are not getting that on our own. If we think we are, then the only ones we are kidding are ourselves. Even the bill before us, no matter how well intended it might be from the mover's perspective, has given rise to more questions than it has solutions. We can see that by the views that have been expressed today and the amendments that have been filed, the differing views in relation to the appropriateness of all elements of the bill from both sides of the spectrum, as has just been demonstrated.

This is not a way forward. It is not a good way forward and it is not good lawmaking, especially for members who are sympathetic to both sides of the debate. It is a no-win situation and I am not inclined to support no-win situations when we have available to us, when we have at our disposal, the assistance and guidance of SALRI, who can separate fact from fiction, who can test the veracity of the varying views that are being expressed, who can test the veracity of the various models, who can take into account the views of industry bodies, who can take into account the views of SAPOL, who can help us find workable solutions to all the issues, including exiting the industry, including how to deal with convictions.

We can keep coming back here and doing more of the same, which is what we seem to be doing, or, as we did in the termination of pregnancy debate, we can refer this issue to SALRI and be in a position to come back here and make informed decisions based on impartial expert advice. I think regardless of your views on exit strategies, there are views on both sides. There are views saying exit strategies are good and there are views saying exit strategies, even the language around them, are not good.

This proposal is not the answer. That is clear, and I think that has been made clear tonight simply by the different views that have been expressed. I have said it before and I will say it again: if we rely only on our conscience in these debates in the absence of facts, we are not going to get anywhere. We are not going to get anywhere, because clearly we all have very different views and that is not assisting this debate.

We are relying on numbers to make decisions around people's lives. That is not a good outcome. It is not a good outcome for anybody. We have seen the benefits of referring a matter to SALRI previously, and we have that opportunity available to us again. I would urge all honourable members to consider that option seriously.

Do you know what? When you get a report like that back, whether you like what is in it or not at least you know it is based on informed decision-making. It is based on fact. It is not us putting ourselves in a position where we are tearing ourselves apart because we do not know which side to land on. We have some experts helping, guiding us through that process. That to me is the only sensible solution in this debate. I do not agree with piecemeal approaches. I do not agree with approaches that are not going to resolve the issue overall. On that basis, I will not be supporting this proposal and this bill.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (20:53): I rise today to indicate my support for the Statutes Amendment (Sex Industry—Exit Strategies and Spent Convictions) Bill 2024. I wish to thank the Hon. Nicola Centofanti for her courage and her passionate and tireless efforts to address prostitution law reform in this place, and commend her on bringing this new bill to the chamber.

Honourable members may recall that I spoke in support of the honourable member's previous bill and shared the disappointment with many that it was unsuccessful at the time. But we should never walk away from trying again for law reform that will provide practical support to help empower and protect vulnerable women in our society.

Many reports have shown that over 95 per cent of people involved are women. Of these women, approximately 80 per cent enter the sex industry due to extreme circumstances, such as financial distress, homelessness, addictions and abuse. Sadly, Indigenous women and women of colour are also over-represented in the sex trade. Unfortunately, these women continue to be physically and financially exploited or coerced by their mostly male clients, and mostly male pimps or brothel managers. Many women want to leave the industry but feel completely helpless because they don't know how to get help.

These women need laws that will protect them and a tangible and practical pathway to exit the sex industry, and be free to make their own decisions. While I will not repeat all of my remarks from my previous contributions to the debate on the last bill, I want to highlight the importance of the exit strategies and provisions outlined in this bill. It is vital that those who want to leave the sex industry can access a comprehensive resourced network of support and exiting services, including practical assistance that many honourable members who support the bill already mentioned earlier.

Women seeking to exit the sex industry face significant and complex barriers, such as lack of social connections and trusted people in their lives, a lack of alternative income, the lack of a safe place to stay, coercion and threats of further harm along with profound feelings of shame and mental health challenges resulting from the trauma and exploitation they have experienced. These barriers need to be addressed to provide all those who wish to choose a tangible pathway to exit the sex industry and be ready to make their own decision and have the opportunity to build a new life.

I would also like to thank Amanda Brohier, President of Women Ending Exploitation by Prostitution, and all the WEEP members for their insights, and for sharing information with me. I also thank them for their enduring advocacy for exit programs and strong support for this legislation. In their latest newsletter, WEEP highlight a study undertaken jointly by the Sexual Exploitation and Research Program and Ruhama, an Irish NGO that offers support to women impacted by the sex trade. The study looked at women's journeys out of prostitution and the response to their complex support needs.

For most women, exiting is rarely a simple linear process, and for some it can take many, many years. The study found that support must be provided in a person-centred and non-judgemental way according to each woman's needs and wishes at the time she accesses the service. This bill proposes to provide exit strategies and a safe pathway out for those who would otherwise remain trapped in the sex industry. It provides a framework for real support that helps and empowers women to transition away from sex work if they choose to.

Once again, I would like to thank the Hon. Nicola Centofanti for introducing this bill and the many, many women, individuals and organisations who have advocated and campaigned strongly for this bill. With those remarks, I commend the bill.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (20:58): I rise in support of the Statutes Amendment (Sex Industry—Exit Strategies and Spent Convictions) Bill. This bill has two components: the first is that it seeks to provide support for people who have been in prostitution and wish to exit and it provides a broad framework for the type of assistance to be made available, such as information about government services, other resources and services available, education and training services and assistance in finding accommodation or employment. Why is this necessary? Why should people exiting need any assistance to gain employment or other support?

According to Prostitution Research and Education quoted in *The Pimping of Prostitution* by Julie Bindel, 70 per cent to 95 per cent of women in prostitution experience physical assault during work—'work' in inverted commas—60 per cent to 75 per cent are raped, and 95 per cent experience sexual harassment that in other industries would result in legal action.

A study by Roxburgh, Degenhardt and Copeland in 2006 titled 'Posttraumatic stress disorder among female street-based sex workers in the greater Sydney area,' reported that nearly half had symptoms that met DSM-IV criteria for post-traumatic stress disorder (PTSD) and one-third reported current PTSD. I looked up what DSM-IV criteria for PTSD is. According to the Public Patient Psychiatric News, Volume 37, No. 20, it is described as this:

- A. The person has been exposed to a traumatic event in which both of the following were present:
 1. the person experienced, witnessed or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others.
 2. the person's response involved intense fear, helplessness, or horror.
- B. The traumatic event is persistently reexperienced in one (or more) of the following ways:
 1. recurrent and intrusive distressing recollections of the event, including images, thoughts, or perceptions

2. recurrent distressing dreams of the event
3. acting or feeling as if the traumatic event were recurring...
4. intense psychological distress at exposure to internal or external cues that symbolize or resemble an aspect of the traumatic event
5. physiological reactivity on exposure to internal or external cues that symbolize or resemble an aspect of the traumatic event
- C. Persistent avoidance of stimuli associated with the trauma and numbing of general responsiveness (not present before the trauma), as indicated by three (or more) of the following:
 1. efforts to avoid thoughts, feelings, or conversations associated with the trauma
 2. efforts to avoid activities, places, or people that arouse recollections of the trauma
 3. inability to recall an important aspect of the trauma
 4. markedly diminished interest or participation in significant activities
 5. feeling of detachment or estrangement from others
 6. restricted range of affect (e.g. unable to have loving feelings)
 7. sense of foreshortened future...
- D. Persistent symptoms...(not present before the trauma), as indicated by two (or more) of the following:
 1. difficulty falling or staying asleep
 2. irritability or outbursts of anger
 3. difficulty concentrating
 4. hypervigilance
 5. exaggerated startle response
- E. Duration of the disturbance...is more than 1 month.
- F. The disturbance causes clinically significant distress or impairment in social, occupational, or other important areas of functioning.

To have such a large proportion of a cohort displaying such symptoms indicates a significant need for assistance. Further, many in prostitution do not have qualifications or do not have current qualifications or do not have experience that enables them to find employment. This can be a major barrier to moving on with their lives and exiting the prostitution industry.

The second main part of this bill enables convictions to be spent so long as the person has exited the industry and the convictions were essentially—and I am paraphrasing here—not for keeping a brothel or pimping others. Women with such a conviction where they had operated from their own home with one other person and who had exited the industry could have their conviction spent. That is a concise summary of it.

This attempts to differentiate between the pimps and brothel keepers, the exploiters in the sex industry, and people who are simply operating together due to, for example, safety concerns. One of the barriers to moving on into employment can be having a criminal record. Work or training that has relatively few entry requirements, such as disability or aged care, will likely not be possible. Therefore, the option of spent convictions may be the enabler for those who wish to exit.

I have heard arguments that people exiting prostitution should not be getting so-called special treatment. I refer to some comments by Marian Hatcher, who works in the human trafficking section in an office in the USA. She is a sex trade survivor who works with law enforcement. She says:

The derogatory references to 'sex work' or 'sex worker' imply a chosen way of meeting your basic needs: an occupation. In reality, it is not a chosen path to gaining economic security. It is forced servitude, most often by an opportunistic male such as a pimp or trafficker and in other instances an undesirable choice for basic survival. Fuelled by the johns who consume it, the sex trade is not a noble place in society; it is a human rights violation that perpetuates slavery.

Most people, I think would not argue against someone released from slavery being granted assistance.

In terms of language, referring to 'sex work' and 'sex worker', Ms Hatcher goes on to say:

It is a travesty to coin a phrase that diminishes the harm and attempts to normalise it.

It is certainly true that language does matter.

Many who have left prostitution refer to themselves as survivors. Many consider they have been coerced or manipulated into the industry. I have certainly spoken with women who relate to the description of slavery. For this reason I cannot agree with the comparison of someone who is involved in this and who has been prostituted with someone who is selling drugs.

I would also like to take the opportunity to thank the many women who have spoken to me who either are in or have been in the prostitution industry. I would like to thank them for their bravery and I would like to acknowledge them and particularly the fact that they feel so often that their voices are silenced. Often, they say, they are silenced by the paid lobbyists in the sex industry.

The Hon. Ms Franks in her contribution referred to, and I am quoting, albeit from memory, 'conflating sex work and trafficking' This is a constant refrain from those who like to pretend they are separate. It is the issue of demand that fuels both. The bill that was presented earlier this year by the Hon. Ms Centofanti would have potentially addressed that demand. Sadly, that was defeated, albeit just by one vote.

We are left with: what else can be done? Is this a perfect bill? Probably not. There are a number of proposed amendments and I will be keen to listen to the debate on these if we progress to the committee stage. Some will say that the assistance being outlined is not prescriptive enough, that more should be detailed.

Despite this, one contributor suggested that resource implications would be significant, given the looseness of the wording in regard to assistance, namely that 'assistance that may be offered to an applicant may include one or more of the following' and then lists some of the items that we have mentioned.

The broadness of that, I think, indicates very clearly that resource levels would be entirely within the decision-making remit of the government of the day. Personally, I would like to see far greater and more specific assistance, but it is a starting point for some of the most marginalised women in our community. On that basis, I commend the bill. I hope it will go to the committee stage so that we can have a fulsome debate around some of the amendments.

The Hon. S.L. GAME (21:08): I rise very briefly to offer full support for the honourable member's proposal to support sex workers who want to leave the industry. It is a worthwhile measure that will empower sex workers who want to make a change but need the practical assistance to overcome some of the financial barriers preventing workers from making this move. I commend the honourable member for presenting this to the chamber and offering a pathway for sex workers who want change. These courageous people deserve our acknowledgement and support.

I want to also acknowledge Amanda Brohier and WEEP and all the education advocacy they have done in this space. I want to put on the record that I will be supporting the amendments put forward by the Hon. Emily Bourke.

The Hon. R.B. MARTIN (21:08): I rise to speak briefly on this bill. While I do not think this bill is perfect, I will be supporting it; however, I advise I will be supporting the Bourke amendments. My understanding of the bill is that it seeks to do two things: firstly, it creates the ability for a fast-track spent convictions process for sex workers. Secondly, it creates a process where a person leaving the sex work industry has the ability to seek appropriate access to social services.

I have reached out to advocates on both sides of the argument and have listened and thoroughly considered their views. I understand that for advocates of sex work decriminalisation this bill is not what they are seeking, and they have legitimate concerns about how the bill will work. They highlight the reluctance of sex workers to apply for assistance when they are legitimately wary of engaging with the justice system that considers their work illegal.

I have been lobbied to reject the bill on the grounds that sex workers need rights and not rescue, and I agree with that sentiment. I acknowledge that many sex workers are in the industry by choice and have made the decision with full autonomy, but I think it is naive to say that everyone engaged in sex work has freely made a choice to be in the industry and is happy to remain there. If there is but one worker who is in the industry because they have no other options and if this bill can assist that one person, then I think we should support this initiative.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (21:10): As we come to the close of the second reading speeches, I think it is important to reflect on the core principles and motivations that underpin my bill, the Statutes Amendment (Sex Industry—Exit Strategies and Spent Convictions) Bill 2024. This bill represents, to me, a significant step towards assisting some of the most vulnerable individuals in our society—those who seek to leave the sex industry but face systemic barriers in doing so.

I thank all of those who have made contributions to the debate this evening. I thank the Attorney-General, the Hon. Heidi Girolamo, the Hon. Tammy Franks, the Hon. Ben Hood, the Hon. Robert Simms, the Hon. Dennis Hood, the Hon. Laura Henderson, the Hon. Connie Bonaros, the Hon. Clare Scriven, the Hon. Sarah Game and the Hon. Reggie Martin. I also thank those I have had numerous conversations with over the months in an effort to negotiate a path forward to changing the South Australian laws and safeguarding those people who are looking to get out of the industry.

I would also like to acknowledge the contributions made by so many individuals and organisations over the last couple of years: the Coalition Against Trafficking in Women Australia, Wahine Toa Rising, Women's Forum Australia, Women Ending Exploitation by Prostitution, Helen Pringle, Helen Easton, Exodus Cry, Nordic Model Now, the UN Special Rapporteur on violence against women and children, Reem Alsalem, Rahab Adelaide, Daniel Principe, Reality Check Radio, Swedish Women's Organisation, Michelle Panayi, Coalition for the Abolition of Prostitution International and the Swedish Ambassador-at-large for combating the trafficking of women and girls. I would like to thank these organisations, and I would also sincerely like to thank those survivors who have shared their stories with me over the months and years previous and have helped shape this piece of legislation.

Members will recall that in August of last year I introduced the Summary Offences (Prostitution Law Reform) Amendment Bill, which was brought to a vote on 1 May of this year. While that bill was narrowly defeated, the level of support it garnered affirmed its fundamental merit and the pressing need for change. Whilst I was obviously disappointed by the outcome, I was encouraged by the widespread recognition of the need to provide real pathways for those wishing to exit the industry.

Together with the legislation for exit strategies, I believe we are once again presented with a nation-first initiative. A key feature obviously of my bill, one that resonates with many, is the comprehensive exit strategies. I acknowledge that, for some, the industry is where they want to be, and this bill will not affect them. But for others my bill provides a pathway out of what is, for them, a harmful industry. These strategies remain at the heart of my current proposal. This legislation is designed to provide tangible support for those who want to leave the industry, ensuring that we meet our responsibilities to help the most vulnerable in our society.

I have spent many hours talking this bill through with colleagues in this room as well as those who have lived experience, whether here, interstate or abroad. I am not going to go through the machinations of the bill, as I did so in my second reading speech. Suffice to say that this bill proposes that individuals who can demonstrate a genuine intention to leave can apply to have their prior convictions for prostitution offences spent, and they will be treated as if they have not committed an offence under specific provisions of the Summary Offences Act.

In this way the bill offers what I have termed immunity, which is a fresh start for those who want to move on from this life. Without that immunity, no woman will seek the assistance knowing that when they do they will be charged with an offence. Under my bill the immunity is contingent on a genuine attempt to exit, and if they do go back into the industry in future that immunity no longer applies. Similarly, with spent convictions a three-month period required before applying for spent

convictions in my mind provides the individual with the opportunity to demonstrate that they have exited the industry.

I have deliberately kept a narrow scope regarding immunity and spent convictions when it comes to managing and owning a brothel. This legislation is designed for people who legitimately want to leave the industry but do not have the support structures to do so. This is not designed for third party profiteers as a get-out-of-jail-free card, and deliberately so.

I note the Hon. Emily Bourke has some amendments, and I am keen to work through those if we get to the committee stage as I have a genuine desire to see tangible supports offered to those wanting to exit the industry. I believe the honourable member's amendments do not fundamentally change the intention of my bill. I also acknowledge that the Hon. Tammy Franks has some amendments and, whilst I acknowledge the work she has done in this space, it will come as no surprise that I indicate I will not be supporting those amendments.

This bill is not merely a legislative exercise; it is about restoring dignity and opening opportunity to those who want to leave the sex industry. It provides practical support, wipes the slate clean for those committed to change and incentivises a better future.

Again, I thank my colleagues from around the chamber across party lines for their engagement on this issue and their open-mindedness in exploring a new path forward. I urge members in this chamber to evaluate the bill on its merits, to consider the profound impact it could have on the lives of many and to support its passage. With that, I commend the bill to the chamber.

The council divided on the second reading:

Ayes8
Noes.....11
Majority3

AYES

Centofanti, N.J. (teller)
Hood, B.R.
Pangallo, F.

Game, S.L.
Lee, J.S.
Scriven, C.M.

Girolamo, H.M.
Martin, R.B.

NOES

Bonaros, C.
Franks, T.A. (teller)
Hunter, I.K.
Simms, R.A.

Bourke, E.S.
Hanson, J.E.
Maher, K.J.
Wortley, R.P.

El Dannawi, M.
Henderson, L.A.
Ngo, T.T.

PAIRS

Hood, D.G.E.

Lensink, J.M.A.

Second reading thus negated.

TOBACCO AND E-CIGARETTE PRODUCTS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 19 June 2024.)

The Hon. S.L. GAME (21:21): I will support any improvement to the health of citizens and fully concur with the benefits of not smoking, being a non-smoker myself, but question whether such a strict ban is the most appropriate regulatory framework to achieve this.

The sale of tobacco products to children is already prohibited, but the Hon. Frank Pangallo's bill will prevent any citizen born on or after 1 January 2009 from purchasing tobacco products. We all agree with current laws that prohibit the sale of tobacco products to children, but this proposal will extend the ban to future adults as well. While the bill has honourable intentions, it is a heavy-handed approach that ultimately treats adults like children rather than empowering adult smokers to quit through their own individual choice and agency.

Is this how free Western democracy should deal with adult citizens who make unhealthy consumer choices? What other unhealthy products should we ban adult citizens from purchasing, then? Alcohol is the obvious one, and we all know how successful the prohibition of the sale of alcohol was. It has already been proven that banning does not reduce demand, it only makes a market go underground. This bill is just a replica of one passed by the left-wing Jacinda Ardern government in New Zealand in 2022 that was later repealed by the newly elected conservative coalition in 2023.

I am prepared to support any reasonable and proportionate initiative that seeks to uphold the health and wellbeing of citizens, but I will always have grave concerns when this involves restrictions on the freedom and rights of adult consumers to make their own consumer choices. I will not be supporting the bill.

The Hon. R.A. SIMMS (21:22): I rise to indicate that the Greens will be supporting the bill. The Hon. Mr Pangallo and I have disagreed on a few issues over the last few days but we do agree on this issue. I certainly support his efforts to tackle cigarette use, particularly among young people. I think this is a bold step in terms of taking a phased approach to stopping the sale of tobacco products to young people, initially, but of course what this bill does is phase out cigarette use among a whole new generation coming through. I think that is a worthy public policy initiative.

The bill prohibits the sale of tobacco products to anyone born after 1 January 2009, or people who are currently 15 years or younger. I do note that there is an amendment filed by the Hon. Frank Pangallo that changes that date to the year 2007, which would impact anyone who is 17 years or younger. I am happy to entertain that amendment should it be required to secure the passage of the bill through this place.

The Greens have always supported a health approach to substance use. We believe that harm minimisation is the most appropriate way to reduce the adverse health, social and economic consequences of alcohol and other drug use. We want a reduction in high-risk uses of nicotine and tobacco, as we acknowledge that they are substances that cause serious harm.

It is important for us to note that there are supports put in place to help young people under the age of 15 move away from nicotine; however, we note that this is a private member's bill, and those services would need to be provided by the government. I look forward to hearing from the government down the track around what they might do in that regard should this bill become law.

This is an argument that the Greens have made at a federal level. During the time when vaping reforms were passed by the federal parliament in June, the Greens argued that the increase in nicotine dependence is a significant public health problem. We want to keep tobacco and nicotine products out of the hands of kids, but we also want to ensure that people can access support to address their addiction when they need it.

We are pleased that this bill does not take a punitive approach to the possession of tobacco products but instead prohibits the sale of such products to young people. New Zealand was the first jurisdiction to ban smoking for future generations. It was accompanied by other measures to make smoking less affordable and accessible and included dramatically reducing the legal amount of nicotine in tobacco products. At the same time, they increased funding for health services and rolled out additional quitting services.

This was a comprehensive package of reforms and supports that was due to see health benefits at a significant level for people in New Zealand. Unfortunately, the new right-wing government in New Zealand has scrapped these reforms before they were due to be implemented in July this year. I think that is very disappointing. I also notice that the Tory government announced

a plan to move down this path but never achieved that. I do hope, though, that governments in other jurisdictions take action on this.

The Greens will therefore be supporting the bill by the Hon. Frank Pangallo as we consider it to be consistent with promoting better health outcomes for people born after the year 2009, but I do want to use this opportunity to call on the government to provide additional services to support people using tobacco products.

In considering this bill, I would urge elected members to consider whether, if we had our time again, we would choose to make tobacco a product available to young people and adults here in our state. The reality is there are significant health risks that flow from tobacco use. We know that it has been linked with cancer. We also know that cigarette butts are terrible for our environment, and I will talk a little bit about that later. Really, if we had our time again, would we go down this path? What this bill does is take a staged approach to phasing out cigarettes and tobacco products in our state, and I commend it.

The Hon. R.B. MARTIN (21:27): Tobacco smoking remains the leading preventable cause of disease and death in Australia. My understanding is that there are around 260,000 current adult smokers in South Australia. Statistics suggest that about two out of three of those people, if they do not quit, will have a cause of death that is attributable to smoking; in other words, the habit will kill them.

Tobacco has a huge impact on the health of individuals and on the lives and wellbeing of our families. It also creates a huge demand on our health system. The impacts of smoking are estimated to cost our state health system in excess of \$2 billion each year. The honourable member's bill proposes an incremental ban on the sale of tobacco, called the smoke-free generation model, as well as a ban on the sale of tobacco products via vending machine.

In terms of the vending machine ban, this is a measure that the government supports in full, and in fact it has been included in the government's Tobacco and E-Cigarette Products (E-Cigarette and Other Reforms) Amendment Bill 2024, which was introduced on 28 August 2024 by the Minister for Health and Wellbeing in the other place. The South Australian government took this proposal to public consultation in 2023, and it was widely supported.

The bill before us also proposes a smoke-free generation model. This involves banning the sale and supply of tobacco to those born in or after a specified year, thereby preventing the sale of tobacco to the next generation. Such a legislative approach was passed in New Zealand and was incorporated in a bill before the Parliament of the United Kingdom. However, it was repealed by a subsequent government in New Zealand, and the UK bill was interrupted by their general election.

If South Australia were to introduce such a model, it would be world leading. As a jurisdiction with a history of world-leading innovation across many spheres, it is a matter worth consideration. The smoke-free generation approach constitutes a major policy reform; therefore, it is a decision that needs a commensurate level of investigation and consultation to fully explore the financial, legal and social implications of this approach.

Preventative Health SA is currently conducting analysis and providing advice to enable government to make a fully informed decision on how a smoke-free generation model could be implemented and realised in practice. This includes an assessment of the legal implications, enforcement frameworks and business and economic impacts. Following this comprehensive assessment process, the state government will be able to consider a fully informed decision on this model. We are not opposing the bill at this stage, which will allow further consideration between the chambers before the government develops its final position.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (21:30): I rise today as the lead speaker for the opposition on this bill. The Liberal opposition will not be opposing this bill, but we do have some serious concerns. We have concerns that a blanket ban across an age bracket will drive tobacco and e-cigarettes underground and young adult consumers will buy cigarettes on the black market where no-one pays tax and products are completely unregulated.

The illicit trade in tobacco products, according to the World Health Organization, and I quote, 'poses major health, economic and security concerns around the world'. That organisation estimates

that one in every 10 cigarettes and tobacco products consumed globally is illicit. We do not need to encourage that figure to rise further.

Our investigation has informed us that multiple studies demonstrate laws which rely on prohibition to reduce the prevalence and harm from drugs generally fail to achieve their aims. We cite a lack of evidence to support this blanket ban approach. The New Zealand legislation has been reversed. The United Kingdom has yet to implement and enact their own version of this legislation. The data simply is not there to show that it works.

What is known is the very real problem of black market trade and this is of great concern to our party. We already have bans on smoking in public places here for the public health of our population. There are multiple other public health measures in place to reduce the prevalence of tobacco and e-cigarettes.

Concerningly, this may be viewed as an attack on civil liberties and a prohibitionist approach. We believe, as a core party principle, in the freedom of the individual, as an adult, to make their own decisions and choices with the information available to them. There is nothing in this bill to stop young adults purchasing cigarettes across the border. The impact of a single slate measure on a national public health issue is minimal.

However, I do want to be clear that our party does support appropriate public health measures for South Australians and we appreciate the honourable member's intent of the bill. We would like to see some further evidence and work done by the government on the concept of a ban like this to ensure it will be effective and we encourage the government to do that work.

The Hon. F. PANGALLO (21:32): I thank all honourable members for their contributions. This bill is nothing short of a declaration for the health and wellbeing of future generations. It is our chance to create a smoke-free generation to ensure our kids and grandkids never fall victim to the deadliest addiction our society faces. That is what it is about. It is not about civil liberties. It is about trying to stop a generation from being addicted to something that kills and I have not heard that in the arguments from the Liberals.

From the outset, I have one minor amendment to the bill, with the act coming into operation, if it passes the lower house, on 1 January 2025. The age definition of designated person in the bill requires the amendment from 1 January 2009 to 1 January 2007. Just to be clear to the members who have some doubts, including One Nation: smoking is the largest cause of preventable death and disability in Australia.

Every year, over 20,000 of our loved ones die due to smoking-related diseases. That is more than 50 lives lost every single day. It contributes to 8.6 per cent of Australia's burden of disease—12 per cent for First Nations people—and almost 70 per cent of those who currently smoke would like to quit. If we do nothing, the next generation will continue to bear this burden. This bill is an opportunity to turn the tide.

So what does the bill do? It focuses on one of the greatest public health challenges of our time by prohibiting the sale of tobacco and e-cigarettes to those born after 1 January 2007. By raising the age for the sale of cigarettes incrementally, we aim to stop tobacco from ever becoming part of the lives of young Australians, to create a tobacco-free generation. This is not about taking away a person's choice to smoke, it is about preventing addiction before it starts. Two-thirds of people who try even a single cigarette become daily smokers, most of whom regret ever starting. Just think back to those old commercials of the forties, fifties, sixties and seventies—

The Hon. R.A. Simms: I can't remember those, Frank; I'm too young.

The Hon. F. PANGALLO: Let me remind the Hon. Robert Simms about the types of commercials that were able to be produced and shown on free-to-air television and in cinemas. You had doctors, dentists, Olympians and celebrities who endorsed tobacco as a health product.

I also heard the libertarian argument, and that collapses under the weight of reality. Once you are addicted, your freedom to choose no longer exists. Addiction robs people of choice. It is not a matter of willpower or discipline, it is about a chemical dependency that takes on average 30 attempts to break. Let's not forget that over four in five smokers become addicted before they

turn 20. I actually started smoking when I was 13 and I gave it away when I was 34. I did it cold turkey after I had a heart attack and my doctor warned me that 'if you keep smoking, you're going to die'. I am glad I took his advice.

To those who say that this is a nanny state infringing on personal liberty, I ask you: what is freedom if addiction has stripped away your ability to choose? Is this really about freedom when smoking kills over half of its long-term users? Freedom should mean the ability to live a healthy life free from crippling, life-threatening product.

The Hon. Sarah Game made mention of what other products could we then look at banning. Let me tell you some products that we did ban because they were life-threatening or were going to cause health issues. I do not know whether the Hon. Robert Simms remembers the time when there used to be lead in petrol and in gasoline, and that had to be eliminated because of the dangers. Asbestos: there is another one that was deemed to be a safe product and it was in countless thousands of Australian homes and buildings and everywhere. We know what a killer that is.

More recently, stone bench tops: fortunately, they have been banned because of the dangers they pose. They all had legitimate social uses, but no-one has argued for freedom to expose people to those killer substances, so why should cigarettes—which meet none of today's consumer product safety standards and have no value beyond deadly cycles of addiction—be any different?

Some may argue about legal challenges, but history is on our side. The federal government has faced off against the big tobacco giants before, with plain packaging and other measures, and won. Courts have consistently ruled governments have the right and, indeed, the responsibility to protect their citizens' health and this bill is no different from that.

Will this create a black market, as the Liberals have put it? Well, no. Raising the age for sale will have a gradual impact. We have regulatory structures in place, and just like smoking rates have been falling, they will continue to do so under this bill.

Retailers are licensed and this will not disrupt the retail industry overnight. The economic hit for retailers is actually paper thin. To those concerned about lost tax revenue, let me ask you this: is the cure worse than the disease? The disease is killing our family members at an alarming rate. As the smoking rates decrease, so too will the need for government spending on treating smoking-related diseases and the savings in health care and lost productivity from smoking, estimated at \$136 billion in Australia in 2016, will far outweigh any minor dip in excise tax revenue, which in and of itself does not benefit South Australia as it is a federal tax. This bill is not just about health; it is about equity.

To the Greens: I appreciate your support for the bill and stand with you on your motion to tackle cigarette litter. By phasing out tobacco, we will protect public health. To the government: I commend the health minister, the Hon. Chris Picton, on his strong anti-tobacco stand through legislation, including the Tobacco and E-Cigarette Products (E-Cigarette and Other Reforms) Amendment Bill, passed in the other place yesterday, which I will support.

In closing, this bill is about tackling responsibility not only for our generation but for the generations to come. It offers a lifeline to a young, healthy generation, protecting them from the addictive clutches of tobacco and e-cigarettes. I commend the bill.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 3 passed.

Clause 4.

The Hon. F. PANGALLO: I move:

Amendment No 1 [Pangallo–1]—

Page 2, line 15 [clause 4, inserted definition of *designated person*]—Delete '2009' and substitute '2007'

This is to delete the date of 2009 and substitute 2007. This is done in the event, if the bill passes, and comes into effect in 2025. It will capture teenagers once they turn 18, currently the legal age to be able to buy cigarettes.

Amendment carried; clause as amended passed.

Clause 5 passed.

Clause 6.

The Hon. F. PANGALLO: I move:

Amendment No 2 [Pangallo-1]—

Page 3, line 14 [clause 6(6), inserted text]—Delete '2009' and substitute '2007'

Amendment No 3 [Pangallo-1]—

Page 3, line 16 [clause 6(7), inserted text]—Delete '2009' and substitute '2007'

These are consequential.

Amendments carried; clause as amended passed.

Remaining clause (7) and title passed.

Bill reported with amendment.

Third Reading

The Hon. F. PANGALLO (21:44): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

GAWLER SHOW SOCIETY

The Hon. J.S. LEE (Deputy Leader of the Opposition) (21:45): I move:

That this council—

1. Congratulates the Gawler Agricultural, Horticultural and Floricultural Society, also fondly known as the Gawler Show Society, on achieving its remarkable milestone of 170th anniversary in 2024;
2. Recognises that the Gawler Show Society was first established in 1854 to provide a meeting place for the people of the agricultural district to trade and celebrate the crop, sheep and pastoral strengths of the region and today incorporates educational elements to ensure the history and integrity of agricultural shows is maintained and embraced by future generations;
3. Notes that the Gawler Show is Gawler's key tourism event, attracting more than 30,000 people each year and remains the largest regional show in South Australia;
4. Acknowledges that the Gawler Show Society is an active not-for-profit community-based organisation which reinvested over \$75,000 into the local community over the last five years; and
5. Commends the president, management committee, society staff, patrons, life members and hundreds of volunteers for their hard work and dedicated efforts in providing outstanding services and hosting a world-class agriculture and entertainment show each year.

It is a great honour to move this motion to congratulate the Gawler Agricultural, Horticultural and Floricultural Society on achieving the remarkable milestone of its 170th anniversary in 2024. Fondly known as the Gawler Show Society, the society was first established in 1854 to provide a meeting place for the people of the agricultural district to trade and celebrate the crop, sheep and pastoral strengths of the region. Today, the Gawler Show is South Australia's largest regional show, attracting more than 30,000 people each year and it remains Gawler's key tourism event.

The Gawler Show is traditionally held annually on the last weekend in August—this year being 24 to 25 August—boasting a full weekend of fun, entertainment and education at the Gawler Showgrounds on Nixon Terrace. It provides a unique family-friendly atmosphere whilst showcasing

the best of Gawler's community and the region, incorporating many educational elements to ensure that the history and integrity of agricultural shows is maintained and embraced by future generations.

As my esteemed parliamentary colleague the Hon. Centofanti highlighted in her important motion on country shows last year, one of the most unique and valuable aspects of country shows is the hands-on learning experience that they provide. Like all country shows, the Gawler Show Society is a volunteer not-for-profit organisation that relies on the generosity, passion and dedication of hundreds of volunteers from across the district who contribute their valuable time, knowledge, skills and enthusiasm to assist in hosting our state's largest country show.

Leadership is crucial to every successful organisation. The success and popularity of the show would not be possible without the hard work of the president (Isaiah Tesselaar), the management committee, society staff, patrons, life members and volunteers, whose longstanding dedication is the key driving force for the outstanding reputation that the Gawler Show now enjoys. I would also like to thank past presidents Patricia Dent OAM and Claire Forgie, whose efforts have helped the show grow from strength to strength and saw it continue as one of the few major regional events held successfully during the COVID period in November 2021.

Honourable members, please also allow me to highlight the patrons of the Gawler Show, John and Yvonne Chamberlain, who have been strong supporters of the Gawler Show Society over many years. When I visited Gawler a few months ago, it was Mr John Chamberlain who brought to my attention the 170th milestone anniversary of the Gawler Show. I recall sighting the letter given to John as the patron, which said:

The role of the Patron is to support the Society by lending your name as a reputable, high profile Gawler identity to add credibility and integrity to our known brand, the Gawler Show. To this end, we believe you can assist us with increasing our positive public image and community engagement by lending your time, effort, contacts, influence, ideas and inspiration.

For those who have the pleasure to know and work with John Chamberlain, he certainly has all the qualities and influence of a great patron. Both John and his wife, Yvonne, are well-respected and certainly high-profile Gawler identities and have contributed a lifetime of generous contributions to the credibility and integrity of the Gawler Show as well as the whole community. I want to also thank John for helping my office gather all the most valuable insights and information in order for me to move this motion today.

The Gawler Show has a longstanding history of philanthropic endeavours and supporting local community organisations. For instance, during World War II it ran patriotic days and donated 90 per cent of its income to comfort funds for those in need. Over the years the Gawler Show has developed strong relationships with local Rotary, Lions, Apex and men's shed clubs as well as many surrounding sports and community groups. Over \$75,000 has been reinvested into the local community over the last five years, thanks to the wonderful volunteers who support running the gates and car parking efforts and assist in setting up the show.

The Gawler Show has had a very strong educational role from the very beginning. Local historian Helen Hennessy researched the show extensively ahead of its 170th anniversary and highlighted that in the beginning the show 'was more of a gathering to show people and educate, an exchange of ideas with people who had emigrated from the northern hemisphere who had no idea how to farm here'. Over time, the show became a way of sharing improvements and inventions that the local farming community was adopting, and part of the competition was to show off examples of machinery and techniques that had been developed and patented by local people.

Today, agriculture is still deeply embedded in the Gawler Show, with the Agricultural Learning Centre providing a key focus for showcasing the region's agriculture in a new and exciting format. I was delighted to learn that the Ag Learning Centre is mostly coordinated by local students who volunteer their time, and the students' involvement has been integral in the successful growth of this section of the Gawler Show. With interactive exhibits and activities, children and adults alike can engage with the world of agriculture and touch, smell, taste and experience the farm-to-table journey.

With a range of fun and interesting things to explore, such as Bugs n Slugs, goat milking demonstrations and wool displays, visitors of all ages were engaged and educated about the origin

of their food and fibre. Baby animals are always a huge hit, and the Nixon's Animal Adventures trail encouraged show goers to get up close and personal and visit all the animals while completing the activity sheet to go into the draw to win a family pass to the following year's show.

The blacksmiths displays and competitions are another highlight, featured in the Rural Ag Zone, with the Artist Blacksmiths Association South Australia conducting demonstrations throughout the weekend and creating small models and toys to share with kids. For the 170th anniversary, the Blacksmiths Association designed and manufactured a commemorative plaque which was completed over the course of the weekend to recognise the special milestone.

Shearing and sheepdog demonstrations showcase how working dogs round up the sheep and provide an engaging and interactive way for farmers to pass on knowledge and tips on how to look after sheep and manage farm properties. Another of the many free family activities available at the Gawler Show is the ever-popular Touch-a-Truck area, with its eye-catching display of prime mover trucks, drag cars, vintage machinery and SES and CFS trucks along with an army truck and tank.

After its successful inauguration in 2023, the Farm Fresh section was back again this year, with a big focus on homegrown products and produce, providing traders with an opportunity to show off their fresh local products. I am particularly excited to share with honourable members this evening about the Young Farmer Challenge, which gives teams of young people the chance to showcase their knowledge and technical skills in a series of on-farm challenges.

The Young Farmer Challenge is a national competition to recognise future leaders in agriculture organised by the Agricultural Shows of Australia national emerging leaders working group, with teams competing at a local level with a chance to compete regionally and then battle it out for the title of Australian Young Farmer Challenge champions.

The Gawler Show Society also participated in the Agricultural Society's Council of SA Rural Ambassador Program, which highlights the importance of young people's engagement in agriculture shows and helps them to develop closer links with primary industries in South Australia. There are two categories within the program: the Young Rural Ambassador category for those between 16 and 20 years old and the Rural Ambassador category for those between 20 and 30 years old.

I would like to extend my warmest, heartfelt congratulations to Braden Turner, who represented the Gawler Show as a state finalist at the 2024 Rural Ambassador Awards. Braden is a key member of the Gawler Show team as the junior vice-president and the grounds coordinator.

I offer congratulations also to the 2024 Rural Ambassador of the Year, Kayla Starkey, who represented the Mount Pleasant Show and was named the winner at the Rural Ambassador Awards dinner at the Royal Adelaide Show. I particularly wish to highlight the wonderful work of the Gawler Show Youth Team, which was formed in 2012 to support young people in the community bringing fresh ideas to the show.

Today, it is such a great honour to move this motion to congratulate, once again, the Gawler Show on their incredible achievements and on their contribution to South Australia over 170 years. I want to place on the record my deep appreciation for their excellent work, as well as for everybody who has participated and contributed greatly in building the profile of the Gawler Show. With those words, I commend the motion.

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

PAYROLL TAX

Adjourned debate on motion of Hon. C. Bonaros:

That this council calls on the Premier to refer to the South Australian Productivity Commission the matter of payroll tax in South Australia and require the commission to report on the inquiry identifying further actions the South Australian government may take to improve the effectiveness of the current payroll tax system in promoting economic growth and job creation and its alignment with the overall economic goals of the state, and the inquiry should include evaluation of:

1. Payroll tax threshold and rates, including consideration of an annual review;
2. Incentives to promote regional employment and investment;

3. Opportunities for industry-specific incentives to support the growth and sustainability of key sectors;
4. The impact of recent payroll tax decisions on independent general practitioners and the general practice sector, including the exacerbation of workforce challenges and reduced access to health care;
5. The effect of grouping provisions on independently operated but co-branded businesses across various industry sectors;
6. Retrospective payroll tax liability determinations;
7. Compliance challenges faced by businesses;
8. Payroll tax systems in other jurisdictions to identify best practices and potential areas for reform and alignment; and
9. Any other related matters.

(Continued from 15 May 2024.)

The Hon. H.M. GIROLAMO (21:56): Tonight, I rise in full support of a motion put forward by the Hon. Connie Bonaros about payroll tax, and particularly in support of productivity. The member has shown tenacity and persistence in this space, and I commend her for not giving up on this crucial issue. Our party position is very firm: we have clear policies that would see the threshold raised, trainees and apprentices exempted and GP payroll tax axed.

Tonight, I would like to remind the chamber of the establishment of the South Australian Productivity Commission. In 2013, the then opposition leader, Steven Marshall, in his official response to the state budget that year, made a promise to the people of South Australia to establish a state-based productivity commission aimed at delivering more efficient public spending. I quote his 2013 budget in reply speech:

...government must not just preach. Government needs to focus on its own efforts...Improving productivity is about maximising outputs with finite inputs...the solution to every problem is not necessarily new spending...It is about working smarter.

I could not agree more. When elected as Premier in 2018, Premier Steven Marshall delivered his promise. Unfortunately, this was unlegislated due to Labor's unworkable amendments. Six years on, the Productivity Commission provides vital insight to the parliament and to the people of South Australia about economic viability, competitiveness, industry regulation, governance and more.

Our world changes: wages grow, markets change, technology expands. The commission helps us to adapt to these changes. Payroll tax is the single largest tax in the state at \$1.8 billion. This \$1.8 billion is made off the backs of hardworking small businesses and, more recently, hardworking struggling general practitioners, our doctors. The people trying to prevent South Australians from going to the emergency room and from being ramped are now facing new taxes under this government.

By this government's own admission, in 2027 payroll tax will increase to an enormous \$2.2 billion. The reality of today is that payroll tax is closing businesses. What will happen to that \$1.8 billion of revenue if there are no businesses left to pay this tax? The government cannot afford to not take action.

Increasing the threshold supports small business. Increasing the threshold could potentially keep businesses open. Exempting trainees and apprentices from payroll tax could help address the state's skills shortage. Axing the GP payroll tax could lower the cost of people seeing their doctor or visiting our crowded emergency rooms.

South Australian businesses are owed the right to know the economic viability of payroll tax. Employees are owed the right to know if job prospects could broaden and employable hours could increase if the payroll tax was lifted. Our doctors are owed the right to know if axing GP payroll tax will address the state's enormous health crisis. South Australia deserves to know if increasing the threshold could see manufacturing return to this state.

These are all questions and answers that could be found in an inquiry made by the South Australian Productivity Commission. A responsible government wants to see this state

prosper. A responsible government wants to increase productivity, to increase jobs growth and to allow businesses to flourish. A responsible government will allow the Productivity Commission to conduct an inquiry to investigate the operations of payroll tax, because it is transparent, it holds them to account and it is the right thing to do.

I implore the crossbench and those opposite to support this motion. To vote against this motion would be to deny South Australians the right to know if their money is collected and spent wisely. To vote against this motion would be to deny the state the tools to increase productivity across a range of economic indicators, including job growth, business growth, investment and capital market productivity. To vote against this motion is anti productivity and pro red tape. With that, I commend this motion.

Members interjecting:

The ACTING PRESIDENT (The Hon. R.B. Martin): Order!

The Hon. R.P. WORTLEY (22:01): South Australia has one of the most competitive payroll tax regimes in the nation, with the second highest exemption—

Members interjecting:

The Hon. R.P. WORTLEY: Mr Acting President, please protect me.

The ACTING PRESIDENT (The Hon. R.B. Martin): Continue.

The Hon. R.P. WORTLEY: —and one of the lowest standard tax 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 measure of tax effort provides an indication of how a jurisdiction's effective rate of tax differs to the average of all Australian jurisdictions and can be used as an indicator of tax competitiveness.

In its most recent 2024 update, the Commonwealth Grants Commission 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.

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 the 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 their obligations. 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. F. PANGALLO (22:04): I am not listed on the speakers list, but I just rise to say that I will be supporting this motion. As it currently applies, payroll tax in South Australia is an insidious hurdle to productivity and prosperity and a handicap to jobs that holds back progress for business.

I recall a recent discussion I had with a small business owner who came in to see me. He was extremely concerned about the payroll tax that would have had to have been paid once you

went over the threshold. His business is quite successful and unique in South Australia, but he is afraid to expand it. He would go in winning tenders and contract after contract but was dreading getting them because it would push him over the threshold and make the economy of his business difficult with the tax that he had to pay. With that, I will support the motion.

The Hon. S.L. GAME (22:05): 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 to continue investing in our people and our economy.

Payroll tax prevents businesses from expanding their operations, and so I fully support calls for the current government to take action and reduce this burdensome tax for South Australian businesses, especially those 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 some much-needed tax relief to the South Australian business community.

The Hon. C. BONAROS (22:06): Can I thank the Hon. Ms Girolamo, the Hon. Mr Wortley, the Hon. Mr Pangallo and the Hon. Ms Game for their contributions and support today, and also note the previously stated support of the Greens via the Hon. Rob Simms. I have five words for the Hon. Mr Wortley: \$5 million a day, and increasing. I have two more words for the Hon. Mr Wortley, through you Mr President, which completely diminishes the contribution—

An honourable member interjecting:

The Hon. C. BONAROS: —it was five; I counted them—that he just gave on the part of the government, and they are the 'creep effect'. The fact is—

The PRESIDENT: The Hon. Ms Bonaros, you are not calling him a creep, are you, because that is unparliamentary. You cannot say he is a creep; I won't allow it the Hon. Ms Bonaros.

The Hon. C. BONAROS: And if you were savvy with payroll tax terminology, you would know precisely what I am referring to when I reference the 'creep effect'. The fact is the government has continued to benefit from unexpected windfall gains and none of that has gone towards softening the blow for businesses doing it tough, and we have heard lots of accounts of that tonight. If we want businesses to thrive and survive, as members have expressed, then the least we can do is to ask for that independent report from the Productivity Commission.

I will just reference one article in particular that made headlines this week nationally in relation to GPs in particular. The quote is by the Coalition spokesperson, Anne Ruston, and others last week, which highlighted at the federal level that patients—and this is specifically in relation to the GPs that the Hon. Mr Wortley referenced—were 'feeling the pain' every time they went to pay at a GP reception desk:

Fees have reached the highest level on record as Medicare covers less and less of the cost. It has literally never been harder or more expensive to see a doctor.

All that is getting worse as a result of payroll tax in this jurisdiction. But, of course, that is only one group impacted.

If you think the closures that we hear about each week in the press of hospitality venues, which we have all loved in this jurisdiction, are not a result of payroll tax, then you are absolutely kidding yourself. Businesses are not asking for much. They are saying there is so much money that is coming in windfall gain to the government—unexpected revenue. Let's look at initiatives, incentives and reforms that can ease that blow. That is all that this motion calls for in terms of the work of the Productivity Commission, and I am pleased with the result of tonight's vote and call on—

Members interjecting:

The Hon. C. BONAROS: Based on the contributions given thus far, I can count—I am not an accountant but I can count—and urge not just the Premier but the Treasurer to take this issue seriously and give those businesses that are having a really hard time out there a leg up and undertake this inquiry.

Motion carried.

CONTROLLED SUBSTANCES ACT REGULATIONS

Private Members Business, Orders of the Day, No. 42: Hon. R.B. Martin to move:

That the regulations under the Controlled Substances Act 1984 concerning Poisons—Exemptions, made on 18 January 2024 and laid on the table of this council on 6 February 2024, be disallowed.

The Hon. R.B. MARTIN (22:10): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

CIGARETTE WASTE

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

That this council—

1. Notes that:
 - (a) of the 17.75 billion cigarettes estimated to be consumed in Australia each year, between 30 to 75 per cent end up as litter;
 - (b) cigarette waste makes up to 14 per cent of total waste items found during Clean Up Australia Day;
 - (c) 34 per cent of total litter counted by KESAB is cigarette waste; and
 - (d) at the Conference of Parties (COP10) in February 2024, the World Health Organization Framework Convention on Tobacco Control has resolved to urge signatories to take action on the environmental impact of cigarette waste.
2. Acknowledges that littered cigarette butts:
 - (a) contain cellulose acetate and can take 15 years to break down in seawater;
 - (b) create plastic microfibrils as they degrade; and
 - (c) contain over 7,000 chemicals and one butt can contaminate 40 litres of water.
3. Recognises that:
 - (a) Spain has introduced regulations to require tobacco companies to pay for the clean-up of cigarettes;
 - (b) San Francisco collects litter tax from retailers and charges tobacco companies for the cost of cleaning up; and
 - (c) the New South Wales Environment Protection Authority has initiated consultation on cigarette butts through introducing design standards to design out plastic tobacco filters.
4. Calls on the Malinauskas government to:
 - (a) take any possible action to ensure the tobacco industry is accountable for the waste they produce; and
 - (b) raise the matter with the national environment ministers at their next meeting.

(Continued from 15 May 2024.)

The Hon. S.L. GAME (22:11): I rise today to speak on the honourable member's motion regarding the environmental impact of cigarette waste. The facts presented are eye-opening and I thank the honourable member for highlighting the need for action. We all share a commitment to keeping our environment clean and it is clear that more must be done to mitigate the harm caused by discarded cigarette butts. I support the overall intent of this motion, particularly in holding the tobacco industry accountable for the waste it creates.

However, while we should explore effective solutions, I am concerned with one aspect of the motion in reference to San Francisco's cigarette litter abatement fee. This could be a concern for small business owners and, in the current economic climate, this fee could have unintended negative consequences for retailers already struggling with the skyrocketing costs of doing business in Australia. That said, I look forward to future discussion on this issue. It is crucial that we strike a balance between holding industries accountable and safeguarding small business operators against any economic fallout stemming from these new measures.

The Hon. R.P. WORTLEY (22:12): I rise to give the government's response to this motion. We have decided to support the legislation. The Hon. Mr Simms is correct that cigarette butts are consistently the most littered item in Australia. Of the 17.75 billion cigarettes consumed in Australia each year, between 5.9 billion and 8.9 billion end up as litter.

The KESAB 2022 rubbish report provides a snapshot of the extent of cigarette butt litter in South Australia, and indicates that cigarette butt litter represents 13.6 per cent of reported rubbish, the second most reported litter item. The KESAB report also summarised the impact of cigarette litter on the South Australian environment, and states that small butts leach toxins and leave small pieces of plastic in their wake, providing immediate, short and long-term danger for our precious flora and fauna.

Furthermore, a KESAB litter disposal behaviour study from 2011 identifies where in Adelaide cigarette butts are most littered, stating, 'The ethnography identified several litter hotspots throughout the Adelaide City Council area:' including outside the former Royal Adelaide Hospital and other areas where large office buildings are co-located, and surrounding open spaces which become popular for smoking breaks.

The same KESAB report from 2011 also revealed that for cigarette butts there is little correlation between the volume of butts littered and the availability and proximity of rubbish bins, an example of this being the former RAH, which had what was considered to be a very high availability of bins. This lack of correlation relates partly to the littering of butts being both habitual and intentional, combined with the fact that 43 per cent of litterers are more inclined to litter smaller items such as butts, gum, paper tickets, receipts, etc.

The physical make-up and toxic nature of cigarette butts are well known. According to the WWF Australia report on ending cigarette butt litter in 2021, littered butts can pose a number of hazards to the environment resulting from the fact that they contain non-biodegradable plastics, take time to decompose and in doing so shed microfibres, and can leach toxic chemicals, with approximately 100 of the chemicals known to leach from butts being acutely or chronically toxic to aquatic species. Furthermore, butts are often found within the stomachs of wildlife, particularly of birds and marine life.

There are a number of schemes around the world that are in the planning stage or have been implemented with the aim of reducing cigarette butt litter, including but not limited to San Francisco, Spain and Canada. As an example, Spain has introduced new environmental regulations that came into force in early 2023 requiring tobacco companies to pay for removing discarded cigarettes from the streets and cover the costs of collecting waste from such discarded products in public collection systems, including infrastructure and its operation and the subsequent transport and treatment of the waste.

The costs recovered include the establishment of specific infrastructure for the collection of waste from such products, such as appropriate waste receptacles in places where such waste is concentrated. They also include costs associated with measures for the development of alternatives and prevention measures to reduce the waste generation and increase material recovery.

In 2022, the Spanish region of Catalonia proposed introducing a cigarette return scheme whereby the government would pay four euros to people who return a pack's worth of cigarette butts. This would be covered by a 20¢ levy on each cigarette. The scheme has not yet been introduced (as at January 2023) and the details of the levy plan have yet to be confirmed.

The Canadian scheme is not a formal product stewardship scheme for cigarettes through legislation. However, there is a cigarette free recycling program run by TerraCycle and sponsored

by UNSMOKE. Cigarette butts can be collected and sent to TerraCycle using a prepaid shipping label. Shipments earn 100 TerraCycle points per pound and points can be redeemed for a donation of \$0.01 per point to the charitable organisation or school of choice. TerraCycle state that they compost the residual tobacco and paper and recycle the filter material, but the details and efficacy are not known.

In forming a government position on a previous cigarette butt waste private members' bill, introduced by the Hon. Mr Simms (the Environment Protection(Cigarette Butt Waste) Amendment Bill 2023 introduced on 22 June 2023) the EPA assisted by engaging with colleagues in the Department for Health and Wellbeing that regulate tobacco products in South Australia, as well as colleagues in the New South Wales EPA, which administers a considerable litter reduction program and have had discussions with the commonwealth regarding options to prevent the littering of butts.

The EPA also sought legal advice on the matter. In short, the original PMB proposed amendments to the Environment Protection Act 1993 to require cigarette distributors to remove at least 10 kilograms of cigarette waste from a public place for every 10,000 packets of cigarettes brought into the state in a financial year.

The New South Wales EPA raised considerable concerns that the scheme being proposed by the private members' bill would be a contravention of the World Health Organization Framework Convention on Tobacco Control.

An article from *The Guardian* was provided by the New South Wales EPA, documenting that the federal government had been forced to revoke carbon neutral certification given to a big tobacco company after the endorsement was found to be in breach of the treaty to which Australia is a signatory.

Among many clauses, the treaty states that government consultation with the tobacco industry should be limited to measures needed for public officials or agencies to enact effective tobacco control. That action should be taken to de-normalise the tobacco industry's socially responsible activities and that partnerships with the tobacco industry should be rejected.

The Crown advice received by the EPA recognised that there are a number of ways in which the bill (or similar), inclusive of any suggested improvement to it and any public consultation with respect to it, would be in breach of the WHO treaty. The Deputy Premier will raise the matter of cigarette waste at the next national Environment Ministers' Meeting with the intention of ascertaining interest as to whether the New South Wales government may consider preparing a joint paper for a future EMM meeting.

There has been quite a lot of consultation in regard to this issue. The Deputy Premier has met with the Hon. Robert Simms, with EPA staff present, on more than one occasion regarding this general matter, since the original PMB was introduced well before this motion. The EPA has consulted with GISA, DHW, CSO and the New South Wales EPA. With that, the government indicates its support.

The Hon. F. PANGALLO (22:20): I rise to support the motion of the Hon. Rob Simms. I think it is a very worthy move to try to find some way to remove our communities, our streets, our waterways of cigarette butts. There was an alarming story I read recently about microplastics. We all know that scientists have located microplastics in our bodies, but what was more horrifying was that scientists have recently discovered that microplastics have been found in the human brain. That shows you the extent of the problem that exists with plastics in the world.

Smoking is a terrible habit. What is worse is the litter that it creates and the hazards that it presents to wildlife and also to marine life. Someone needs to take responsibility for reducing and removing cigarette butts. The Hon. Russell Wortley spoke of financial incentives or levies that are being imposed to be a disincentive for people to discard their cigarette butts, and it sounds like a good idea to me. With that, I wholeheartedly commend the motion to the chamber.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (22:22): I rise today on behalf of the Liberal opposition to indicate our support for the motion moved by the Hon. Robert Simms. I commend the honourable member for bringing this motion to the chamber and for stating the simple fact that there is a problem in Australia with the amount of cigarette waste that is consumed.

This motion is consistent with efforts made during the Marshall Liberal government to implement a phase-out of single-use plastic products in South Australia, which of course includes the degradation of cigarette butts into microplastics. Cigarette filters are made from a non-biodegradable plastic, which breaks up slowly and sheds microfibrils, taking up to 14 years to decompose, leaching toxic materials into their surrounding environments in the meantime.

According to the most recent published KESAB annual report for 2022-23, cigarette butts with filters are the most commonly littered item worldwide, with 4.5 trillion butts tossed into the environment annually. In the litter index for South Australia, cigarette butts accounted for 29 per cent of total litter. In another report by the World Wildlife Fund (WWF) released in October 2021, it was found that, of the 17.75 billion cigarettes consumed in Australia each year, between 5.9 billion and 8.9 billion actually ended up as litter, equal to about 33 to 50 per cent of cigarettes. This represents 1,400 tonnes of litter.

As a result, the annual cost of removing tobacco-related litter has been estimated at \$73 million per year associated with state, territory and local government litter prevention and removal services. These are just some of the startling facts that show us what we already knew to be true: cigarettes are harmful for our health, for our environment and come at a great financial cost to all. The current strategies to tackle this issue are ineffective. The tobacco industry response to product waste has been to focus responsibility on the consumer. Given the fact that cigarettes continue to be littered, it is clear that these strategies on their own have been ineffective. Many around the world are now calling for stronger industry regulation.

What are the solutions to this problem? In a report by Equilibrium, commissioned by the WWF and released in 2021, it indicated that the greatest reduction in cigarette butt pollution would likely be achieved by a mandatory product stewardship scheme or a ban on single-use plastic filters. A stewardship scheme will shift the cost of responsibility for addressing cigarette butt waste from taxpayers and on to producers, users and polluters. This would expand the collection, recovery and reprocessing of cigarettes butts, as well as research and development for improved recovery, processing and design.

In their report Equilibrium proposed a levy of .004, which is less than half a cent per cigarette, to raise \$71 million per year to fund clean-up costs that are currently met by governments and taxpayers. It is estimated that if a stewardship scheme called on the tobacco industry to be responsible for the waste, there could be a reduction in cigarette butts by 4.45 billion per year.

While such a solution would need to be investigated further before implementation, it was something we were on track to do under the previous federal Liberal government. In 2021 the environment minister Sussan Ley committed to a task force to address plastic in littered cigarette butts as part of a new national plan to tackle plastic waste. The industry-led, cross-sectoral stewardship task force, which was welcomed by many environmental groups, would have examined potential solutions, including removing butts from cigarettes entirely.

A government-led task force drawing on the expertise within government NGOs and academia would have been instrumental in combatting one of the country's largest environmental challenges, yet the federal Albanese government has not followed through on the commitment by the previous government, and it remains to be seen whether a task force will be implemented at any time soon.

The Equilibrium report confirmed that a national mandated stewardship scheme would achieve far greater environmental benefits than one led separately by states and territories. Clean Up Australia, Keep Australia Beautiful and Australia Marine Debris Initiative have consistently listed cigarette butts and packaging as the most littered item. Both the federal and state Labor governments have failed the people of South Australia—in fact, everyone in this country—by not following through on the work started by the previous Liberal government and supported by leading environmental and health groups.

There is no excuse for this government to drop the ball on an issue that we know can be solved and acted on now; therefore the Liberal Party joins the Hon. Robert Simms to call on the Malinauskas Labor government to take action and advocate to the federal Labor government to address the major concerns raised in this motion. I commend the motion.

The Hon. R.A. SIMMS (22:28): Isn't it nice, we can all be friends again now, a moment of unity, as we all come together to tackle cigarette butt waste. I do want to thank all of the speakers on this bill: the Hon. Sarah Game, the Hon. Russell Wortley, the Hon. Frank Pangallo and the Hon. Jing Lee. I note that the Hon. Connie Bonaros had five words for the Hon. Mr Wortley. I can only say 'thank you' to the honourable member for his contribution. He has set out, I think quite clearly, the rationale for action on this issue, and other speakers have dwelt on that, so I do not need to go into the details in terms of why action on this is required.

I do want to take just a brief moment, though, to acknowledge the leadership of the environment minister, Deputy Premier Susan Close, on this. When I introduced my private member's bill last year, looking at this issue of cigarette butt waste, I reached out to the minister and I have met with her and her office a number of times to talk about this issue.

It is my impression that the minister has a genuine desire to want to do something in this regard. I appreciate the undertaking that has been given to raise this issue at the next national meeting in the hope that we can see a coordinated approach, recognising that this is of course bigger than just South Australia.

I also acknowledge the leadership of both sides of politics here in this state in that regard, in particular the leadership of the former environment minister, the Hon. David Speirs, who did a lot of work in terms of reducing waste. I think it is a credit to South Australia that that work has been undertaken in a bipartisan way. It would be great if we could see South Australia leading the way again in terms of targeting cigarette butts as a significant contributor to waste.

Motion carried.

E-PETITIONS

Adjourned debate on motion of Hon. S.L. Game:

That this council—

1. Recognises that e-petitions are accepted by the federal parliament and all state parliaments, except for South Australia;
2. Acknowledges that petitioning is one of the traditional forms by which citizens can make requests directly to parliament;
3. Recognises that e-petitions are easy to create, easy to share, and will help citizens bring issues directly to the attention of the Legislative Council; and
4. Calls on the matter of e-petitions to be referred to the Standing Orders Committee for consideration and report.

(Continued from 1 May 2024.)

The Hon. R.A. SIMMS (22:30): I rise on behalf of the Greens to support this motion on e-petitions. The love continues. The South Australian parliament currently only accepts hard copy petitions. The Greens have long believed that this is an outdated way of accepting petitions in our state. While some may argue that allowing for e-petitions may increase the number of petitions considered by the parliament, the Greens believe we should be encouraging maximum participation in our democracy.

We believe that transparent and fair mechanisms should be used to translate community views into changes in our policy and our law. If e-petitions are good enough for our federal parliament and other state parliaments, why are they not good enough for South Australia? We are sometimes in the Dark Ages in this place when it comes to engaging with the broader community, and the idea that a paper petition is the best way of engaging with our constituents I do think is old fashioned.

It makes sense that the Standing Orders Committee should look at how we can move into the 21st century. I am a member of that committee and I am certainly keen to look at how we can bring South Australia into line with other jurisdictions to improve democratic processes and support newer technologies for engagement with our constituents.

Indeed, irrespective of the outcome of this motion I am happy to raise that matter at the committee level and see what can be done in terms of trying to modernise our standing orders and open up opportunities to bring the community more into our parliament.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:32): I rise as the speaker for the opposition in support of this motion, which seeks to refer the subject of electronic petitions, or 'e-petitions', to the Standing Orders Committee for consideration.

The Liberal Party supports measures aimed at enhancing and preserving the voice of the voting public to our parliament. It is a core Liberal value that we, the elected representatives in this place, work for all people. This is a key principle of our parliamentary system. As such, the voting public must be able to exercise their democratic right directly to elected representatives. One mechanism to achieve this is a petition.

The current system, where petitions may only be lodged in hard copy and with handwritten signatures, has many disadvantages in terms of accessibility for some community members. It seems incongruous that in this day and age handwritten petitions are the only formal way in which members of the electorate can petition their parliament.

It makes sense that the Standing Orders Committee conclude what adjustments need to be made to take advantage of improvements in technology. In doing so, it has the potential to empower and engage people in the community who may find the current system a deterrent through the existing requirements. The process of petitioning the South Australian parliament should be easy, efficient and equitable.

South Australia is one of few jurisdictions that do not currently offer the ability to lodge e-petitions. It is high time for that to change. If, as we believe, the inclusion of an e-petition platform on the parliament website will enable greater participation and engagement in the democratic process for South Australians, then it is a strong reason for it to go ahead.

In regard to the choice between developing a bespoke program from scratch or buying an off-the-shelf product, the Liberal Party believes the latter is preferable. There is no doubt that there are commercial products that could be modified for appropriate parliamentary use. I understand parliamentary petitions require a high degree of both data security and input scrutiny.

I am also cognisant that the system will need to fit in with current back-end IT systems, but there are companies that specialise in this, and I am sure the procurement team and the parliamentary network team can find the best-fit solution based on any recommendations of the Standing Orders Committee without having to start from absolute scratch. Given that this system has been used in other jurisdictions, I am confident that our parliamentary team will find something to adapt and serve.

I agree that data security should be key for any e-platform, and that is especially true for parliamentary petitions. This includes careful consideration regarding the validity and integrity of signatures as well as tightly managing the access of any completed petition and its data. We found no evidence that the adoption of an e-platform would be less secure in validity than the current paper-based system, so we find no reason to oppose this motion on security grounds.

In summary, the opposition supports this motion, and we especially look forward to any recommendations that may be put forward for consideration by the Standing Orders Committee as a result. I commend the motion to the chamber.

The Hon. R.P. WORTLEY (22:35): I rise on behalf of government members to indicate that we will support the passage of this motion. The government is always keen to develop new ways to engage and listen to the views of the community. One of the key ways we engage with the public is through the YourSAy platform, an initiative of a previous Labor government, which provides a one-stop shop for South Australians to have their say on issues across all areas of government.

I think many members, particularly in the other place, would have some sympathy for the proposal from the Hon. Ms Game. Many community groups have experienced challenges in collecting and delivering paper-based petitions and meeting all of the style and form requirements to be accepted as a petition to parliament. Parliamentary e-petitions have been implemented in other

Australian jurisdictions, including in the federal parliament, however it is clear to us that more work is needed before they could be implemented in the South Australian context.

The federal government has significantly greater resources available to it to deliver and administer the commonwealth parliament electronic petitions platform. Generally, these resources are more constrained at state and territory level. The government would therefore need to further consider the practical, technological and resourcing issues involved with delivering an e-petition system.

Many petitions are also delivered by constituents to their local member in the other place rather than to the Legislative Council. We therefore consider that work between the houses would be necessary before such change could be implemented. However, we remain supportive of making it easier for South Australians to engage with government and parliament. For that reason, we will support the passage of this motion today and further work through the Standing Orders Committee.

The Hon. S.L. GAME (22:37): I thank all the honourable members for their contributions today—the Hon. Robert Simms, the Hon. Nicola Centofanti and the Hon. Russell Wortley—and for the support for this motion. South Australia is the only jurisdiction in this country that still does not facilitate electronic petitions, and as we all know, petitioning the parliament remains a traditional, trusted way the citizens we serve can make direct requests. It remains an important part of democracy.

E-petitions are easy to create and share, help engage more people in the political process and subsequently bring more issues to the attention of elected officials. Changing standing orders will allow the Legislative Council to accept e-petitions, and as such I am glad to see this matter will be referred to the Standing Orders Committee for consideration and report.

Motion carried.

NONNA'S CUCINA

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

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.

(Continued from 28 August 2024.)

The Hon. T.T. NGO (22:38): I rise to speak in support of this motion and acknowledge the 25th anniversary of Nonna's Cucina. Nonna's Cucina provides an important meals-on-wheels service to our Italian community. This highly valued not-for-profit organisation is funded through the federal health department. As has been acknowledged on many occasions in this chamber, our Italian community has been one of the most significant contributors to our state. Their sheer hard work, enterprise and many cultural contributions have benefited all South Australians.

Italian food culture is rich with rituals that have been shared over many decades. The process of preparing food, like making homemade pasta, bread or sauces, is done with great care and pride. Seasonal festivals, such as olive oil harvests, wine production and religious holidays, make food an

integral part of Italian cultural celebrations. It is heartwarming to know that a community that has given so much to many South Australian communities is being looked after in their later years.

Originally established in 1999, the Italian home delivery of meals and services initially came under the auspices of Multicultural Aged Care, who provided services to SA's culturally and linguistically diverse communities. In 2004, Nonna's Cucina moved into their own premises at Firlie, with a full kitchen allowing them to cook their own meals. It was in 2019 that Nonna's Cucina took on the name we all know them by, and in 2020 they identified with the wider community and created the Grandma Menu. This menu offers a new selection of dishes providing a wider choice of meals that cater to a variety of culinary experiences, allowing Nonna's Cucina to expand their reach to non-Italian members of the community.

Food holds a significant place in Italian culture. It has always been embedded in the celebration of community, fertility and land. Australians know how food is synonymous with family and community in many other cultures, too. Just as it is for the Italian community, food is a way of expressing love and hospitality.

For many seniors, social isolation can become a part of ageing as partners and long-term friendships are lost with the passing of time. The interaction clients get from volunteers can be vital for the health and wellbeing of those living alone and needing care. Nonna's Cucina staff are more than volunteers; I have been told that they often become friends and family to many of the clients.

Nonna's Cucina has recently purchased a facility in Holden Hill, which is five times bigger than their current premises. Food for our Italian community is much more than sustenance, it is an expression of cultural pride, regional identity and social connection. This new, bigger kitchen will be well used and the universal appeal of pasta, pizza and the other culinary delights produced by Nonna's Cucina will be enjoyed by many.

The importance of this organisation's community service is highly valued by this state government, which is why the Malinauskas Labor government has provided \$170,000 to assist with the refrigeration units at Nonna's Cucina's new facility. Around 900 items of food for around 300 clients five days a week are delivered by more than 100 volunteers.

Italy's rich history and culinary diversity is part of Nonna's Cucina's vision. Special mention must go to Franca Antonello, Silvio Iaderola and Gosia Skalban, who were fundamental in establishing this vision. On behalf of the Labor Malinauskas government, I want to thank the current leadership of Nonna's Cucina: president, Rebecca Staltari; CEO, Marco Staltari; general manager, Dario Fabretto; and the entire executive team.

Special mention must also go to Rosa Matto, the patron, who I am told has been an unbelievable mentor, volunteer and chef. Also to the executive chef, Stefan Dimasi, and to the countless volunteers who brighten the lives of so many in the community, thank you. Finally, I thank the Hon. Jing Lee for bringing this motion to the chamber. Once again, on behalf of the Malinauskas government, we give it our full support.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (22:44): I would like to thank the Hon. Tung Ngo for his wonderful contribution and his unwavering support for multicultural communities, in this instance paying tribute to Nonna's Cucina for their 25th anniversary. I am sure Nonna's Cucina will really appreciate that deeper appreciation and the remarks by the Hon. Tung Ngo. With those comments, I commend the motion.

Motion carried.

BUSINESS EVENTS ADELAIDE

The Hon. J.S. LEE (Deputy Leader of the Opposition) (22:45): I move:

That this council—

1. Recognises that 2024 will mark the 50th anniversary since the founding of Business Events Adelaide (formerly known as the Adelaide Convention Bureau);
2. Acknowledges Business Events Adelaide is the peak independent body for South Australia's business events;

3. Notes the significant role that Business Events Adelaide performs in attracting national and international conventions, meetings, exhibitions, corporate incentives, and special events to Adelaide and South Australia;
4. Commends Business Events Adelaide for promoting Adelaide and South Australia as an attractive and preferred destination for business events; and
5. Recognises the impact and contributions of Business Events Adelaide as a successful economic driver and catalyst for growth and prosperity for South Australia.

It is a great honour to rise today to congratulate Business Events Adelaide (BEA) and recognise that 2024 marks the 50th anniversary since the founding of Business Events Adelaide, formerly known as the Adelaide Convention Bureau.

The Adelaide Convention Bureau was founded in 1974 and was rebranded and repositioned to Business Events Adelaide in 2022 to better reflect what they do and how the national business events sector is being positioned. Business Events Adelaide's brief is simply to attract and win business events for South Australia, which are a valued and proven short and long-term economic driver for the state.

Business Events Adelaide currently has 138 members, including Adelaide Airport, AHA, Adelaide Convention Centre, Adelaide Oval, SkyCity, Adelaide Festival Centre, National Wine Centre and all the major hotels, event organisers and providers. The business events sector is worth more than \$2.5 billion to South Australia and Business Events Adelaide contributes some \$250 million of that, working on a budget of just \$2.9 million.

I want to begin by commending and congratulating the board and executive team at BEA for all of their hard work and dedication in leading the charge to promote South Australia as a destination for business events. BEA is led by an eight-member board of committee volunteers including Chair Ian Horne, Deputy Chair Catherine Cooper, Jim Kouts, Martin Radcliffe, Carmel Noon, Cindy Hynes, Anne-Marie Quinn and Llewellyn Wyeth.

Ian Horne, in particular, brings with him an impressive wealth of knowledge and experience of working in business events and tourism and hospitality industries, having served as CEO of AHA SA for 34 years. During his time helming AHA, Ian's impact has been felt in tourism, training, licensing, gaming and industrial relations, and his list of achievements is long and illustrious.

Ian developed the nation's best practice industry-led harm minimisation measures through COVID. Ian's experience and capacity to work through all the complexities where there was no playbook to call upon saved many hoteliers and AHA SA members, but Ian's greatest asset was his ability to recognise talent and assemble an outstanding team around him which laid the most solid of foundations for AHA SA and the industry to continue to flourish well into the future. Ian left a strong legacy at AHA. Fortunately, his corporate knowledge, extensive networks and expertise can be channelled into his current position with Business Events Adelaide, and his ongoing work continues to play an important role in shaping our tourism and hospitality industries.

Business Events Adelaide also has a full-time team of hardworking individuals who are committed to ensuring some of the best events come here to our state. I want to give a special shout-out to CEO Damien Kitto. Damien joined the Business Events Adelaide team as chief executive officer in 2008 following extensive experience at Events South Australia and the South Australian Tourism Commission.

Damien has a successful track record of facilitating collaboration across the private and public sectors, having also served as president of the Association of Australian Convention Bureaux and deputy chair of the Business Events Council of Australia. He provides strong leadership with a clear strategic focus for the Australian and South Australian business events sector. It is always wonderful to meet with Damien and also the chair, Ian Horne, on a number of issues that are impacting the South Australian tourism and hospitality sector.

I also want to take this moment to commend the rest of the highly effective team at Business Events Adelaide. From the most recent report in the financial year of 2022-23, the Business Events Adelaide team secured 123 business events for the state, worth some \$218 million for four years. They have bid for and won a number of heavily contested business events, such as the

11th International Masters of Wine Symposium and the 26th annual IPOS World Congress of Psycho-Oncology and Psychosocial Academy.

The list also includes Dreamtime, Tourism Australia's signature biennial incentive showcase, designed to increase the awareness of Australia as an outstanding incentive destination. The event provides the Australian business events industry the opportunity to connect with qualified incentive buyers from around the world, while showcasing Australia's best incentive experiences and products.

It is classed by the sector as the number one gathering of business event specialists and event clients for corporate incentives. It provides Adelaide with a stunning audience to illustrate all that we do and was a massive win for Adelaide to procure this event. The state business events sector has recovered post COVID to again be a highly competitive \$2.5 billion sector. Nationally, South Australia continues to lead other states in two critical factors as a strong business events destination.

Firstly, Business Events Adelaide can show easily and clearly that Adelaide operates successfully with a collegial team approach to business event organisers and their delegates. No other Australian capital city has yet been able to coordinate all sectors working together end to end as a business events team for the common good, from airport to airport and all points in between, including hotels, venues, hospitality outlets and local transport. This is a hugely positive attribute in attracting business events and making us very competitive internationally.

Secondly, was the realisation that it is the economic tail that is a vital component in attracting and benefiting from a business event. This economic tail concept is probably best explained by CEO Damien Kitto, and I quote:

Business Events Adelaide is first and foremost an economic driver for Adelaide and South Australia...Business events fill hotel rooms, venues, restaurants etc but our valued business delegates spend three times more each day (A\$632...) than a tourist or a major events visitor and that is an important differentiation. They also leave a strong economic tail from their visit.

These delegates are focused on returning home with tangible business results from their time with us, be it from knowledge transfer, research collaborations or business partnerships. And such economic results from business events deliver strong advantages for South Australia.

By leading the country in these two critical factors, Business Events Adelaide has managed to accomplish rapid growth for our business events sector and has greatly contributed to our visitor economy. In the financial year of 2023, Business Events Adelaide secured more than 125 events, generating \$250 million for our state economy. Of these events, 12 were from international business event organisers.

In particular, the May and June period proved extremely productive, with 26 events being held, generating an immediate \$67 million into our state economy. Among the largest events held were Royal College of Surgeons, with 2,000 people attending; Austmine, with 1,300 people; Australian Petroleum Production and Exploration Association, with 2,450 people; and Hort Connections, with 3,450 people. In total, there were visits made by 53,000 delegates who spent 256,200 bed nights over the 2022-23 financial year period.

Looking forward, Business Events Adelaide were able to secure 123 future business events from 164 bid proposals submitted. These future events are forecasted at a value of \$218 million for the state economy. How is BEA able to bring so many important business events to South Australia and what services does their team provide?

As I mentioned before, BEA supports business events relevant to Adelaide's primary areas of industry and specialty by providing a range of free professional services designed to allow bid leaders to focus valuable time and resources on the top line business event goals. Its role is to provide assistance and guidance to business events organisers through every stage of planning and to utilise their depth of local knowledge and breadth of experience.

With these wonderful achievements by Business Events Adelaide, once again it is a great honour tonight to move this motion to recognise the impact and contribution of Business Events Adelaide as a successful economic driver and catalyst for growth and prosperity for South Australia. I wish them a very happy 50th anniversary and I commend the motion.

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

AUSTRALIA SRI LANKA ASSOCIATION

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

That this council—

1. Congratulates the Australia Sri Lanka Association (ASLA) for reaching a special milestone, their 50th anniversary, in 2024;
2. Recognises that ASLA is a pioneering community organisation that has been serving the Sri Lankan-Australian community by providing valuable networks and platforms for community members to develop friendships, to exchange ideas and to share the rich traditions of Sri Lankan culture in Adelaide;
3. Acknowledges the important work of founding members, current and past presidents, committee members and volunteers of ASLA for their hard work, dedication and contributions in delivering 50 years of outstanding community service in South Australia;
4. Commends ASLA for working collaboratively with small businesses and food vendors to deliver the popular Sri Lankan Food and Cultural Day as a flagship event for over 10 years in Adelaide; and
5. Reflects on the many achievements of ASLA over five decades and recognises the impact of ASLA and its contributions to enrich multicultural South Australia.

(Continued from 16 May 2024.)

The Hon. M. EL DANNAWI (22:56): I rise on behalf of the government to indicate our support for this motion and speak briefly to congratulate the Australia Sri Lanka Association on their enormous achievement. Fifty years is an important milestone for any community association. It is a testament to the vision, resilience and commitment of the Sri Lankan community to preserve and carry on their language, traditions and culture while enriching our state.

As a longstanding development cooperation partner for Sri Lanka, Australia is proud to support initiatives and projects that further advance Sri Lanka and its residents, but what we are most proud of is the fact that 6,300 people of Sri Lankan ancestry have chosen to call South Australia home. The community has seen growth not just with those who first made the original journey to South Australia but newer migrants and those who came here to study as well. Their involvement and contributions to local communities across the state are exemplary.

ASLA should take credit and pride for creating a home for the community to flourish in and for the support they have provided over the years and continue to provide to those less fortunate. As we celebrate the organisation's 50th anniversary, we must acknowledge and celebrate the remarkable individuals who led the way and the dedication of committee members and volunteers past and present over the last five decades. These people are the heart and soul of this organisation and for so many years have worked behind the scenes to promote intercultural understanding and social cohesion.

To the current president, Nishani Seneviratne, the committee and all your current volunteers and supporters, we wish you all the best as you continue this journey to support the community for the next 50 years and beyond. The state government and parliament wholeheartedly thank you.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (22:58): I would like to thank the Hon. Mira El Dannawi for her contribution to support this motion to congratulate the Australia Sri Lanka Association for their 50th anniversary. I thank her very much for her support and I commend the motion.

Motion carried.

SINGAPORE AIRLINES

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

That this council—

1. Congratulates Singapore Airlines for 40 years of successful operation in Adelaide;
2. Acknowledges Singapore Airlines as Adelaide's longest serving international airline;

3. Recognises the significant impact Singapore Airlines has on the visitor economy, international students market, international trade and exports sector over the last 40 years;
4. Notes Singapore Airlines has played a pivotal role in South Australia's COVID pandemic recovery and was one of the first international airlines to reintroduce flights in mid-2020 to help repatriate South Australians and to also transport South Australian exports to global markets; and
5. Commends Singapore Airlines for its long-term commitment to work in partnership with Adelaide Airport and recognises the airline's important contributions to the tourism, transport and aviation sectors in South Australia.

(Continued from 12 September 2024.)

The Hon. E.S. BOURKE (22:58): I would like to thank the member for moving this motion and indicate the government's support. Forty years of Singapore Airlines flying in and out of Adelaide is a remarkable milestone, so thank you for acknowledging that today. Singapore Airlines was not only the first international airline to operate daily flights to Adelaide from 2006, their ongoing presence in our state has brought significant benefits to South Australia's economy.

The current schedule of daily direct flights facilitates tens of millions of dollars in tourism per year. I believe \$96 million per year, to be exact, is generated for our state. I understand that this may grow, as Singapore Airlines' air traffic into Adelaide is due to increase, with the addition of three further flights per week, bringing it to a total of 10 flights each week.

Singapore Airlines is known for its excellent customer service and very strong safety record. In fact, it consistently ranks among the world's top airlines. Singapore Airlines operates an extensive network covering 76 destinations across Asia, North America, Australasia, Europe, Africa and the Middle East. Singapore Airlines is an important airline partner, driving travel from South Australia's key markets and in itself is currently South Australia's fourth largest market in terms of visitor expenditure.

Data from Tourism Research Australia indicates that our state welcomed 15,000 visitors from Singapore just in the year ending December 2023, and Singapore Airlines helps people right across the world travel to and from our state. Their breadth of coverage means that Singapore Airlines is a very significant connector for many of our migrant and multicultural communities as well as many South Australians who travel for business or for leisure.

As a carrier and as a company, Singapore Airlines has been an incredible supporter of the Adelaide market over the last four decades. They have been with us through the highs of extraordinary growth of international travel and the lows of the COVID pandemic. In fact, Singapore Airlines was one of the first international airlines to reintroduce flights, in mid-2020, to help bring home South Australians who were desperate to return here at the height of the pandemic as well as to transport South Australian exports to global markets.

Singapore Airlines was a groundbreaker in providing South Australians with a single-stop connection to Europe and the UK rather than having to go through Sydney or Melbourne. In 2018, Singapore Airlines chose Adelaide as their global launch port for its brand-new A350 MH aircraft, and in August 2023, Singapore Airlines added an additional 238 weekly seats to its Adelaide to Singapore services by replacing its aircraft with a B787-10 Dreamliner.

The South Australian government recognises the crucial importance of Singapore Airlines as a partner in driving inbound visitation from our key markets as well as getting South Australians where they need to go across the globe. I congratulate Singapore Airlines on behalf of the government on 40 years of operation into and out of Adelaide. The South Australian government acknowledges and thanks Singapore Airlines for being South Australia's longest serving international carrier as well as for their long-term partnership in and sponsorship of the Santos Tour Down Under. I am pleased to support this motion.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (23:02): I would like to thank the Hon. Emily Bourke for her contribution in support of the 40th anniversary of Singapore Airlines' operation in Adelaide. I also want to note that the Hon. Dennis Hood made a fantastic contribution last sitting week in support of this motion as well. I commend the motion.

Motion carried.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The House of Assembly appointed Mr Basham in place of Mr Telfer.

At 23:04 the council adjourned until Thursday 26 September 2024 at 14:15.