

## LEGISLATIVE COUNCIL

Thursday, 20 March 2025

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

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

*Parliamentary Procedure*

### ANSWERS TABLED

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

### PAPERS

The following papers were laid on the table:

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

SA Health Response to Legislative Review Committee Recommendations of House of Assembly Petition No 84 of 2021—SA Ambulance Resourcing

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

Child Protection in South Australia from the Report on Government Services 2025

By the Minister for Emergency Services and Correctional Services (Hon. E.S. Bourke)—

Education and Care Services Ombudsman and National Education and Care Services  
Freedom of Information and Privacy Commissioners,  
Report—2023-24

Travel Report for 11 February 2025 prepared pursuant to the Public Sector Act 2009

*Ministerial Statement*

### LEGISLATIVE REVIEW COMMITTEE: SA AMBULANCE SERVICE RESOURCING

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:19):** Pursuant to section 19(3) of the Parliamentary Committees Act, I seek leave to address the council in relation to a response to the Legislative Review Committee petition No. 84 of 2021, SA Ambulance Service Resourcing.

Leave granted.

**The Hon. K.J. MAHER:** I am addressing the council on behalf of the Minister for Health and Wellbeing, the Hon. Chris Picton, in relation to a petition regarding SA Ambulance Service resourcing that was tabled by the member for Croydon, now the Premier, in 2021. I am pleased to share that, since the time of this petition, the Malinauskas Labor government is now building a bigger health system for all South Australians.

In its first three budgets the government has delivered \$7.1 billion in additional funding for the health system. We are adding more than 600 extra beds right across our health system. That is the equivalent of two brand new Queen Elizabeth hospitals. We have added more than 1,400 clinicians, above attrition, since coming to government. That is 691 extra nurses, 329 extra doctors, 219 extra ambos and 193 extra allied health workers. We are also providing the necessary funding for our ambulance services to deliver more paramedics, more ambulances and new ambulance stations.

Of course, this is in stark contrast to when the petition was tabled, when:

- the previous Liberal government cut \$13 million in funding to the South Australian Ambulance Service in its first two years, according to the Productivity Commission;
- the 90<sup>th</sup> percentile ambulance response deteriorated to 71.3 minutes, the worst in the nation by far; and
- only one out of every three ambulances turned up on time, potentially risking the lives of thousands of South Australians.

Whereas now there is a two-thirds chance of the priority ambulance arriving on time rather than a two-thirds chance of it arriving late. This translates into thousands more patients every month receiving their ambulance on time.

Of course we know there is more work to do and we will continue to deliver increased capacity in our health system to meet demand, ease pressure on our hospitals and reduce ramping. I am advised that many of the committee's recommendations are already in place or have been completed, with work progressing on others. This government will always back our hardworking ambos, along with our doctors and nurses, and we will keep investing in building a bigger health system.

#### *Question Time*

#### **AMBULANCE RAMPING**

**The Hon. J.M.A. LENSINK (14:22):** I seek leave to make a brief explanation before directing a question to the Leader of the Government on broken promises.

Leave granted.

**The Hon. J.M.A. LENSINK:** Prior to the last election the state government promised South Australians that they would fix ramping and urged them to vote like their life depended on it. The honourable minister would know that because I know he was on pre-poll for significant amounts of time, and I saw him there with the erroneous posters.

Recent statistics show that sick South Australian patients and paramedics have now endured the 33 worst months of ramping in our state's history. My question to the leader is: will he and the Premier admit that they have broken their key election promise to fix ramping and apologise to the hardworking paramedics and sick patients who have spent more time stuck on the ramp than at any point in South Australia's history?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:23):** Although this is the portfolio of my colleague the Minister for Health, I am happy to repeat, because I know that there were some members opposite from the Liberal opposition who weren't listening properly when I read the statement on his behalf. I am happy to repeat just a little bit of that.

When the petition to which I referred to earlier, back in 2021, under the term of the last Liberal government, was initially tabled, I am advised—as I read before—only one out of every three ambulances turned up on time, whereas now there is a two-thirds chance of the priority ambulance arriving on time rather than a two-thirds chance of it not arriving on time.

As I informed the opposition and the chamber when I made the statement in relation to the petition before, in its first three budgets this government has delivered \$7.1 billion in additional funding to the health system, equivalent to adding 600 extra beds right across the health system. As I mentioned before, that is the equivalent of two brand new Queen Elizabeth hospitals, adding also 1,400 clinicians above attrition. That is including 691 extra nurses, 329 extra doctors, 219 extra ambos and 193 extra allied health workers.

#### **AMBULANCE RAMPING**

**The Hon. D.G.E. HOOD (14:25):** Supplementary question: minister, after spending the extraordinary amount of money you have just outlined, why hasn't ramping improved at all?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:25):** I am happy, because the Hon. Dennis Hood generally asks what are actual supplementaries, in contrast to many of his colleagues. This one may have been borderline but I am happy to indulge the Hon. Dennis Hood.

**The PRESIDENT:** You are not reflecting on the Chair in any way?

**The Hon. K.J. MAHER:** Absolutely not. I would never reflect on Whyalla's finest in such a way, sir. The government is spending, as the honourable member has outlined, record amounts investing in our health system and it is showing some early results. There is now a two-thirds chance, as I said, of a priority ambulance—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.J. MAHER:** —arriving on time, whereas under the former Liberal government, in 2021, the date of the petition to which I referred to in my answer, there was a two-thirds chance it wouldn't arrive on time.

#### AMBULANCE RAMPING

**The Hon. J.M.A. LENSINK (14:26):** Supplementary question: when will ramping cease?

**The PRESIDENT:** You have mentioned ramping a fair bit.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:26):** As I have said, and I will reiterate again, we are spending a record amount—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.J. MAHER:** —we are employing more doctors, more nurses, more allied health professionals, delivering more ambos and more ambulance stations, in stark contrast to what the Liberal government did when they were there.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Girolamo, respect for your colleague. The government benches, cease.

#### HYDROGEN POWER PLANT

**The Hon. J.M.A. LENSINK (14:27):** Thank you, Mr President. We are all able to read the same questions on this side of the house. I seek leave to make a brief explanation before asking a question of the Leader of the Government in this place about broken promises.

Leave granted.

**The Hon. J.M.A. LENSINK:** Prior to the last election, the Malinauskas Labor Party promised the people of South Australia that they would build the world's biggest hydrogen electrolyser and use that electricity to provide cheap, clean energy to industry in our state by 2025. The Labor Party in government has spent \$23 million to set up the hydrogen office, and the Premier has now walked away from that promise.

My question for the leader is: will he and the Premier admit that they have broken another key election promise to provide cheap, clean energy through hydrogen, and will he apologise to industry, business and households—particularly businesses which are struggling, shutting their doors—after electricity prices have skyrocketed by close to \$1,700 over the last three years on his watch?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:28):** I thank the honourable member for her question. It is just as well there are no standing orders against asking exactly the

same question in each chamber just minutes apart, but I am happy to indulge the honourable member.

What is well known and on record is we have funds that may have gone to the hydrogen plant being used in the administration of the steelworks and in conjunction with the federal government in looking to give the steelworks of Whyalla the best possible chance of being sold and being operated in the long term by another owner. That is something we do not resile from and that's a decision I think any good government would have made, given the circumstances that were being faced.

#### OFFICE OF HYDROGEN POWER

**The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:29):** Supplementary: does the minister stand by the Office of Hydrogen Power remaining open and Sam Crafter being paid \$600,000 a year?

*Members interjecting:*

**The PRESIDENT:** Order! That was not a supplementary question arising from the answer.

#### PRESCHOOL ELIGIBILITY AGE

**The Hon. J.M.A. LENSINK (14:29):** I seek leave to make a brief explanation prior to addressing a question to the Leader of the Government in this place regarding broken election promises.

Leave granted.

**The Hon. J.M.A. LENSINK:** In the lead-up to the 2022 election Labor policy documents included a, and I quote, 'commitment to offer three-year-old preschool to all children in South Australia from 2026'. In the government's response to the Gillard royal commission it announced a new timeline of delivering this commitment by 2032, two electoral cycles after the initial promise. Given the royal commission identified that 2,000 extra teachers and other qualified staff would need to be trained and recruited to meet this promise, my question is: can the government guarantee that all staff will be recruited in time to meet this much-delayed timeline?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:30):** I thank the honourable member for her question and for highlighting some of the very significant work this government has done, highlighting some of the very significant changes this government has been making. The honourable member is right: in something that is so important and so fundamental for the future of South Australia a royal commission was held to see the best way to deliver early childhood education in South Australia.

I am very proud to be part of a government that is committed to three-year-old preschool. This isn't something that you often see from governments—committing significant sums of money, significant times in policy endeavours that don't have a short-term payoff, that are for decades in the future. I know that the Minister for Education, the Hon. Blair Boyer, the member for Wright, has been working extremely hard, has been taking heed of the recommendations that the former Prime Minister, the Hon. Julia Gillard, as royal commissioner, made and is rolling out as quickly and as effectively as possible three-year-old preschool in this state.

#### PRESCHOOL ELIGIBILITY AGE

**The Hon. J.M.A. LENSINK (14:31):** In what year will babies be born in order to benefit from this promise?

**The PRESIDENT:** I am sorry, but that doesn't come out of the answer.

#### WOMEN IN SPORT

**The Hon. R.P. WORTLEY (14:32):** My question is to the Minister for Recreation, Sport and Racing.

*Members interjecting:*

**The PRESIDENT:** Order!.

**The Hon. R.P. WORTLEY:** What a vicious attack.

**The PRESIDENT:** I know it's a vicious attack, the Hon. Mr Wortley. I am doing my best to protect you.

**The Hon. R.P. WORTLEY:** Thank you. Will the minister inform the council about the ways the Malinauskas Labor government is supporting women in sport?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:32):** I thank the honourable member for this question and his interest in the important topic of International Women's Day and the 8<sup>th</sup> of March. The Malinauskas Labor government is serious about backing women and girls in sport, and we are determined to advance a legacy of equality and inclusion. As an ongoing tribute to the legacy of the Matildas' historic 2023 Women's World Cup run, the Malinauskas Labor government, championed by Minister Hildyard, has established The Power of Her program, because we know you cannot be what you cannot see.

Seeing women and girls play sport and be celebrated for being strong not only physically but mentally, and talented and powerful, transforms how women are perceived and has had an incredible shift in attitudes about the roles they can play in sport and in society generally. As a community, we must passionately and unwaveringly champion the positive impact of South Australian women, especially our amazing female athletes, officials, coaches, leaders and role models for future generations.

This is exactly what we did just last week at the state government's inaugural Power of Her Recognition Awards, with categories including champion; local club, both metro and regional; partner and media champions; outstanding organisations; emerging leaders; and champions of change. Big congratulations again to Jemma Tilley, The Power of Her Champion of Change, who is the head coach at the Murraylands Gymnastics Academy, where she led the academy's revival during 2024 after devastating floods, and to The Power of Her Emerging Leader, Chloe Mackenzie, who created the first South-East junior girls cricket group to assist in the development of girls playing cricket.

One person who I know is known particularly to the Hon. Connie Bonaros is Andriana Petrakis, who is an incredible autism advocate and leader, a tennis coach and player in South Australia, and who was also ranked No.5 in the world for people with a disability in tennis, and No. 1 in Australia.

However, these awards are just one part of The Power of Her. At the heart of The Power of Her is \$80 million in grants funding over three years for dedicated facilities, improvements and programs that will grow female sport participation. Beyond The Power of Her program, the Malinauskas Labor government has also:

- reinstated the Women in Sport Taskforce to provide advice to the state government on methods to promote women's participation and leadership in sport, and address the issues regarding women and girls participating fully in their sporting passions; and
- funded Sport SA to deliver the Marjorie Jackson-Nelson Academy for Women's Sport to provide a range of programs for women focusing on mentoring and leadership support, career guidance and transitioning support, media training, networking opportunities, coaching and official development, and board and management development.

I look forward, as the Minister for Recreation, Sport and Racing, to continuing to support the empowerment of women through our codes.

## **WOMEN IN SPORT**

**The Hon. T.A. FRANKS (14:35):** Supplementary: given that we have obligations for hosting the Women's World Cup that we now have to fulfil, which include, as the minister touched on, the increased participation of women and girls in that sport, is The Power of Her conference and awards

part of that obligation and, for the acquittal, is the department for sport and recreation or the department for tourism the responsible portfolio?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:36):** My understanding is—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. E.S. BOURKE:** I do thank you for your question. As this is a major event, usually the major events come under the Minister for Tourism, so I am happy to look into that further for you and get any further advice.

**The PRESIDENT:** The Hon. Ms Franks, your question.

**The Hon. T.A. FRANKS:** A different minister is responsible for women in sport in this state—not anything to do with the current minister.

**The PRESIDENT:** The Hon. Ms Franks, was that your question?

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. T.A. FRANKS:** I said the quiet thing out loud.

**The PRESIDENT:** The Hon. Ms Franks, if you are ready you could ask your question. That would be really good.

### TREE PROTECTION

**The Hon. T.A. FRANKS (14:37):** I seek leave to make a brief explanation before addressing a question without notice to the minister representing the Minister for Planning on the topic of protected trees on education sites.

Leave granted.

**The Hon. T.A. FRANKS:** The YourSay platform is currently consulting on 'Proposed Amendments to SA's Planning Regulations'. The relevant page on YourSay states clearly that this is to implement:

1. the Housing Roadmap;
2. recommendations of the Expert Panel for the Planning System Implementation Review; and
3. required technical administrative changes.

Part of these proposed changes are the following:

19—Amendment of Schedule 4—Exclusions from definition of development—general

(1) Schedule 4, clause 18(1)—after paragraph (d) insert:

(da) the tree is on land on which a school, within the meaning of the Education and Early Childhood Services (Registration and Standards) Act 2011, is located or is proposed to be built;

This proposed regulatory change does not fit any of the categories that we have previously been told prompted the regulatory changes. Indeed, the expert review panel recommended quite the opposite: that the exemption to gain approval for the removal of regulated and significant trees be removed from Department of Education sites. Even as late as December 2024, this proposed change is missing from the Expert Panel Implementation Programme, published by PLUS.

As the proposed changes fail to meet the community expectations on tree protections and fly in the face of all the evidence about the critically important role played by urban trees in mitigating the impacts of climate change, could the minister please explain how it has come to pass that the government is now consulting on such a change?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:39):** I thank the honourable member for her question, and I will be pleased to pass that one on to the Minister for Planning in the other house.

#### **ROYAL ADELAIDE HOSPITAL INFECTIOUS DISEASES UNIT**

**The Hon. J.S. LEE (14:39):** I seek leave to address a question to the Attorney-General, representing Minister for Health and Wellbeing, about the Royal Adelaide Hospital infectious diseases unit.

**The PRESIDENT:** The Hon. Ms Lee, you are seeking leave to make a brief explanation?

**The Hon. J.S. LEE:** Yes, sorry, Mr President.

Leave granted.

**The Hon. J.S. LEE:** On 20 March 2025, ABC News reported that the Central Adelaide Local Health Network (CALHN) is planning to move the Royal Adelaide Hospital infectious diseases unit out of the RAH to a new location across the road on North Terrace. It was reported that, due to the insufficient space in the new RAH building, the state government subleases a space within the hospital, which had been rented to a private health consortium. In 2023, CALHN decided not to renew the sublease and instead started renting a space at 21 North Terrace, where it is now seeking to relocate the infectious diseases unit.

Clinicians and the doctors and nurses unions have argued that the move could result in compromised clinical care and patient safety and have taken the dispute to the SA Employment Tribunal in an attempt to stop the move. My questions to the Attorney-General are:

1. Why has the state government decided not to renew the sublease for the space within its own hospital?
2. Can the minister explain why CALHN initially told the infectious diseases unit that it would not be moving, only to reverse the decision in October 2024?
3. What is the government doing to address the concerns of the clinicians about security risks for patients if the infectious diseases unit is to move to a new location?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:41):** I thank the honourable member for her questions; I will pass them on to the Minister for Health in another place and bring back a reply.

#### **BRISBANE 2032 OLYMPIC GAMES**

**The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:41):** I seek leave to make a brief explanation prior to addressing a question to the Minister for Recreation, Sport and Racing regarding the Brisbane 2032 Olympics and Paralympic Games.

Leave granted.

**The Hon. H.M. GIROLAMO:** On Monday, the opposition called on the government to establish a Team SA 2032 games legacy committee, ahead of the Brisbane 2032 Olympics and Paralympic Games. The committee would be a bipartisan committee, have representatives from sport, business and government, and focus on attracting as many athletes and teams from around the world as possible to make SA their pre-games training base.

Our state hosted some 1,000 athletes and support staff from 26 countries prior to the 2000 Sydney Olympic Games, and there is an expectation that similar would occur in 2032. The committee has broad support from state sporting organisations and sporting clubs, as well as the business community. My question to the Minister for Recreation, Sport and Racing is: will the government commit to establishing a Team SA 2032 games legacy committee and task it with developing a strategy to maximise the economic benefit and actively promote South Australia as a place to be prior to the games?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:42):** I thank the honourable member for her question. I am advised the state government has already begun the process of exploring Olympic Games related activities to help build on the state's considerable sporting legacy. Investments we have made, like the \$88 million in the SASI headquarters surrounding the Mile End Sports Precinct, includes a cycling wind tunnel, the first in the Southern Hemisphere. Another opportunity is to showcase world-class facilities in regard to promoting this on the world stage.

We have also seen a brand new \$92 million netball and indoor sporting facility across the road at Mile End, and we are already seeing strong interest from international teams in using these facilities for training camps. Just this week, the Japanese men's beach volleyball team was based in South Australia to train at the SASI new courts ahead of future tournaments.

#### **BRISBANE 2032 OLYMPIC GAMES**

**The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:43):** Supplementary: on what date did the government start looking into the 2032 Olympics and Paralympic Games?

**The PRESIDENT:** Minister, you talked about how your preparations are well underway.

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:44):** As I said, we have lots of preparation already in place. I believe South Australia has definitely shown that it is willing and interested in attracting sporting events from around the world to be here in South Australia, but also at a national level. We have seen that this particular government has invested heavily in such events, like LIV Golf and also Gather Round. We have shown that we are a sporting precinct and one that is willing to put us on the world stage.

#### **BRISBANE 2032 OLYMPIC GAMES**

**The Hon. R.A. SIMMS (14:44):** Supplementary: given the costs of hosting such games have blown out in Australia and around the world, does the Malinauskas government really consider this is a priority in the middle of a cost-of-living crisis?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:44):** I always love the diversity in our chamber. As I said before, we are looking at options. We have seen before that there are opportunities available. I am not sure about you, but I remember in the 2000 Olympics there was soccer played here. There are opportunities to spread the opportunities across the country when we do host the Olympics, so there are opportunities to be looking at here, not only with regard to the Brisbane Olympics but also with other sporting events like I have mentioned.

#### **LEGISLATIVE CHANGES, LAW AND ORDER**

**The Hon. T.T. NGO (14:45):** My question is to the Attorney-General. Can the Attorney-General tell the council about this government's reforms in the space of law and order which resulted from directly listening to and working with victims and their families?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:45):** I thank the honourable member for his question, which was about reforms that have been made in the justice and law and order space which have resulted from directly listening to and working with victims and their families. Earlier this week in the chamber I spoke of reforms we have made in the first three years of this government in relation to the horrific case of Mr Hind's murder and the reforms that progressed as a result of listening to the advocacy of the late Mr Hind's parents in terms of disposal and the hiding of human remains.

Also, honourable members would recall the tragic death of 15-year-old Sophia Naismith, who was killed in 2019 after being hit by an out-of-control high-powered sports car. In another brave act of advocacy, Sophia's family advocated for change and generously met with representatives from government, including myself, to push for new laws around careless driving and the regulation of such high-powered vehicles. Having met with Sophia's parents, Pia and Luke, I can attest to their



incredible ability to turn a personal tragedy into meaningful change that will make life better for others in the future.

As a result of listening to Pia and Luke, the government introduced and passed laws that have since come into effect, which include a new offence of causing death or serious harm by the careless use of a vehicle or vessel, featuring a penalty of up to seven years in jail for an aggravated offence, with a licence disqualification of at least three years; for a basic offence, the penalty is now up to five years in jail, with a licence disqualification of at least 12 months.

We have also given police greater powers to suspend a driver's licence on the spot when they are involved in a serious crash, and have prevented drivers of ultra high-powered vehicles from disabling automatic intervention systems, which comes with a fine of up to \$5,000. Further reforms have also included a new licence class for such ultra high-powered vehicles.

I am proud to be part of a government that meets with people, listens to concerns and takes action, where necessary, if there are gaps in our law that don't meet community expectations, particularly those with the advocacy of victims' families.

### LEGISLATIVE CHANGES, LAW AND ORDER

**The Hon. D.G.E. HOOD (14:48):** Supplementary: the Attorney mentioned an increase in maximum penalties. Attorney, when did an offender last receive one of the maximum penalties that you outlined?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:48):** I thank the honourable member for his question. He has asked a number of questions in a similar vein. Of course, the penalties are what parliament sets down. In the case of these reforms, I am pleased at the multipartisan way that this chamber and the other chamber passed laws to give effect to these reforms.

Of course, where there is a maximum penalty, it is the judiciary—as is the case with an independent judiciary—that decides, within that scale, what penalty to impose. The maximum penalty is generally reserved for the very worst types of offending within that category, but offending will graduate between that. With these laws having only come into operation in recent months, there won't be a huge number of prosecutions that have occurred and I am not sure if one has gone to completion. Over time, it will be that these prosecutions occur and offenders will be given sentences, so it won't be immediate, but over time the range right up to the top end of the spectrum will apply.

### METHAMPHETAMINE USE IN THE WORKPLACE

**The Hon. S.L. GAME (14:49):** I seek leave to make a brief explanation before directing a question to the Attorney-General regarding the use of methamphetamines in South Australian workplaces.

Leave granted.

**The Hon. S.L. GAME:** A report released by the Australian Criminal Intelligence Commission estimated that methamphetamine use in 2013-14 accounted for workplace accidents and absenteeism costing \$289 million nationally. That was over 10 years ago, and today it's in the billions. Over \$9 billion in lost productivity and accidents is attributed to drugs and alcohol annually in Australia.

According to a report released by Business SA, on any given day in South Australia close to 5,000 workers in safety-sensitive industries are turning up to their jobs under the influence of methamphetamines, predominantly ice. Businesses have a duty of care to manage risk in the workplace, and workers on methamphetamines present a serious risk to their own safety and that of their colleagues. This risk may be identified and limited by using workplace drug testing.

My question to the Attorney-General is: given the risk that South Australia's current drug epidemic poses to workplace health and safety and productivity, how does the government ensure, or how will the government be ensuring, that employees in government workplaces and on government-funded projects are not using methamphetamines?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:50):** I thank the honourable member for her question. The honourable member is right: as part of her question she said that workplaces have a positive duty to ensure a safe workplace. That is a fundamental aspect of our work health and safety system right around Australia. Part of the answer to the question was in the question itself, in that those people who conduct a business have that responsibility.

I know that in a number of areas, particularly those areas where there are high risks for people who have impaired judgement, drug testing is a feature of those workplaces. That would, I expect, certainly be the case in some areas that may have government contracts that are involved, particularly where very heavy machinery is involved. So, firstly, it is a fundamental duty to provide a safe workplace, and I certainly am aware that, in some areas and industries where there are particularly significant risks, drug testing does occur.

#### **METHAMPHETAMINE USE IN THE WORKPLACE**

**The Hon. T.A. FRANKS (14:51):** Supplementary: is the minister aware that in some workplaces there is evidence that people are using methamphetamines because cannabis is far more easily detected and stays in the system for a longer period of time? How is that being addressed in terms of workplace safety?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:52):** Once again, I think that a large part of that question is the responsibility of those people conducting a business to provide a safe work environment.

#### **METHAMPHETAMINE USE IN THE WORKPLACE**

**The Hon. C. BONAROS (14:52):** Supplementary: can the minister advise how South Australia is tracking with respect to additional rehab beds in South Australia when it comes to the drug treatment that he referred to just a moment ago?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:52):** I thank the honourable member for her question. I will be happy—in a couple of different areas, particularly from my colleague the Minister for Health—to seek some further information and bring back a reply. It will be largely from health, but there will be other areas of government, such as the rehabilitation services that provide for young and adult people who are incarcerated. Maybe if I can get some more complete answers from some of my other colleagues, I will certainly do that as well.

#### **METHAMPHETAMINE USE IN THE WORKPLACE**

**The Hon. S.L. GAME (14:53):** Supplementary: does the Attorney-General believe it's time to broaden mandatory drug testing in government workplaces?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:53):** As I said, there is drug testing that occurs, particularly in areas where there are significant consequences to having impaired judgement.

#### **METROPOLITAN FIRE SERVICE**

**The Hon. B.R. HOOD (14:53):** I seek leave to make a brief explanation before asking a question of the Minister for Emergency Services and Correctional Services; Recreation, Sport and Racing; and Autism regarding MFS appliances.

Leave granted.

**The Hon. B.R. HOOD:** At the 18 February 2025 meeting of the City of Mount Gambier, the council passed a resolution seeking a meeting with the minister and confirmation that at least one of the new MFS appliances promised by the government will be allocated to the Mount Gambier MFS station, rather than a reconditioned appliance. The council also requested a copy of the asset management plan for rural and regional appliances to understand the government's long-term strategy for ensuring that Mount Gambier is adequately resourced.

Mount Gambier is the state's second largest city. Major industries, including the expansive forestry sector, require strong firefighting capability. However, as Mayor Martin stated in her correspondence, the station has repeatedly received second-hand reconditioned appliances from Adelaide rather than new vehicles. My questions to the minister are:

1. Has the minister provided a copy of the asset management plan for rural and regional appliances as requested by the City of Mount Gambier?
2. Has the minister contacted and agreed to meet with the Mayor of Mount Gambier and relevant stakeholders to discuss the long-term strategy for firefighting resources in the region?
3. Will the minister commit to ensuring that at least one of the new MFS appliances, as promised by the government, will be permanently deployed to Mount Gambier?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:55):** I thank the member for his question and his ongoing interest in regard to the Mount Gambier service. Obviously, as we have discussed before, this is a career service and a retained service. In regard to the particulars of when the arrivals of appliances will be made available, I am happy to look into that further and provide information when it is available. But as I have said before, I am in contact with the Mount Gambier MFS station. It wasn't raised with me when I did have a conversation with them, but I am looking forward to going to Mount Gambier very shortly.

#### **METROPOLITAN FIRE SERVICE**

**The Hon. B.R. HOOD (14:55):** Supplementary: has the minister replied to the correspondence from the City of Mount Gambier and set a date for a meeting?

**The PRESIDENT:** Minister, you can answer it, but you did not really touch on any of that in your original answer.

#### **COMMERCIAL FISHING SECTOR**

**The Hon. J.E. HANSON (14:56):** My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the Malinauskas Labor government's strong record of achievement in working with the commercial fishing sector?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:56):** I thank the honourable member for his question. Since our election three years ago, the Malinauskas Labor government has worked alongside the commercial fishing sector with the aim of maintaining our sustainable fisheries, which, as we know, support hundreds of jobs and businesses, particularly in regional and coastal South Australia.

One of our first actions in government in 2022 was providing 50 per cent fee relief to rock lobster licence holders for 2022-23. In meeting this election commitment early on in our term of government, we recognised the enormous difficulty that had been placed on the sector by the loss of the Chinese market under the former federal Coalition government. The Malinauskas government has worked closely with the sector throughout the difficult times, looking to help the industry create efficiencies with longer fishing seasons and more flexibility to capitalise on improved market conditions at various times of the year.

The state government worked closely with our federal colleagues, including federal trade minister Farrell, who calmly and methodically worked with our Chinese counterparts towards the announcement late last year that South Australian rock lobster would once again be exported to China. Since that time, we have already seen \$33.5 million in exports of rock lobster to China. It is so pleasing to see the sector able to capitalise on the strong demand for its world-class product.

We have worked with the marine scale fishery as it has continued its transition to a quota fishery, a change that was commenced under those opposite. While it has been a difficult transition and has been very difficult for a lot of individual fishers, we have supported the fishery through a range of fee reductions and a focus on reducing red tape, which is starting to make some positive progress.

A difficult but necessary decision that impacted the MSF as well as the rec sector was the extended snapper closure in most waters across the state after stocks were shown to have not recovered to a level where fishing could occur. Though of course disappointing, the state government stepped up with an \$8.8 million package, with \$2.4 million to support MSF licence holders who had snapper quota; a significant \$5 million science program, which is informing decisions to come over the next 18 months; as well as a \$1.2 million breeding program that has already seen hundreds of thousands of snapper fingerlings released into waters across the state.

In 2022, the state government provided \$300,000 towards the formation of Seafood Industry South Australia (SISA), the industry led and driven peak body for all seafood sectors across the state and a unified and powerful voice for industry.

Since its formation, SISA has been heavily involved in ongoing cost recovery reform and I have been pleased with the positive feedback from industry about this process so far. SISA have, amongst a wide range of activities, also been active in promoting South Australia's commercial fishing sectors, and it was incredibly pleasing to attend their awards night last year as it highlighted the very best of South Australian seafood businesses—the kind of recognition that had unfortunately been missing, particularly following COVID.

Separate to commercial fishing, it is also worth mentioning that early in the term we further protected Australian giant cuttlefish in their breeding aggregation in the waters off Whyalla and the Upper Spencer Gulf, which has become such a tourist drawcard for the region. The species is now protected in the waters of the Upper Spencer Gulf after the former Marshall government allowed the protection to lapse.

We have seen incredible investment throughout the region on tourism experiences to meet the demand over the past few years, underpinned by the confidence that the species is being protected and that has given confidence to the community. I look forward to continuing to work with the commercial sectors as they continue to provide our state, nation and the world premium produce from our fisheries.

#### **NATIONAL AGREEMENT ON CLOSING THE GAP**

**The Hon. C. BONAROS (15:00):** I seek leave to make a brief explanation before asking the Attorney and Minister for Aboriginal Affairs a question about the state's progress towards the National Agreement on Closing the Gap.

Leave granted.

**The Hon. C. BONAROS:** The latest update of the Productivity Commission's Closing the Gap dashboard adds a new year of data via contributions from states and territories for eight of the 19 Closing the Gap targets, which is then analysed as a means of measuring each jurisdiction's performance against that target. A media release put out last week by the commission shows the nation to be on track for just four of the 19 targets, the same number of targets as those where outcomes are demonstrably worsening.

In this jurisdiction specifically, the data reveals that while there are signs of improvement in most areas, our progress against targets (7) youth engagement, (10) imprisonment and (12) out-of-home care are worsening. When it comes to target (12) specifically—that is, to reduce the rate of over-representation of Aboriginal and Torres Strait Islander children aged zero to 17 in out-of-home care by 45 per cent by 2031—the commission analysis of the data assesses South Australia's progress in this area as 'worsening' and marks the assessment with a high level of confidence. My questions to the minister and Attorney are:

1. What is the government's response in terms of proactive measures in relation to those current data sets?
2. What specifically are we doing in those specific target areas—namely, youth engagement, imprisonment and out-of-home care—where we are tracking worse than prior, and also specifically with respect to child protection?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:02):** I thank the honourable

member for her question. As she has outlined, recently the Productivity Commission dashboard released the progress on meeting the 17 socio-economic targets that the refresh of Closing the Gap have set down.

Australia-wide, the targets are measured as 'improving but not on track'; that is, not improving quickly enough to meet the set down targets to close the gap between Aboriginal and non-Aboriginal statistics in a range of areas. 'Good', 'improving' and 'on track', or 'no change' or 'worsening' or 'no assessment' is how they are measured for Australia-wide figures. When it's broken down into the subnational jurisdictions, the measurements are 'improving', 'no change', 'worsening' or 'no assessment'.

As the honourable member has pointed out, of the 17 targets for South Australia, there are three that are listed as worsening. On the positive side, there are 10 that are listed as improving, a lot of them not improving as quickly enough as I think many of us would like to see them improve, but showing signs of improvement. The three that the honourable member has mentioned that are not improving are youth engagement, adult justice—that is, incarceration rates—and child protection, which is disappointing.

I know certainly for that second one, the adult justice, the incarceration rate, I have already had very in-depth discussions with my new ministerial colleague the Hon. Emily Bourke about the sorts of programs that are currently being run, how effective they are, but what more we can do. There are many advocates and I know that when we have had meetings with the cabinet and representatives of the Joint Council on Closing the Gap, Pat Turner and Scott Wilson from SAACCON in South Australia, that certainly has been one focus of discussions at altering the incarceration rates.

In the children in out-of-home care we are starting to see, I am informed, some small but promising signs of progress towards our target 12. I am advised that South Australia reported that 97.4 per cent of Aboriginal children who exited care in 2021 did not return to care in 12 months. I am informed that was the highest of all reporting jurisdictions, in terms of that figure of not returning to care in 12 months. I am informed that it is more than 10 per cent higher than the national figure of 86.8 per cent, so there are some improvements in those areas.

My colleague the Minister for Child Protection, the Hon. Katrine Hildyard, will be able to give a further and better explanation than I can about investments such as setting up the Aboriginal peak body for children and young people in care that has recently been established—funding things like the Strong Start program.

The honourable member specifically asked about what further we are doing in relation to Aboriginal children in care and youth justice. One of the things that we are doing is the Aboriginal Youth Court. I think the honourable member was at the launch of that Youth Court, maybe 18 months ago, in Adelaide. We are evaluating now its effectiveness. There have been something like a dozen young Aboriginal people as participants in there with very significant intervention, which is regularly monitored with Aboriginal elders and the Youth Court before sentencing. I might get a bit more information about some of those things from my colleague Minister Katrine Hildyard, but also about the Youth Court program, to be able to bring back a more complete answer for the honourable member.

### COURT BACKLOGS

**The Hon. D.G.E. HOOD (15:06):** I seek leave to make a brief explanation before asking questions of the Attorney-General regarding court delays in South Australia.

Leave granted.

**The Hon. D.G.E. HOOD:** Some very recently released national data has revealed that South Australia's criminal court backlog is actually the worst in Australia and the worst it has been in over a decade. The Productivity Commission's Report on Government Services shows that the backlog of criminal cases greater than 12 months in the District Court alone was 44.5 per cent, with hundreds of cases over two years old.

The commission also reported that Youth Court backlogs have increased significantly in recent years with cases in the system longer than six months and 12 months more than doubling in that time. The South Australian Commissioner for Victims' Rights, Sarah Quick, stated, 'Court delays and backlogs are major issues for victims of crime, compounding their emotional distress and delaying justice.' She added that delays cause, 'uncertainty, anxiety, frustration and stress'. My questions to the Attorney are:

1. Does the Attorney agree with the victims of crime commissioner that 'court delays and backlogs are major issues for victims of crime, compounding their emotional distress and delaying justice' and also that they cause 'uncertainty, anxiety, frustration and stress'?

2. If so, does the Attorney concede that the current backlogs are unacceptable and, if so, what action has he taken or has the government planned to take in order to address them?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:08):** I thank the honourable member for his question and I acknowledge his longstanding interest in this area, and the questions he has asked in relation to similar topics in the past.

I think I have outlined in this chamber before some of the investments that have been made in budgets so far in this term of government in relation to multimillion-dollar investments in the court to handle large multidefendant trials, extra resources for the Director of Public Prosecution's office, as well as support for additional staff, particularly in the District Court, which is the main court for significant criminal trials in South Australia.

I know that Operation Ironside in particular has had a number of effects on our court system and on the statistics that the honourable member referred to. Firstly, there is a very large number of very complex matters that have come out of the ANOM app that was used across jurisdictions right across the world, but particularly in Australia and particularly in South Australia there were many arrests, some very serious and very complicated trials which have in part been the reason for some of the multimillion dollar investment in our court system.

I am advised that one of the other consequences of the Operation Ironside trials, and the proceedings and appeals that have gone all the way to the High Court, is that it has meant that quite a number of these trials that had either been listed or were due to be listed were put on hold pending determination of those appeals about admissibility of evidence that has gone to the High Court. So I am informed that that may be influencing the statistics—having a large number of complex trials on hold awaiting decisions about admissibility of evidence in Operation Ironside trials.

But, absolutely, we should strive to hear matters as quickly as possible for a whole range of reasons including that it is the most effective and efficient way to conduct prosecutions, but probably more importantly, for victims' peace of mind in terms of their involvement in the criminal justice system.

### COURT BACKLOGS

**The Hon. D.G.E. HOOD (15:10):** Supplementary: I thank the Attorney for his answer. Does the Attorney see any value in meeting with the commissioner in order to discuss these statistics and anything that may be done?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:10):** I thank the honourable member for his question. He will be pleased to know I have regular meetings with the Commissioner for Victims' Rights, Sarah Quick, as I did with her predecessor, across a whole range of issues that affect victims.

### COURT BACKLOGS

**The Hon. C. BONAROS (15:10):** Supplementary: how much, if it all, are delays in forensic procedures and testing further compounding the problem of backlogs?

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

member for her question. Certainly, the forensic processes are becoming more complicated and in depth, and that is one of the reasons we have allocated hundreds of millions of dollars to the building of a new forensic science centre in South Australia to make it as effective and efficient as possible in what they do in terms of their interaction—the forensic science interaction with the criminal justice system.

**The PRESIDENT:** Final supplementary question, the Hon. Ms Girolamo.

### COURT BACKLOGS

**The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (15:11):** Why does South Australia have the highest backlog when other states are also impacted by Ironside?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:11):** I thank the honourable member for her question and that is a quite reasonable question. I am advised that the impact of Operation Ironside in terms of—I will double-check this, but I think in raw numbers, the number of defendants that have been created by Operation Ironside is highest in South Australia of any jurisdiction, and certainly when you take it as a sort of proportion of cases is even higher given our smaller population compared to some east coast states, but I will double-check that to confirm that's the case.

### MURRAY BRIDGE METROPOLITAN FIRE SERVICE

**The Hon. R.P. WORTLEY (15:12):** My question is to the Minister for Emergency Services and Correctional Services. Will the minister inform the council about her recent visit to the Murray Bridge Metropolitan Fire Service?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:12):** I thank the honourable member for his question and the opportunity to speak about the outstanding work of the Metropolitan Fire Service and, in particular, the dedicated team at the Murray Bridge MFS station. Last week, I had the opportunity to visit the station and meet the incredible firefighters who serve this community. It was an insightful and inspiring visit, one that reinforced just how vital their work is in protecting the lives and property of their community.

What stood out most was the commitment and experience within their team. Many of the members I spoke with have been with the service for over a decade, and are dedicated to ensuring the safety of their community. Hearing their personal stories, what led them to join the MFS, and the experiences they have had throughout their careers was truly inspiring. Their passion for their work and their sense of duty is evident in everything that they do.

Murray Bridge MFS plays a critical role in emergency responses, attending a wide range of incidents including structure fires and road accidents. In fact, I was told that their call-outs are almost evenly split between the two, highlighting just how diverse and demanding their role is. From battling house fires to providing essential services at serious vehicle crashes, their ability to handle high-pressure situations with professionalism and skill is remarkable.

Another key takeaway from my visit was the strong working relationship between the MFS and the Country Fire Service. While each service has its own specific responsibilities, their collaboration is crucial, particularly when responding to large-scale emergencies. This partnership ensures the best possible outcome for those in need. Beyond responding to emergencies, the MFS is also a pillar of the local community. Their presence and engagement extends far beyond the fire station as they continually work to promote safety and provide education and support the public in times of need. Their work not only saves lives in immediate emergencies but also contributes to the long-term safety and resilience of the community.

During my visit, I was accompanied by Anthony, who is the acting assistant chief, and Cameron, as the acting chief officer, both of whom embody the leadership and dedication that define the MFS. Their commitment to supporting their teams and ensuring the highest standards of service is truly commendable. I would also like to extend my sincere thanks to the station officer, Nick, and

the entire team at the Murray Bridge MFS for their hospitality and for sharing their experiences with me.

It is clear that the Murray Bridge MFS is more than just a fire station; it is a team of highly skilled, deeply committed individuals who go above and beyond to keep the community safe. Their courage and professionalism and unwavering dedication are something we should all be incredibly grateful for and proud of in regard to how they represent our communities. I thank them for their time and for welcoming me into their community.

#### ENVIRONMENT AND FOOD PRODUCTION AREAS

**The Hon. R.A. SIMMS (15:15):** I seek leave to make a brief explanation before addressing a question without notice to the Minister for Primary Industries and Regional Development on the topic of food production areas.

Leave granted.

**The Hon. R.A. SIMMS:** On Monday, the Malinauskas government announced their plans to allow agricultural land to be developed by amending the environment and food production area. Yesterday in question time the Minister for Regional Development stated that only 1 per cent of the Greater Adelaide food production area would be impacted by the government's plan. It has been noted, however, that some of the land is South Australia's prime agricultural land.

According to PIRSA data, primary industries and agribusiness contributed \$7.78 billion to South Australia's gross state product and supported 78,000 jobs in 2022-23. The field crop sector represents 42 per cent of total state revenue for the year. My questions to the Minister for Primary Industries and Regional Development, therefore, are:

1. Can the minister indicate what a 1 per cent loss of prime food production land in Greater Adelaide would mean in dollar terms?
2. What impact would this have on the state's gross state product?
3. What would be the total impact over the 30 years of the Greater Adelaide Regional Plan?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:16):** I thank the honourable member for his question. I think it is important, again, to reiterate the need to get a balance between addressing the very significant housing crisis that we currently have and the number of people who are unable to find housing or affordable housing and the production of our vital food supply. They are areas that can work together that can be complementary; notwithstanding, there are obviously tensions when we are looking at the usage of land.

However, I think the fact that it is less than 1 per cent of the agricultural land within the Greater Adelaide area is significant in that it is an opportunity to increase housing supply very significantly, and it is an opportunity to work closely with primary industries around how best to manage those, working closely together, side by side.

It is also important to emphasise that whilst the Greater Adelaide plan and the proposals before parliament will enable that land to change—that less than 1 per cent—there is still a lot to go through. There needs to be the code amendments and the other processes that are an important and essential part of any changes, and of course no-one will be forced to sell their land. Farmers won't be required to sell their land.

So in terms of the impact, until we know which landowners will take up the opportunity to have their land changed in use and sold, we can't guess at what the impacts in terms of value will be.

#### ENVIRONMENT AND FOOD PRODUCTION AREAS

**The Hon. R.A. SIMMS (15:18):** Supplementary: has the minister done any estimation of the economic impact of this plan, and, if not, why hasn't she or her department done any modelling before announcing such a plan?



**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:19):** I thank the honourable member for his supplementary question, or his additional question, as the case may be. There has been a huge amount of work that has gone into developing the Greater Adelaide Regional Plan. There was a draft plan released, and the Minister for Planning was involved with a great deal of consultation, as was his department. That consultation included, of course, other government departments, as well as peak bodies and many more.

I think there needs to really be a strong emphasis on how we can move forward together, both agricultural industries and housing. They are both important and I am very pleased that we have had a number of productive meetings talking about how to best move forward. I am surprised, I must say, that the honourable member seems to be implying that we don't need additional housing. He is saying that it is not important. I did hear him on the radio recently.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** I did hear him on the radio recently saying that there should be—

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Simms! The Hon. Ms Girolamo!

**The Hon. C.M. SCRIVEN:** I did hear him on the radio recently, and whilst obviously I can't remember the words verbatim, it was along the lines of there should be more high rise. They should be living in high rise or medium density here in the city.

The important part of our housing plan going forward is that we are able to offer choice to people. It may well be at certain times in one's life that living in an apartment in the CBD might well be an appropriate choice. When people are then partnered and have children they may not wish to live in an apartment in the CBD. So I think it is important that we have a variety of housing styles. We are constrained at the moment and I think anyone in this chamber should be concerned about those people in our community who are finding it incredibly hard to find housing.

### ENVIRONMENT AND FOOD PRODUCTION AREAS

**The Hon. J.M.A. LENSINK (15:21):** Supplementary: how many houses have been built on any of the land releases, the historic land releases of February 2023?

**The PRESIDENT:** You can answer it, minister, but I didn't hear anything about historic land releases.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:21):** I am happy to add to it, and I can certainly seek additional information from the minister in the other place. I do think it's interesting, though, that the Hon. Michelle Lensink is contributing to this debate. I mean, she talked on 27 February at the UDIA conference saying:

It did come up last year, so without sort of revealing any of the discussions I may or may not have had with the minister and his chief of staff, we—

Presumably the Liberal Party—

are ready, willing and able to amend the act and the EFPA's. We have a lot of primary producers in the Liberal Party and they sort of you know point to parts of their electorate and go, 'You know, you will never grow anything decent on that, so why on earth is it in the EFPA?'

So I do think it's interesting that the Hon. Michelle Lensink is contributing, but maybe she would like to say what her party's view is on the changes that are proposed in this legislation.

*Members interjecting:*

**The PRESIDENT:** Order!

**DROUGHT ASSISTANCE**

**The Hon. L.A. HENDERSON (15:22):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries on the topic of drought.

Leave granted.

**The Hon. R.A. Simms:** Good luck getting an answer.

**The Hon. L.A. HENDERSON:** I will try my best, the Hon. Mr Simms. The opposition has recently called on the state Labor government, subject to the required reserve or carryover for future years, to consider utilising any unused water allocation that will be lost by the end of June and make it available through regional reservoirs to allow farmers to pump water for stock purposes or provide farmers with leased water to grow fodder in South Australia. My questions to the minister are:

1. Does she support the opposition's calls to ensure farmers and farming communities have access to this water to help keep breeding stock alive through stock water and for growth of much needed fodder?

2. Has she or will she advocate to the Minister for Water and Environment to consider the proposal and, if not, why not?

3. Why isn't the government making every effort to supply any available water to farmers and farming communities to enable them and their livestock to survive what has been described as the driest years on record?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:23):** I thank the honourable member for her question. It is certainly true that many parts of our state are experiencing the driest period on record, and records have been kept for a very long time. The Liberals have put out a media release with a very vague proposal. I heard the shadow minister for primary industries on the radio, I think it was yesterday, being asked: 'What specifically does this mean? Can you explain what you are actually talking about?' She went on to restate the problem.

I am all for acknowledging the problem of drought, it affecting so much of our primary industries, yet this general vague call really needs a little bit more behind it. It is a very general vague call—even the honourable member who asked the question clearly didn't seem to understand the question she was asking.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** I won't, on the basis of truth. You were tripping over and you didn't seem to understand what you were actually asking. Any opportunity to assist our farmers is something our government will be considering.

*Bills*

**PASSENGER TRANSPORT (POINT TO POINT TRANSPORT SERVICES) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 6 March 2025.)

**The Hon. B.R. HOOD (15:25):** I rise as the lead speaker and advise that the opposition does have amendments to this bill. The Passenger Transport (Point to Point Transport Services) Amendment Bill 2025 represents one of the most significant shifts in South Australia's passenger transport sector in recent years. It introduces changes that affect not only the regulation of taxis, rideshare services and other forms of point to point transport, but also the financial stability of long-term industry participants. The bill has generated significant concern for stakeholders, including the Taxi Council of South Australia, individual taxi licence holders and rideshare companies.

I want to put on the record that I appreciate the minister's responses to the opposition's questioning of the more polarising parts of this bill. We did spend quite a few hours in the other place getting some responses from the minister and, while there are still areas on which we feel the government has not quite addressed key concerns, I do thank the minister for taking the time to answer our questions.

The challenges facing the South Australian taxi industry today are not isolated occurrences, but a result of years of poor policy decisions and mismanagement. The impact of this bill must be seen in the context of how we got here—a process that started when the Weatherill government made the decision to see rideshare into South Australia in 2016. That decision, rushed and uncoordinated, created an unequal playing field and devastated a regulated taxi industry.

At the time, taxi licences were treated as valuable government regulated assets, with some licence holders paying up to \$400,000 per plate. Many used their life savings or took out substantial loans, and I have certainly spoken with a number of taxi holders who had done that, with the expectation that their investment was secure under a stable regulatory framework. The decision to legalise rideshare instantly devalued those taxi licences and allowed competitors to enter the market without the same financial commitments or regulatory burdens.

During the House of Assembly committee stage the minister acknowledged that the introduction of rideshare services in South Australia in 2016 was a significant moment in the transport industry, but did defend the Weatherill government's decision, arguing that market competition was necessary to modernise passenger transport.

We know that rideshare coming into South Australia on the whole has been beneficial for people in this state and, with the regulation that the government made with the stroke of a pen only a few weeks ago, we will now see that in regional South Australia, which does give regional South Australians more options in terms of transport but still does not change the fact that rapid deregulation has had unintended consequences, particularly for taxi licence holders who have invested significant amounts of money under a government-endorsed system.

Despite this, the minister rejected an argument that the government could have handled the transition differently, stating that similar challenges were faced in other jurisdictions where rideshare services were introduced. However, he did not provide a clear explanation as to why a more structured or gradual transition was not pursued in South Australia. Instead, he framed the impact on the taxi licence holders as an unfortunate consequence of technological disruption, rather than a failure of policy management.

Critically, when questioned on whether the government had had time to consider alternative models—such as buyback schemes at market rates, staged regulatory changes or greater protections for existing taxi operators—the minister did not provide a direct answer. Instead, he maintained that the decision was made in the best interests of consumers, ensuring affordability and accessibility for transport services, and now we find ourselves at this point.

The government has committed to buying back approximately 1,000 taxi licences, but the pricing structure of this scheme has certainly been one of the most controversial elements of this bill. Under the proposal, the first taxi licence owned by an operator will be bought back at \$200,000, and additional licences will be bought back at \$10,000 each for up to six licences. During House of Assembly committee questioning, the minister defended this model, stating it was designed for simplicity and affordability. When asked why licence holders could not be compensated based on the original purchase price, the minister claimed that the government did not have a complete record of what individual taxi plates were sold for.

The industry has strongly disputed this claim. The Taxi Council has historical records for plate transactions and plate sales were recorded for stamp duty purposes. Many operators have also provided proof of purchase showing just how much they originally paid. The minister's response suggests that rather than conducting proper due diligence to determine fair compensation, the government has chosen an arbitrary amount to contain costs.

Adding to the financial distress of operators, stakeholders believe that this bill does not require buyback payments to be made within a reasonable timeframe. The Taxi Council has said it

feels that it is essentially over a barrel, as any further delay in providing a scheme will ultimately cause more harm. Some operators will have to wait up to eight or even 10 years to receive their full compensation. I know that when the minister responded to our questions in the House of Assembly, he did acknowledge that this is very hard and it is not perfect. We certainly appreciate that it is not, but, as I will speak to further later on, we do believe that there could have been other avenues to explore.

Many of these licence holders are elderly and they are financially struggling, and waiting nearly a decade for their money is simply not feasible. In speaking with a taxi operator travelling between the airport and this place, I asked how much he had paid for his taxi plate and he had paid \$350,000 in 2013, for which he had taken out a business loan. This fellow was my age. He still owes money on that business loan and the \$200,000 will go some way to paying that off, and he will certainly still have an income when perpetual taxi licences are brought in, should this bill pass, but still, it is bloody tough for a lot of taxi owners and I do feel for them.

When asked whether government should consider shortening the timeframe of the plate buyback, the minister suggested four years could be possible, but did not commit to a shorter timeframe. In hearing from stakeholders, this lack of certainty has left plate holders in a position of financial limbo. They are unsure of how long they are going to have to wait for their money and, indeed, in the case of the gentleman who I spoke to in the taxi only a few short weeks ago, will still be paying interest on business loans into the future.

The scheme as it stands does not allow for individual operators to challenge their compensation amount, even in cases where they can provide evidence of having paid significantly more for their licences. Stakeholders have spoken to this lack of flexibility as only further fuelling concerns within their industry. I think that if the government were to truly commit to a position of delivering fairness in a buyback process, could it not have had a more equitable and transparent approach to recognise the vastly different amounts that licence holders have paid, with many before 2016 in that deregulation paying significant amounts of money and people after that paying significantly less?

Instead, this one-size-fits-all compensation model is not necessarily a fair approach. It could have involved a tiered structure, ensuring that those who paid significantly more were not left at the same starting point as those who entered the market at a much lower cost. A structured needs-based framework could also have been considered, taking into account individual circumstances, the financial commitments attached to each licence and the time operators may have spent in the industry. This could have ensured that those with the greatest financial exposure were not unfairly disadvantaged.

Rather than stretching payments out over an unnecessarily long period of up to eight years, a defined and reasonable payback schedule could have been legislated from the outset, providing certainty for licence holders, instead of leaving them in a position of prolonged financial uncertainty. Importantly, a clear and fair appeals process certainly could have been implemented, one that allows operators to present evidence for their licence purchase price and to seek assessment for their compensation. But the current scheme does not allow for this, leaving many operators with no ability to challenge that decision.

The argument for a fixed-price model was that it is the simplest to administer, but it does not justify a fair outcome. A government that is serious about equity could have ensured that licence holders have a clear avenue for review and assessment, rather than expecting them to simply accept an arbitrary amount with no recourse. This could have been found.

Again, the minister stated that the government does not have a comprehensive record of what was originally paid for taxi licences, which was cited as a key reason for not structuring this buyback scheme around individual sale prices. However, as I understand it, taxi licence transactions have historically been subject to stamp duty reporting, and many operators would have records for those purchase amounts. The minister also stated that the former government had ceased recording individual sale price data for taxi licences, which was cited as a reason as to why the government could not structure buyback schemes around the original purchase.

I did find this reply rather curious, given the former government's term was 2018 to 2022 and this scheme applies to taxi licences issued before 2016, with a cut-off for eligibility to ensure that those who purchased licences before the introduction of rideshare would be included. Indeed, those who purchased up to 2016 would have known the market conditions, given rideshare was in the market at that point, and it certainly was in 2018 to 2022.

When further questioned on this, the minister acknowledged that some records do exist through stamp duty reporting and industry-held data, but he maintained that the government's approach needed to be administratively straightforward and deliverable within budget constraints. When questioned further on why available data was not used to develop more tailored compensation, the minister indicated that the government prioritised a simple, administratively efficient scheme, and that was simply that.

Another key issue in this bill, about which I have spoken at great length with stakeholders and others, is the doubling of the point to point transport levy from \$1 to \$2 a trip, and of course the extra 50¢ levy paid at the airport as well, which will go into the kitty to take care of this prescribed buyback scheme. The government has stated that this increase is necessary to fund the scheme, as I have said, but there is no sunset clause ensuring that the levy will be removed once the buyback is complete.

When the minister was asked about a sunset clause, his reply—and I certainly acknowledge his reply—was that if we do have a buyback, if we do have a sunset clause, it hamstring the government in the sense that they do have to meet that timeline and they may not be able to meet it in terms of understanding how many rides will be affected by the increase of the point to point levy; that is, will they have that money to be able to pay back those taxi plates? I acknowledge that, and hence the amendments moved here today by the opposition tie that to, essentially, the completion of a buyback, giving the minister an ability to say, by gazettal, 'We have completed this buyback; therefore, the levy returns to the \$1 point.'

I would make the point, and I have certainly made it to other honourable members in this place in the discussions around this bill and their amendments and my own amendments, that—when we are talking about regional people in South Australia who will pay a levy now, and disabled people who utilise rideshare or taxis who will be paying a levy—an extra \$1.50 on top of a ride, while it might not seem a lot to us, does add up.

If we are talking about having more transport options, particularly in South Australia where our public transport system simply is not up to the standard that we do need it to be, I think being able to say, 'Once this buyback is done we can roll back this levy,' is a fair way to be able to take some of that pressure off people who do need to use these services. That is the intent of the amendments, not for any other reason but to say, 'We have done the job that we are required to do; let's go back to that \$1 levy.'

I must admit that we have found it hard to find out how much even the \$1 levy has raised over time and what it was used for. The minister in the other place spoke to it actually funding public transport in the regions, which I had not heard before. The minister was saying that this extra \$1.50 will not only fund the buyback scheme but also minimise or subsidise the lifting fees in access cabs. That is what the \$1 could be doing as well, and I am not sure if the extra \$1.50 on top of that \$1 should be doing that once we get past this buyback scheme.

That is certainly something that we may discuss a bit further. Again, the government claims this increase is necessary to fund the industry reforms, and yes, we acknowledge that. Essentially, that is what this bill is, apart from a few other things. There is no real clear transparency around how the additional revenue will be used and whether it will ever be removed.

I acknowledge the Hon. Robert Simms with his amendments, which I think are sensible. I am glad to hear that the government will be supporting them, although I think that we also need some robustness around the reporting of that levy as well. I think that might be something that the Hon. Robert Simms and the Hon. Connie Bonaros have been speaking with the government on as well. We certainly will be supporting the Hon. Robert Simms' amendments, even though I am quite heartbroken he will not be supporting mine. We will move on from that, the Hon. Rob Simms; you are still a good friend.

Regarding this point to point transport levy, the charge risks becoming a permanent burden on passengers. It is further driving up the cost of transport without any guarantee of improved services and without a public transport system that we currently have that is up to scratch. I certainly hope that the honourable members in this place and the government have considered the intent with which my amendments have been moved and that they are coming from a place of trying to make this a fairer system, understanding that once the buyback scheme is complete, that can be rolled back. We will see how that goes. During committee questioning, the minister was repeatedly asked whether the levy would be abolished. His response, again, was no.

Clause 37 of the bill introduces new restrictions on surge pricing, making South Australia the only state in Australia to regulate surge pricing in this manner. When questioned, the minister—and I certainly appreciate his response—referred to the Lindt cafe siege in Sydney and how there may have been an increase in surge prices, that people may have been taken advantage of in that case. I have not got to the bottom of that. In speaking with Uber, they certainly do not agree that that was the case, but we understand what the minister's intent here is, what the government's intent here is.

In an emergency situation, there should not be the ability for companies to take advantage of the situation. We get that, but I think in that we also need to acknowledge that, especially from a rideshare point of view, everyday South Australians are utilising rideshare as most definitely a supplementary income; not a lot of them are using it as their only income. If there is an emergency and we do need to see more people enter the market—especially in an emergency—we think that the ability in surge pricing would necessarily be not a bad thing.

It certainly should not be taken advantage of, and they can go to that three times limit, but what our amendment does here is really just step out what 'emergency' is. We are very broad here. We are not saying that it has to be declared in any formal way before a minister can do that. It is simply at the minister's discretion to ensure that, should it be an emergency in which people's lives are at stake, then that is when the minister can restrict this surge pricing. The minister did claim it was designed to prevent price gouging, as I said, and he used that example of the Lindt cafe siege.

We do think that it could have the unintended consequence of limiting market pricing mechanisms that ensure driver ability, and we would not want to see a case in which this part of the bill could be in the future taken advantage of. I certainly am not suggesting that the current minister would ever do that, but of course when we legislate in this place, we legislate for future governments, and we never know who could be in that seat—it could even be me, and I would not do that.

**The Hon. C.M. Scriven:** That is what you are worried about.

**The Hon. B.R. HOOD:** Not at all, the Hon. Clare Scriven; I certainly would not do that, but when we legislate we do—

**The Hon. C.M. Scriven:** You would constrain yourself.

**The Hon. B.R. HOOD:** I would most definitely constrain myself and I think it is important that we do have that in the bill. Again, the opposition agrees: consumers and customers must be protected from predatory pricing, but we also need to ensure that we do have that balance. We will move an amendment to ensure that surge pricing restrictions apply in declared public health or emergency services so that it cannot be taken advantage of in the future—say, industrial action in public transport or something along those lines.

Clause 18 abolishes the Passenger Transport Standards Committee, removing an important industry oversight mechanism. In speaking with stakeholders, there had been some frustration around the Passenger Transport Standards Committee and we appreciate that, but we do feel as an opposition—and it is certainly the feedback that we have had from stakeholders—that this is an important industry oversight and we still probably need that oversight.

The minister argued that consultation will still occur informally and SACAT will provide the oversight when needed, although we have heard how SACAT is already overburdened. Removing that structured oversight mechanism means that we may in the future—again, I am not saying the minister would do this, or subsequent ministers, but we want to make sure that there is some kind of formal or informal input from stakeholders.

I heard from stakeholders that many times in the past they have felt not listened to. They may be feeling listened to now, and I put it to those stakeholders that I am glad, especially the feedback that has come from the opposition in our stance on this bill, that we have engaged with them in a fair and appropriate manner and we have been listening, but in the past others have not, so we need to think about how we actually do that.

That is why the opposition will move an amendment to establish an industry council with regard to passenger transport regulation, which would require a structured review of regulation in the first year, should this bill pass this place, and then every three years after that. That is just to ensure that the minister is not unilaterally making decisions affecting the industry without speaking with industry.

I note the amendment from the Hon. Connie Bonaros, which in some respects does a very similar thing—maybe not so much in a formal way, which of course was my concern with a minister not having the impetus to do that work. In the absence of support for our amendment, the opposition will not be opposing the amendment from the Hon. Connie Bonaros because in my mind, and I know in the mind of a lot of people here, some consultation is better than no consultation. I urge the minister to take people on the ride because—

*An honourable member interjecting:*

**The Hon. B.R. HOOD:** —pun intended—

**The Hon. C. Bonaros:** Not 'for a ride'.

**The Hon. B.R. HOOD:** Not for a ride: on the ride, because, again, I have heard from other smaller sections of this industry that they have felt let down—the chauffeur industry in particular. They really have wanted to be able to continue to have their industry doing the good work that they do. These are small business owners, such as myself, such as taxidrivars, such as the people who we are talking about in this buyback scheme, but they have not felt like they have been listened to. They were promised the world prior to the last election—that has not followed through.

It really is important that we do follow that through, hence our amendments. I appreciate that the government most likely will not be supporting them. I know that the Hon. Rob Simms from the Greens and others may not be supporting them as well, but I urge the crossbench and the government to consider the intent in which these amendments have been given, and I hope that we do find a way through to ensure that some consultation is had.

The bill makes significant changes and while I appreciate the minister's acknowledgement, this has been a difficult process and this bill is not perfect—name a bill that probably is. It still fails to address some fundamental issues, hence why we have some of these amendments. We have heard from stakeholders that the buyback scheme in and of itself really is inherently baked into it unfairly, and I think the minister does acknowledge that as well. I appreciate that it is not easy to figure this out.

I think there has been data, the industry did have a way through, they had suggestions on how to get this done, but for simplicity that seems where we have got to. It is easy to say in opposition, but I do think there could have been a real opportunity to consider other avenues for this to make it somewhat fairer. In speaking with stakeholders and in speaking with taxi licence holders like my good mate, Ian Richards, who I have been speaking with over the last few days, he is pretty gutted on where we have got to here and he does feel that it is unfair.

As I said, the Taxi Council feels as though they have been over a barrel on this. They said to me, 'Ben, we've just got to get this through because we have got people who are struggling, and if it's going to take eight years, this has to happen quickly and it is not perfect.' I just cannot help but think maybe there could have been a better way, there could have been a fairer way.

The levy increase has no clear end date. We are not saying, 'Stick a sunset clause and some arbitrary date in the future,' where the government has to try to rush to get there and increase the levy further or what have you. We are saying to the minister, 'You can just let us know. When it's done, it's done, and then you can pull it back.' We would still have the dollar levy to be able to fund the things that the Hon. Robert Simms' amendment is speaking to, because again we do not actually

know what it is being spent on. We have only found out in dribs and drabs what it is being spent on, which is not right. That reporting mechanism is going to be important as well, and I hope that commitments have been made by the minister for that.

The surge pricing restrictions, in our mind, need to have something built around them, keeping in mind that we need to protect our consumers from price gouging, but we think it needs to be a reasonable thing and that is why we have moved amendments about that. Ministerial powers have been expanded in this bill. There is a lot of stuff that is just going to be done in regulation, and we need to have some proper oversight and hence our amendment for an industry body, an industry council. The opposition will be moving these amendments to address these shortcomings.

We want to ensure that this legislation delivers fairness, transparency and accountability. I appreciate the process that we have been through, and I appreciate that this bill is not perfect. I appreciate that some stakeholders are really hurting—in fact, pretty much all of them—but I appreciate the intent with which the government has tried to move through with this bill. Although I feel that some questions still remain unanswered, we have expended the minister's time significantly in the HoA in committee stage. There are only a couple of questions that I will need to get on the record prior to us voting on this bill.

I will close by saying that it is of the utmost importance that South Australia's transport industry remains sustainable and equitable for all stakeholders.

**The Hon. C. BONAROS (15:53):** I rise to speak on the Passenger Transport (Point to Point) Transport Services Amendment Bill 2025. Can I start by saying that we have obviously just heard the contribution of the Hon Ben Hood, and we will hear from the Hon. Rob Simms and others, and I think we are all kind of on the same page on this issue. I do not think it is just the taxi industry, to a large extent, that are the ones who are over a barrel. I think we all are because we all want the best outcome.

We all acknowledge and absolutely accept that when rideshare came into South Australia it had a really huge adverse effect on what was a very heavily regulated taxi industry. I do not think the Premier of the day could have contemplated the extent to which that would grow between then and now, and the continuing adverse impact it would have on the taxi industry.

We know that previously the government has tried to address this by offering compensation to the taxi industry. There were problems with that scheme. There were problems in terms of the tax implications for that scheme and it did not work. To be fair, as the Hon. Mr Hood said, I think the minister will be the first one to put his hand up and say, 'Of course there are more ideal models.' I guess one of the problems is how do you fund it? Because I think if he went knocking on the Treasurer's door with his ideal model, he would be laughed at. I think that is the reality of where we are.

There is just no way that we are going to be able to pass that model of up-front payment to the taxi industry for all the adverse impacts this has had. There is nothing to say that either industry, frankly, in my view, are operating perfectly. I am really saddened by the fact that what once was a thriving taxi industry in our state has gone the way it has gone and, sadly, it has also resulted in sorts of behaviours that none of us deem acceptable, and certainly people who have worked in that industry would not deem acceptable.

Yes, it is the exception rather than the rule, but everyone seems to have an example of where things have gone horribly wrong. We have seen a terrible example just recently with Ali Clarke in terms of the sort of service she got. We have seen the fare gouging. Those things are unacceptable, but they are not limited—and I think that is really important here—to the taxi industry. I think they are indicative of the bad management on our part in terms of bringing competitors in who simply were not subject to the same rigour and regulatory regime as our taxi industry was.

When I had my briefings on this, and I think we all spoke to Uber and everybody else, I said, 'Look, this has been a political issue in South Australia that we have had to address for a number of years now. You have got Buckley's chance of not getting something up. We have to get something up, and I will be surprised if you find anyone in there who will disagree with that.' So when I say that I think we are all on the same page on that front, I genuinely think we are: we want a solution. Is it



ideal? No, it is not the most ideal model. But getting the funding in advance out of the Treasurer, I think, would be like getting blood out of a stone in terms of being able to deal with this issue more appropriately, given all the competing interests.

We know that the bill itself comes off the back of the August 2024 review that the government instigated, which did make 29 recommendations, and that was informed by feedback from industry, from customers and key stakeholders, and it is intended, as the government says, to provide that enduring change in this sector. That remains to be seen. We do not know what the outcome is going to be because, as I said, I do not think the former Premier who allowed rideshare into the state—and this is not unique to South Australia obviously; it has impacted every jurisdiction—could have envisaged the extent to which this would impact an existing industry, the extent to which users would opt for services like Uber over taxis, and the sort of competition that that would result in.

Traditionally, this was people's super. We all know somebody who has bricks and mortar or a taxi plate. This is where they invested their money and they have lost a lot of money as a result. So it is, in my view, absolutely critical that we do something. I guess this is the option between doing nothing and doing something. Ideally, people would not have to wait as long as they are going to have to wait for the money to be paid to them that they would be eligible for under this scheme, but that also remains to be seen in terms of how long that will take.

In relation to a couple of points the Hon. Ben Hood raised, I have kind of read between the lines in terms of the briefings that I have had, particularly, for instance, about the sunset clause and the levy increasing to \$2. I appreciate that we are in a cost-of-living crisis. I appreciate that \$2 is a fair amount of money to whack onto a fare, but I think it also comes down to the customer service that they receive and the customer experience. If that is going to improve in any way, shape or form, then I think people are more willing to pay a little extra.

I think many of the things that have been outlined in the Hon. Rob Simms' amendment, which we will get to when we get to the committee stage debate or when the Hon. Robert Simms speaks—the criticism has been you were paid \$30,000. You kept collecting the levy. Where did all that money go? I think the reality, reading between the lines, is it has gone precisely towards funding the sorts of things that the Hon. Rob Simms has outlined in his amendment. So in the absence of that additional funding we would have a minister who would still be knocking on the Treasurer's door, asking for additional money to improve disability access to passenger transport services and so forth, and the concern is that in the absence of that levy, they are going to have to find money to do those things.

So in relation to the increase to \$2, I think there is a fine balancing act here. There are things we need to keep doing, which obviously in my view—and the minister may tell me I am completely wrong—that levy that we have been charging up until now has been funding. But on top of that, we want to be able to compensate our taxi industry and so, with a total of \$2, the extra dollar is going to be going to that quarantined purpose.

Again, looking at the Hon. Ben Hood's amendments, I understand what he was trying to achieve. One of the first discussions I had with stakeholders was, 'Can we have input into the consultation?' Even without the amendment—and I will say this to the minister's credit—he had already agreed, like he did on a previous bill, that there would be consultation with the relevant industries and not just limited to taxi and Uber I might say as well. Country cabs obviously have a role to play in this. Consumers have a role to play as well as disability access, chauffeurs and so forth. So that had already been agreed in principle.

The amendment that I am seeking to move in lieu of the Hon. Ben Hood's amendment is really designed, I guess, to hold the minister accountable to that undertaking that he has already given to keep people engaged in that discussion and in that consultation. I think it fits in very neatly and well with the undertakings that have been given by the government with respect to the concerns that have been raised about how that money is going to be applied and the support for the Hon. Rob Simms' amendment, which effectively sets out how that money can be used. It can only be used for one or more of the purposes that are outlined in the honourable member's amendments, which I am sure he will explain to us.

But, again, my concern would be that if we had a sunset provision or indeed if we went about this in a different way, given what is in front of us, we would be compromising many of those sorts of services going forward, because the reality is that is probably—I am taking a very educated guess when I say this—how they are funded.

We have seen that in other areas. We have seen it in the justice portfolio where the Attorney spoke about the proceeds of crimes and all the sorts of programs he has been able to fund through the funding that comes through that avenue but are all justice related. I think the minister would have the same sort of basis for saying, 'Yes, we need provision of public transport, we need improved disability access and active transport, but we need to fund all those things.' I think the levy to this point has at least to an extent contributed to us being able to do that. The concern would be that in the absence of having that levy we would have to fund it from elsewhere. Something else is going to have to go, and that is not what we want.

Overall, can I just say, again, I am not going to speak to every element of the bill. I appreciate absolutely that the industry does feel like they have been over a barrel on this one, and it is not dissimilar to, I think, the views of all of us where ideally we would have had a much better outcome than what we have, but realistically, at this point in time, I think that this is the best we are going to get.

The question is: do we forgo the best we are going to get and wait? In the taxi industry a lot of these people are getting old and they want out. They just want to be able to go and do what they envisage doing when they came into the industry when it comes to the taxi industry, and this is bringing them a step closer to that.

Would it have been better if they had received their total payment in one or two or three or four years? Absolutely. Are we still hoping that as things progress—we do not know how much is going to come in—perhaps that might be an option. Again, through the various mechanisms that we have talked about already, we need to be keeping an eye on that to ensure that that is the case. The minister will have to be able to provide details to us about how much is being raised through that additional dollar and how long it is going to take for those impacted to be paid out.

I will just go back to what I said at the outset. What we did back when we introduced rideshare is in a large part to blame for some of the issues that the minister himself has outlined in terms of fare gouging and so forth, but I think it is important to note also it is not a one-way street. It does not mean that the alternative has provided this super-duper service, and that it has been faultless. I think we have all probably had experiences with taxis and with Uber where services customers have received have been far from perfect and, indeed, very questionable. Overall, we also need to be concerned about the safety and quality of the service that we are providing to the people who are paying the levy and the fares.

I will just make one point about the price gouging. As an example of the sort of thing that we do not expect to see when it comes to rideshare, on the weekend of the LIV Golf I tried to get transport from LIV Golf to the western suburbs. It had come off the back of a briefing with Uber where we had just talked about promoting all the extra services that we are going to put in place for that. The first fee that was quoted was \$270. We cancelled that one.

*Members interjecting:*

**The Hon. C. BONAROS:** The car could fly to Melbourne, that is why. We then tried to book a new one to go three kilometres down Port Road and were quoted \$67.50 for three kilometres down Port Road. We cancelled that one and tried to book to go from Port Road to Richmond to Mitcham: \$350.

When we finally got into an Uber and spoke to the operator, we told him what had just happened and he actually said, 'The sad part about that is that I do not get any of that.' He is not going to benefit from that. That is, I think, the other sort of behaviour that we need to be looking at in this as well. It is all well and good to point at the bad behaviour of the taxi industry when we say that the service has deteriorated, and that is not across the board, but there are problems on both sides, and we need to be addressing the problems on both sides.

I, for one, am happy that we are doing something in relation to the taxi industry itself. I think it has taken us way too long to get here. Ideally, yes, we would have been here quicker and we would have been doing more but, for the time being, under the current circumstances, I am pleased to be supporting what the government has proposed in relation to that, subject of course to the amendments that will be moved throughout this debate.

**The Hon. R.A. SIMMS (16:09):** I rise to speak on the Passenger Transport (Point to Point Transport Services) Amendment Bill on behalf of the Greens and to indicate, as other speakers have alluded to, that I will be moving some amendments to the bill. The passenger transport sector in South Australia has undergone rapid changes in recent years due to the growing popularity of rideshare services, and it is important that our laws keep pace with these changes. I note that last year the government released a review of the act, which made numerous recommendations and which were informed by feedback from industry, customers and key stakeholders to support the industry and make services safer and more reliable.

I understand this bill addresses many of the challenges facing the passenger transport sector. These include safety concerns and cracking down on fraudulent practices and inconsistencies in industry regulations. It adds stronger compliance provisions, including the automatic suspension and cancellation of accreditation for serious breaches, in addition to consumer protection measures such as a ban on surge pricing and declared emergencies to prevent price gouging.

An important aspect of the bill is the licensed buyback scheme—and other members have touched on that. This scheme will be made available for metropolitan taxi licence holders who resided in South Australia before rideshare's introduction. Taxi licences, once seen as a valuable investment, have plummeted in value, causing financial distress to many licence holders. This scheme will enable these licence holders to receive the financial relief they need.

I know that it is often a contentious debate as to when the parliament or the government step in when a business is no longer viable because of changes in technology or market forces. I remember that when I was a kid I used to go down to the local video store and hire a video. Then, when videos got replaced by DVDs, I would go and hire a DVD.

*The Hon. C. Bonaros interjecting:*

**The Hon. R.A. SIMMS:** That is before my time, the Hon. Connie Bonaros. I would go and hire a DVD, but again that has all been superseded by streaming services and those businesses are no longer viable. I am not telling that story to trivialise what taxidrivens or that industry is going through, but I make the point that we have seen a huge disruption in our economy and our society over the last few years as a result of the gig economy, as a result of the wide ranges of options that are now available to consumers.

In the case of the taxi industry, I do think it is appropriate that they get support, and I recognise, as other members have done, that many of the people who purchased taxis years ago did so on the basis that it was a plan for their retirement. They have now got to that stage of life when they are seeking to divest that asset, yet it is no longer worth what it once was. Given that the taxi industry has always been a regulated industry by government, people would have invested in that industry with an expectation that it would have provided long-term certainty, so on that basis it does make sense for there to be a level of government support and intervention.

The bill will enable the state government to increase the point to point transport levy, which the Minister for Transport has indicated will rise from the \$1 it sits at currently to \$2 to fund the taxi licence buyback scheme and to regulate the passenger transport industry and support people with disability to access transport services. The Greens will be moving amendments to the bill to ensure that all of the funds raised from the levy are hypothecated towards these purposes, as well as the provision of active and public transport in this state. Many members have expressed concern around the potential for the existing levy to go into general government coffers, disappear into government revenue, without appropriate oversight around how that money is being spent.

It is my understanding that my amendment will be supported across the parliament today. It makes very clear what precisely this levy can be spent on, and of course it is my expectation that

this expenditure will be appropriately accounted for within the budget papers so that there is a level of transparency around how this money is spent. Just to be clear on the specifics of my amendment, to save some time in the committee stage, I have filed two amendments: I will be moving amendment No. 1 [Simms-2], but not amendment No. 1 [Simms-1].

The amendment makes it clear that amounts collected as a point to point transport service transaction levy—amounts under schedule 2, that is—may only be applied for any one or more of the following purposes: the provision of public transport services in the state; the administration and regulation of the passenger transport industry in the state; measures to improve disability access to passenger transport services; the facilitation of active transport in the state; and implementation of a prescribed scheme under section 52AB. Section 52AB refers to the buyback scheme, so that is what we are talking about there. The amendment also defines 'active transport'; that is, walking, bike riding, scooter riding or other self-propelled means of transportation.

It is certainly my hope that this will give the minister, once the buyback scheme has been discharged, the opportunity to invest additional moneys into improving disability access, which is an area that has long been neglected. I recognise that many South Australians are in a very difficult position when it comes to access to transport in our state. There is a real shortage of access cabs, there is a real shortage of Ubers that are appropriately accessible and there is a real lack of accessibility when it comes to public transport infrastructure as well, so it is my hope—and indeed this amendment makes this explicit—that this money will go towards improving that accessibility for those transport users.

It also talks about the administration and regulation of the passenger transport industry. I took over from the Hon. Irene Pnevmatikos last year on the inquiry into the gig economy. A number of recommendations were made there that relate specifically to rideshare, and I hope that as part of the administration and regulation of the passenger transport industry the government turns its mind to that—but also, might I say, this potentially guarantees a revenue stream for public and active transport projects into the long term as well. We know that we desperately need rail to Mount Barker. We need an integrated cycling network for our state. This is potentially a source of revenue for those things as well.

I know that the Hon. Ben Hood will be moving a sunset clause provision. I indicate that the Greens will not be supporting that. The reason for that is that these projects—public and active transport projects in particular—are long-term investments and if we implement a sunset clause it is going to make it very difficult for governments to be able to plan with certainty. Our view is that once we lock in what this money can be spent on, let's provide certainty as well, so that any future transport minister can plan and have a sense of what money might be coming in.

It is our view that if the government is going to make South Australians pay more every time they hail a cab or catch an Uber, we must ensure that the money that is being raised is being put towards improving passenger transport across South Australia rather than simply going into the government's coffers. It is certainly my hope that my amendment will be supported by all members in this place.

I do want to acknowledge that I and my office have also been engaging closely with Minister Tom Koutsantonis on this, and I have appreciated the opportunity to have conversations with him around this and the collegial way in which he and his office have approached this. Might I say, I actually think there has been goodwill across the whole parliament in terms of trying to address this issue. Everybody has recognised—as both the Hon. Ben Hood and the Hon. Connie Bonaros have noted—that this is a challenging area of policy. I think we are all trying to do the right thing by the stakeholder groups involved and also by the broader South Australian community, and I think that through the amendments I am advancing today we have struck the right balance.

**The Hon. J.S. LEE (16:18):** I rise to speak on the Passenger Transport (Point to Point Transport Services) Amendment Bill 2025. The bill makes a number of amendments to the Passenger Transport Act in order to reform the point to point passenger transport industry, which comprises taxis, chauffeurs and rideshare vehicles. As many honourable members have already highlighted, the industry has changed significantly since the introduction of rideshare operators such as Uber in 2017, which had an undeniable impact on taxidriviers. It is clear that reforms are needed,

and the bill draws on the recommendations from the Passenger Transport Act Review released in August last year.

One of the biggest changes proposed in the bill is the removal of the limit on the number of taxis that can operate and the removal of perpetual licences for taxis. Instead, there will be an uncapped annual taxi licence regime. The bill provides for the buyback of taxi licences to compensate those who have already invested in the taxi industry. I understand it is anticipated for this buyback scheme to run over the course of approximately eight years, with a set amount to be paid to each taxi plate owner in every year of the buyback period.

The minister has stated that each eligible licence holder will receive \$200,000 for the first metropolitan taxi licence held and \$10,000 for each subsequent licence, up to a total of six licences. It is proposed that access taxi licence holders will receive \$100,000 for their first access taxi plate and \$10,000 for each subsequent licence. This scheme will be funded by the point to point transport service transaction levy, which was introduced after rideshare entered the market in 2017. The \$1 levy was introduced to help fund support packages for the taxi industry and also to support other industry initiatives, such as the lifting fee for people who use a wheelchair or a large mobility device in access taxis.

The bill would enable the levy amount to be set by regulation, and it will be doubled to \$2 per trip. The bill will also introduce three distinct accreditation types of booking service providers, general passenger transport service providers and passenger transport drivers. There is a new framework for vehicle authorisation in the bill, with vehicles being required to meet prescribed standards, including identification and safety requirements. Provisions are also made for the cancellation of a person's accreditation if they commit a prescribed offence, breach the new general safety duty or no longer meet the accreditation requirements.

I now turn to the feedback I have received from industry stakeholders and raise some of the concerns that have been put to me about several key changes proposed by this bill. Firstly, the abolition of the Passenger Transport Standards Committee has been highlighted to me and to other honourable members as a key concern. In its place there is a significant expansion of ministerial discretion under this legislation and a removal of any mechanism for independent industry consultation.

While the minister has stated that there will be an internal review mechanism and provision for appeals to be made to the South Australian Civil and Administrative Tribunal, it is concerning that the government is so keen to eliminate any independent oversight or review of regulatory decisions and standard setting. From the briefing my office received from the government, I understand that the minister and the department believe that the current standards committee is ineffective and largely focused on trivial matters that create an administrative burden for the department. While this may be the case, these concerns could be addressed through reform and modernisation, rather than abolition.

Further concerns regarding ministerial overreach in accreditation licencing have been raised, with stakeholders being concerned that nearly all accreditation decisions are under the direct control of the minister, with very few or no checks on this power. Other more specific concerns have been raised in regard to the introduction of surge pricing controls and vehicle camera requirements.

I understand from the government briefing that there is intended to be a significant lead time for the introduction of cameras in rideshare vehicles so that the government can work through the practicalities surrounding ownership of data and how it will be stored and accessed. I appreciate that cameras are an important safety measure for both drivers and passengers, but it is important that we get the implementation right, particularly in regard to rideshare vehicles that may also be used for private purposes.

There are a number of amendments that have been filed by honourable members addressing some of these concerns. I would like to indicate that I will be supporting the Hon. Robert Simms' amendment, which clearly outlines the purposes for which the levy may be applied. This will strengthen the transparency and accountability of how money is spent. I am happy to support this sensible amendment.

The opposition has indicated that they will be moving amendments requiring the establishment of an industry council for passenger transport regulation that must undertake a review of all legislative instruments under the act. I believe this is an important measure to maintain a level of independent oversight and industry consultation in the interests of enhancing transparency, accountability and integrity. For that, I indicate my support for the opposition's amendment.

Should the opposition amendment not pass this place, I will be supporting the Hon. Connie Bonaros' amendment, particularly given her amendment requires the minister to consult with industry and passenger representatives before making any designated regulations. I think that is very sensible. With those remarks, I commend the bill.

**The Hon. J.E. HANSON (16:25):** The joys of speaking last after everyone has said most of what there is to say. But that is okay; it was good, it was very thorough.

**The Hon. B.R. Hood:** Put your flair on it, Justin.

**The Hon. J.E. HANSON:** It is alright, the Hon. Mr Hood. I will not take any interjections, but I will note that there was a lot of comprehensive debate, was there not? I rise, obviously, to make a contribution to the Passenger Transport (Point to Point Transport Services) Amendment Bill 2025. In recent years, the Department for Infrastructure and Transport has undertaken a review into the point to point passenger transport regulations, noting it would be informed by a public targeted consultation. As part of that review, the department undertook consultation with key industry and private consumer stakeholders through a YourSAy survey, one-on-one industry meetings and written submissions.

To further the review, the department considered the regulatory framework and reviews undertaken of the point to point industry within other jurisdictions as well as previously identified policy and operational issues, including those raised previously by the community and industry. The review process was undertaken in consultation with an across-agency steering committee, which was comprised of representatives from the Department for Infrastructure and Transport, SAPOL and also the Department of Human Services.

The review concluded in early August 2024 and was released publicly on 30 August. The scope of the review was focused on the point to point industry, that is, any service in a vehicle with 12 seats or less, which includes the driver, that can take customers on the route they choose at a time that suits them for a fare. That includes taxis, chauffeured vehicles and rideshare.

The review was aimed to address a number of matters, many of which have already been discussed, but the following matters in particular I will raise here: transitioning the taxi industry into a modern, fit-for-purpose regulatory structure; addressing the safety of drivers, passengers and other road users; supporting better services and better protections for customers; helping prevent the unacceptable and appalling behaviours that have been experienced by some drivers and, indeed, some passengers; and addressing longstanding service availability issues for users of access taxis.

The review set out 29 recommendations. Again, without me discussing ones already entered into in debate, key recommendations included: removing the limit on the number of metropolitan taxis that can operate and a taxi industry reform package, which was delivered to support industry transition to new models for metropolitan and access taxis; progressing a new service delivery model for wheelchair-accessible transport through a market sounding process to identify viable options for the delivery of accessible transport services; removing barriers for metropolitan point to point transport operators to operate in regional areas; and improving the regulatory framework, which would strengthen compliance arrangements and better address safety and consumer issues.

The current regulations have different requirements for taxis compared with rideshare operators, and that has raised a number of issues. Those include that, under the current taxi licence system, there is a cap on the number of taxis that can operate in the metropolitan area of Adelaide. Metropolitan taxis are also required to be fitted with a camera, whereas other point to point vehicles are not. There are differing regulatory requirements that apply around vehicle requirements, which include specifically passenger amenity. Only taxis can rank and do hail work. In addition, only taxis are eligible to take South Australian Transport Subsidy Scheme trips, which is funded by the

government and operates to provide subsidised taxi travel for people with disabilities in metropolitan and, indeed, regional areas.

This bill aims to address a number of these issues identified. It will include the requirement for cameras to be in all point to point vehicles. The minister will be able to determine and publish standards for the purposes of vehicle authorisation. These standards will require vehicles of a prescribed class to be fitted with a camera or any other specific equipment required. The bill introduces a duty for booking service providers and drivers to ensure that surge pricing and queue jumping fees are not charged for the provision of a point to point transport service in prescribed circumstances.

The regulations will be amended to set out the prescribed circumstances. An example would be where an emergency has been declared under the Emergency Management Act. The bill also addresses issues around taxi licensing by implementing the review's recommendation of a 12-month annual taxi licence. That licence would not be leased or transferable and will be issued on an application by the department for an annual fee. The annual fee amount is not prescribed in the bill and is at this stage yet to be determined.

These are some of the key changes that this bill aims to address. It is important that we continue to improve and make the point to point transport industry safer and more sustainable. Taxis and rideshare services both play an important role in our transport mix, and there are many people across our state who rely on these services due to disabilities or distance and schedule limits in our public transport system.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (16:31):** I would like to thank all those members who have made a contribution on this very important bill—the Hon. Ben Hood, the Hon. Connie Bonaros, the Hon. Rob Simms, the Hon. Jing Lee and the Hon. Justin Hanson.

I think the importance of this bill has been well emphasised. As several members have made the point, some of the significant issues that this seeks to address are not specific only to one part of the transport industry. In terms of being able to provide services that meet the needs of consumers in South Australia as well as providing, for example, simpler accreditation for providers of services, all of those will assist in continuing to support the needs of people for point to point services. I commend the bill to the house and look forward to the committee stage.

Bill read a second time.

*Committee Stage*

In committee.

Clauses 1 to 7 passed.

New clause 7A

**The Hon. B.R. HOOD:** I move:

Amendment No 1 [Hood-1]—

Page 5, after line 37—After clause 7 insert:

7A—Amendment of heading

Heading to Part 3 Division 3—after 'report,' insert 'Council,'

Essentially, this is an amendment ahead of amendment No. 2 [Hood-1] in regard to the formation of an industry council, which I will speak to when that comes up, if this one gets through.

**The Hon. C.M. SCRIVEN:** Given that this links to the later amendment I will address the reasons why the government will not be supporting it now. The department engages with industry segments separately. A committee or council approach works well when there is a common interest for members to work towards; whereas, according to my advice, in practice point to point industry participants, understandably, advocate for their own interests and have constraints on what they can disclose in an industry forum, as they need to protect their commercial interests.

Also, the government queries the need to remunerate members as proposed in what would be the foreshadowed amendment, noting that industry representatives will be representing commercial interests. It would not be appropriate for the government to be effectively paying a member of the council to lobby the government for their own commercial interests.

A three-yearly review of legislative instruments in their entirety has the potential to create significant regulatory uncertainty, noting the department regularly progresses amendments to the Passenger Transport Regulations in response to feedback and to address emerging issues.

**The Hon. R.A. SIMMS:** Just to save time, I might indicate that I will not be supporting this amendment or the others that are associated with this proposal. In discussions with the government it had become clear to me that, whilst I do commend the Hon. Mr Hood for putting this idea forward, there were some issues potentially with implementation. I am persuaded by the government's claim that potentially you are going to have diverse sectors trying to come together advocating for their own interests.

They may find that difficult to do so, particularly if that involves the potential disclosure of commercial-in-confidence information, so we will not be supporting this amendment, but we will be supporting the amendment from the Hon. Connie Bonaros, which sets up a more fluid advisory process that gives the minister the capacity to get that feedback, which we do think is very important, so we will be supporting that as an alternative approach.

**The Hon. C. BONAROS:** Just for the benefit of time, I, too, will not be supporting the amendments for the same reasons that have just been outlined by the Hon. Mr Rob Simms. I acknowledge where they are coming from. We are worried about those issues that they may give rise to. I guess the long and short of it is that we all want to ensure that there is consultation and that everyone is on the same page with respect to that.

As the Hon. Rob Simms has just said, I think the amendment that we will be considering shortly provides a more fluid approach to being able to ensure that. I just note again for the record that in the discussions that I had with the minister right at the outset, that was one of the undertakings that he had provided in terms of going forward with this scheme.

New clause negatived.

Clause 8 passed.

**The CHAIR:** The Hon. Mr Hood, your amendment to insert new clause 8A appears to be consequential.

**The Hon. B.R. HOOD:** Yes, it is consequential and therefore I will not be moving that amendment.

Clauses 9 to 13 passed.

Clause 14.

**The Hon. B.R. HOOD:** I move:

Amendment No 3 [Hood-1]—

Page 11, line 8 [clause 14, inserted section 32A]—Delete 'an accredited person' and substitute:

a person who holds a passenger transport driver accreditation granted by the Minister under section 29

This amendment seeks to clear up some issues that were brought to us by stakeholders in regard to the use of the term 'accredited persons' and substitute that with 'a person who holds a passenger transport driver accreditation granted by the minister under section 29'. In questions put to the minister in the other place, we did query this and it relates to the auto cancellation of someone's accreditation.

The minister outlined that that would really be in the case of maybe a drink-driving charge or something along those lines. This clears up that this is referring explicitly to a passenger transport driver and not an accredited person, which may be, as we understand it, considered as a booking service or an actual company in and of itself that could be auto cancelled.



**The Hon. C.M. SCRIVEN:** The government does not support this, as the impact of this would be that automatic suspension would only be available for driver accreditation. The intention of the provision was to allow automatic suspension to any accredited person or entity, as while a booking service may not be able to commit a prescribed offence—for example, a criminal or driver licence offence—their accreditation should be automatically suspended if they fail to comply with a direction from the minister, which is only made after an audit and noncompliance with the act has been observed, or if they have failed to comply with a safety duty. It is an important provision that ensures that there is the possibility of suspension for a booking service where such a matter could occur.

Amendment negated; clause passed.

Clauses 15 to 18 passed.

Clause 19.

**The Hon. B.R. HOOD:** I would like to ask a couple of questions that we missed in the House of Assembly and get them on the record. We did have some concerns from the Taxi Council, which at times criticised the old system in regard to light penalties, but they also worry about the fairness and due process if the minister's powers are expanded under this act. The council just wanted some assurance that these new powers will be used consistently and fairly. They do support stronger enforcement if it targets persistent offenders, but remain worried about the absence of an independent body to review the departmental decisions.

My questions are: will the strengthened disciplinary powers address recurring minor and major offences more promptly than the old system? Secondly, what safeguards exist to ensure accredited parties receive fair notice and have an opportunity to respond before penalties are imposed?

**The Hon. C.M. SCRIVEN:** I am advised that, in relation to the first question, the expectation is that, yes, there would be more speedy actions undertaken. In terms of the second question, it is envisaged that in many ways the changes proposed in this bill would make it easier for those who do feel aggrieved. So, first of all, procedural fairness needs to apply as it currently does, and so that is not in question.

The process would be that if someone had a grievance first of all they could apply for an internal review. After that if they were still aggrieved they could apply to SACAT. I am advised that in the current act following an internal review the mechanism would involve the District Court, which is a far more difficult and perhaps onerous avenue to take. So the expectation is that where there is a grievance that cannot be resolved this would in fact improve the situation.

**The Hon. B.R. HOOD:** I appreciate the minister's response to those questions. With regard to step 1 and step 2 (heading off to SACAT) at what point are penalties imposed? Will it be after they have gone to an appeal with SACAT, or will there be penalties in between that process?

**The Hon. C.M. SCRIVEN:** My advice comes, first of all, with a caveat in that the level of detail has not been specifically worked out at this stage and therefore is not available in a document or similar. However, the expectation is that a penalty would be imposed but they would then appeal that, essentially, or ask for it to be reviewed, and usually under those circumstances it is probably not expected that that would be paid in the meantime. However, I have the strong caveat that those sorts of policies have not been specifically derived and released as yet.

Clause passed.

Clauses 20 to 36 passed.

Clause 37.

**The Hon. B.R. HOOD:** I move:

Amendment No 4 [Hood-1]—

Page 32, after line 20 [clause 37, inserted section 52E(3)]—

Before the definition of *queue-jumping fee* insert '*prescribed circumstances means—*'

- (a) in relation to a fare that is calculated by reference to an element of surge pricing—
  - (i) any circumstances that the Minister has, by notice in the *Gazette* for the purposes of this definition, declared to be an imminent risk to public health or safety; or
  - (ii) any emergency circumstances that are the subject of a declaration under Part 4 Division 2 of the *Emergency Management Act 2004* or under Part 11 of the *South Australian Public Health Act 2011* if the Minister has declared, by notice in the *Gazette* for the purposes of this definition, that the emergency has caused significant disruption to passenger transport services; or
- (b) in relation to a fare that includes a queue-jumping fee—circumstances of a kind prescribed by the regulations;

This is an amendment to clause 37 with regard to prescribed circumstances in terms of the restriction of surge pricing, given the minister's ability to effect that. Essentially the amendment is that in 'any circumstances that the minister has, by notice in the *Gazette* for the purposes of the definition, declared to be an imminent risk to public health or safety', or in relation to 'any emergency circumstances that are the subject of a declaration under Part 4 Division 2 of the *Emergency Management Act*'. As I outlined in my second reading speech—and I will not go over it—it really is to put some more rigour around that, bearing in mind that when we legislate in this place we do so not for when we have great people like ourselves here but in case there might be some nasty ones coming up.

**The Hon. C.M. SCRIVEN:** The government does not support this amendment. My advice is that this, if supported, would limit the ability to enable faster and more flexible responses to situations. Examples are given of the Lindt Cafe siege and the 2016 South Australian blackout as instances that would rely on the *Emergency Management Act* or public health emergency provisions and the minister publishing a notice in the *Gazette*. The intention is to draft the regulations with more nuance and more flexibility and enable a proportionate and more rapid response to unfolding circumstances, should they be required.

**The Hon. R.A. SIMMS:** The Greens do not support the amendment being advanced by the opposition for the reasons that have been outlined. We support cracking down on surge pricing. I guess the only point I would make is that I urge the government, when they are crafting the regulations, to make sure that vulnerable workers are not disadvantaged by those changes.

Of course, it is vital that South Australians have access to a diverse range of transport options, particularly in the middle of emergency situations, but I also recognise the point the Hon. Connie Bonaros made earlier in her second reading contribution—that is, even when there are these significant surges in prices, it is not the individual Uber driver who is making that profit. I do urge the government to make sure that individual drivers are not being short-changed, given these are some of our state's lowest paid workers and they do not have access to the other protections that other workers have within the sector.

Amendment negated; clause passed.

Clauses 38 to 41 passed.

Suggested new clause 41A.

**The Hon. R.A. SIMMS:** I move:

Amendment No 1 [Simms–2]—

Page 36, before line 1—Insert:

41A—Insertion of section 62B

After section 62A insert:

62B—Application of levy amounts

- (1) Amounts collected as point to point transport service transaction levy amounts under Schedule 2 may only be applied for any 1 or more of the following purposes:
  - (a) the provision of public transport services in the State;

- (b) the administration and regulation of the passenger transport industry in the State;
  - (c) measures to improve disability access to passenger transport services in the State;
  - (d) the facilitation of active transport in the State;
  - (e) implementation of a prescribed scheme under section 52AB.
- (2) In this section—
- active transport* means walking, bicycle riding, scooter riding or other self-propelled means of transportation.

I outlined the rationale in relation to that in my second reading contribution.

**The Hon. C.M. SCRIVEN:** I can indicate that the government will be supporting this amendment.

**The Hon. C. BONAROS:** As already indicated, I will be supporting this amendment.

Suggested new clause inserted.

Clause 42 passed.

Clause 43.

**The Hon. C. BONAROS:** I move:

Amendment No 1 [Bonaros–1]—

Page 36, after line 12—After subclause (3) insert:

- (3a) Section 64—after subsection (2) insert:
- (2a) The Minister must ensure that consultation is undertaken (in such manner as the Minister thinks fit) with the following classes of persons before any designated regulation is made under this Act:
- (a) persons who, in the opinion of the Minister, represent industries involved in the provision of passenger transport services;
  - (b) persons who, in the opinion of the Minister, represent consumers of passenger transport services (including consumers with disabilities or other special needs).

I have already spoken to it, and the purpose of the amendment.

**The Hon. C.M. SCRIVEN:** I can indicate the government will be supporting this amendment, and I guess more broadly I want to place on the record my appreciation to the Hon. Connie Bonaros for, first of all, her acknowledgement of the minister's existing commitment to rigorous consultation and engagement, and for bringing this amendment to the chamber.

Amendment carried.

**The Hon. C. BONAROS:** I move:

Amendment No 2 [Bonaros–1]—

Page 36, after line 19 [clause 43(4)]—After inserted subsection (6) insert:

- (7) In this section—
- designated regulation* means a regulation that is, in the opinion of the Minister, made for the purpose of implementing the *Passenger Transport Act Review* undertaken by the government of South Australia and published in August 2024.

This is a consequential amendment.

Amendment carried; clause as amended passed.

Clause 44 passed.

Clause 45.

**The Hon. B.R. HOOD:** I move:

Amendment No 1 [Hood-2]—

Page 37, lines 30 and 31 [clause 45(4)]—Delete subclause (4) and substitute:

- (4) Schedule 2, clause 2(3)—delete subclause (3) and substitute:
  - (3) The amount of the levy is—
    - (a) until the designated day—the prescribed amount for each point to point transport service transaction that occurred in the assessment period for which the levy is payable; and
    - (b) on and after the designated day—\$1 for each point to point transport service transaction that occurred in the assessment period for which the levy is payable.

This amendment seeks, as I explained in my second reading speech, to tie the increase of the levy to the prescribed scheme of buyback, and I would note that this essentially would take back the \$1.50—the extra \$1 plus the 50¢—at the airport levy back to the \$1 levy that we already have, which we do not tend to have some understanding around exactly where it is going. That \$1 would still go to do the many things that are reflected in the amendment that we have passed from the Hon. Robert Simms.

**The Hon. C.M. SCRIVEN:** The government will not be supporting this. I think the importance of retaining the funding of important measures going forward has been outlined earlier by other contributors to the debate today.

Suggested amendment negatived; clause passed.

Schedules 1 and 2 and title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (16:55):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**INDEPENDENT COMMISSION AGAINST CORRUPTION (CONDITIONS OF APPOINTMENT - INTEGRITY MEASURES) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 6 March 2025.)

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (16:56):** I thank honourable members for their contributions and indications of support on this bill. The Hon. Frank Pangallo read out a letter as part of his second reading contribution, which contained a number of points I would like to address briefly.

Following the appointment of Ms Emma Townsend as the ICAC commissioner, Ms Townsend resigned from her office as Director of the Office for Public Integrity (OPI), effective 3 February 2025. Ms Vanessa Burrows was appointed as acting director for a term commencing 3 February 2025, pursuant to section 18 of the ICAC Act. The letter read by the Hon. Frank Pangallo asserted that neither the assistant director nor the acting director of OPI are statutory officers under the ICAC Act.

I am advised that section 41 of the Legislation Interpretation Act permits the appointment of a person to act in an office where that office is vacant. A person appointed to act in an office has all

the functions of the holder of the office. As for the assistant director, this is not a statutory office under the ICAC Act, but is the title of a public sector employee position assigned to OPI.

The Hon. Frank Pangallo raised the matter of the provisions of the ICAC Act for a deputy commissioner. I can confirm this matter is being actively considered. As to confidentiality provisions in the ICAC Act, I am advised that section 54 provides for prohibitions relating to the publication of information in relation to certain matters under the ICAC Act. Relevantly, section 54(5) provides that a person must not, without authorisation, publish, or cause to be published, certain information, including the fact that a person has made or may be about to make a complaint or report under the ICAC Act.

Finally, as a matter of minor clarification, I am advised that the effect of section 11 of the Judges' Pensions Act is that judges are entitled to 50 per cent of their salary at five years' service, not 40 per cent. I thank members for their contributions on this bill.

Bill read a second time.

*Committee Stage*

Bill taken through committee without amendment.

*Third Reading*

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (17:00):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**STATUTES AMENDMENT (CLAIM FARMING) BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 12 September 2024.)

**The Hon. J.M.A. LENSINK (17:00):** I rise today to indicate the opposition's support of the Statutes Amendment (Claim Farming) Bill 2024. This bill is an important legislative step to protect South Australians from the unethical and exploitative practice of claim farming. Claim farming is an industry where personal injury claims are treated as commodities, with individuals' private information being collected and sold to law firms for financial gain. This practice often involves aggressive and misleading tactics, such as unsolicited calls, deceptive promises of easy compensation and targeting of vulnerable groups, including prisoners, Aboriginal communities and survivors of child sexual abuse. Such actions undermine the integrity of our legal system.

This bill will directly tackle claim farming by creating two key offences within the Summary Offences Act. The first offence makes it illegal to give or receive a benefit in exchange for a claim referral. This means claim farmers and law firms will no longer be able to profit from the sale of personal information obtained through unethical means. The second offence prohibits unsolicited approaches to potential claimants. This prevents cold-calling operations that pressure individuals into pursuing claims they may not have otherwise considered.

Additionally, the bill introduces amendments to the Legal Practitioners Act 1981. It classifies claim farming practices as conduct capable of constituting unsatisfactory professional conduct or professional misconduct, ensuring that legal practitioners who engage in such activities face disciplinary consequences. The legislation provides limited exemptions for appropriate claim referrals, such as when one law firm acquires another, or when a lawyer refers a client elsewhere due to a conflict of interest. It also permits lawyers to reach out to former clients or individuals eligible for class actions under specific conditions, ensuring that claimants still have access to necessary legal assistance.

The bill holds law firms accountable for their employees' conduct. If a law firm associate is convicted of claim farming, the firm must forfeit all fees associated with that claim. However, a defence is available if the firm can demonstrate it took reasonable steps to prevent such behaviour.

This measure ensures that South Australia does not become a target for claim farmers, particularly as other jurisdictions are also cracking down on the practice. By acting now, we are preventing exploitation and protecting the rights of those who have suffered injuries.

There are amendments standing in my name which I will speak to in committee and which seek to address concerns raised by the Law Society, so I will move those at the appropriate juncture and I look forward to further debate on this bill.

**The Hon. S.L. GAME (17:03):** I rise to speak on the government's Statutes Amendment (Claim Farming) Bill 2024. The aim of this bill is to prohibit claim farming, the predatory practice of collecting and selling personal injury data and pressuring vulnerable individuals into lodging compensation claims. The practice has already been banned in Queensland and it is right for our state government to be concerned that these unscrupulous operators will move into our jurisdiction. Consequently, this is a timely proposal that will prevent the establishment of such predatory operations in this state and will protect vulnerable people in our community from being exploited by having their personal information sold or facing unsolicited cold calls from pushy salespeople who want to pressure them to make a compensation claim.

Under the proposal, any person who approaches or contacts someone to solicit or induce a claim will face a maximum penalty of \$50,000. Additionally, any person giving or receiving a benefit from exchanging or referring a claim could face a maximum penalty of up to \$50,000. The types of claims covered by the proposed amendments will be personal injury claims for compensation for physical or mental harm or death.

While it is unclear how these offences will be detected and enforced, the bill remains a useful preventative measure against a lucrative industry that seeks to profit from the suffering of victims. The proposal also seeks to amend the Legal Practitioners Act 1981 to provide that if a lawyer pays for a claim referral, or if they make an unsolicited approach to a person to try to convince them to make a claim, this conduct can be reported to the Legal Profession Conduct Commissioner, which could lead to disciplinary proceedings.

Once again, it is unclear how such conduct will be detected and enforced, but at least it puts practitioners on notice that such exploitation of people's suffering could lead to disciplinary action, up to suspension or entitlement to practise.

**The Hon. J.S. LEE (17:05):** I rise to speak in support of the Statutes Amendment (Claim Farming) Bill 2024. This bill will prohibit the act of claim farming in relation to personal injury claims in South Australia. It would be reasonable to assume that most people may not be aware of the practice of claim farming. It is quite alarming to learn that there are unscrupulous firms out there that attempt to profit from the trauma and injury of individuals in this way.

Claim farming is a process of collecting the personal information of a person who has suffered an injury, usually through inappropriate or exploitative ways, such as cold-calling or unsolicited approaches. That information is then sold to a law firm or a claims management provider who pays for the referral and makes a profit from providing a service to the injured person. It is particularly concerning that claim farmers often target people with vulnerabilities, such as prisoners or residents of remote Aboriginal communities, and often use high-pressure sales tactics and deceptive promises of quick and easy compensation to secure the sale.

Selling information for personal injury claim referrals disrespects the best interests of the injured person and can be motivated by greed rather than by which law firm is the most appropriate to represent the case. I understand that it is difficult to quantify how widespread claim farming practices may be in South Australia, as it is largely done under the table. However, it is concerning to learn that there are reports of claim farmers targeting victims of child sexual abuse, following the establishment of the National Redress Scheme. This bill seeks to outlaw claim farming practices and to prevent them from becoming rampant in South Australia.

The bill will prohibit the sale or receipt of claim referrals for a benefit and will cover claim farming in relation to personal injury claims, including wrongful death claims. There will be exceptions for claims referred between law firms as part of the sale of a law firm or due to a genuine lack of expertise or a conflict of interest.

The bill will also introduce an offence for personally approaching or contacting a person to induce them to make a personal injury claim. It is important to note that there are several exceptions to this that would allow a person to be contacted if they had requested the contact or to allow friends or family to encourage an injured person to consider seeking compensation where there is no profit gain from the claim referral.

It will also be legal for law firms to approach existing or former clients about a personal injury claim in cases where the lawyer reasonably believes that the client would not object to the contact. For example, where a law firm may have provided legal advice or representation to a person for a family law case and it comes up that there is a history of childhood sexual abuse, the law firm could suggest that the person may have recourse to a personal injury claim. A law firm would also be able to approach a person at the request of a reputable support service, such as a community legal centre or industrial organisations, or approach people who they believe may be eligible to participate in a class action that the law firm is representing.

There are also provisions for investigation and disciplinary action to be undertaken by the Legal Profession Conduct Commissioner in relation to law firms that pay for claim referrals or make an unsolicited approach. I understand that the Law Society of South Australia has been consulted on this bill and has provided detailed submissions to the government, particularly regarding the carve-outs for law firms to make appropriate approaches to clients and when requested by community legal centres and industrial organisations. I am advised that the government will introduce several amendments in response to the Law Society's submission to further clarify such carve-outs and add several definitions to the bill.

While claim farming is not yet rampant in South Australia, I am encouraged to see the state government is following Queensland's example and taking a proactive approach to outlaw this shady and exploitative practice. It is important that the privacy and wellbeing of injured persons, victim survivors and their families are protected. I am particularly alarmed at the prospect of victim survivors of childhood sexual abuse being targeted by these unscrupulous claim farmers. I will be supporting this bill to help protect and serve the best interests of vulnerable members of our community. I commend the bill.

**The Hon. R.P. WORTLEY (17:10):** I rise to speak in support of the Statutes Amendment (Claim Farming) Bill 2024. Claim farming refers to a practice of collecting the details of a person or persons with potential legal claims and selling them to a law firm who subsequently offers services to the claimant. The referral may be made with or without the consent of the claimant. Usually claim farming is undertaken in relation to personal injury claims.

Businesses that engage in claim farming obtain potential claimants' details in a variety of ways, including: advertisements offering assistance to persons with a particular injury, for example, offering hearing assessments to persons with potential work-induced hearing loss; cold-calling people to ask if they have a relevant injury, either at random or with numbers obtained from relevant contacts, such as an automotive repairer providing numbers of persons who have been in car accidents; online data collection, for example, a website that allows people to book appointments with doctors that collects details of patients with a work-related injury; and direct approaches in relevant communities.

The claim farming business will provide the claimant's details to a law firm with whom they have pre-existing arrangements. The law firm will provide a referral fee or other benefit. Claim farming has long been a concern in relation to claims under compulsory third-party personal injury insurance for motor vehicle accidents. It has also been identified or suspected in relation to a range of other types of injuries, including workplace injuries and compensation for physical and psychological injuries sustained due to child sexual abuse. This practice typically targets particularly vulnerable people, such as those in prison.

Injured persons are in a vulnerable situation, and claim farming exploits that vulnerability. The potential for profit motivates claim farmers to approach injured persons or the families of deceased victims in harassing or predatory ways and to inappropriately deal with their private information. The bill would make claim farming a criminal offence within the Summary Offences Act 1953, punishable by a fine of up to \$50,000. It would also be an offence to make unsolicited

personal contact with any person to solicit or induce them to make a personal injury claim in the expectation that the first person will receive a benefit.

It would be an offence to give or receive a benefit in exchange for the personal details of a person who has or may have a personal injury claim. 'Benefit' will be defined broadly to include goods, services, cash payments or other benefits. However, it will not include gifts or hospitality not exceeding a certain value, e.g., a lawyer can still give a professional acquaintance a small thankyou gift for referring a client. As well as being a criminal offence, these practices would constitute unsatisfactory professional conduct or professional misconduct for the purposes of the Legal Practitioners Act 1981. This will allow such conduct by lawyers to be investigated and disciplined regardless of whether there has been a conviction for such conduct.

The bill includes a series of carve-outs for practices that will not be considered claim farming for the purpose of the offence, such as referral fees paid when lawyers may have legitimate reasons to refer a claimant to another law firm, such as for a lack of expertise or a conflict of interest, so long as the payment does not exceed the amount prescribed by the regulations.

The bill allows lawyers to make unsolicited approaches to their existing or former clients if the lawyer reasonably believes that the client would not object, as the lawyer and client have a pre-existing relationship. It will not be unlawful for a law firm to approach or contact a person who may be eligible to participate in a class action for which the law practice is responsible. This acknowledges that in some cases law practices may be required to contact potential class action claimants.

As with any crime, police will be able to investigate reports of claim farming offences. Reports to police could be made by members of the public, support services assisting injured persons or agencies who hear of claim farming during the normal course of their work, such as the CTP Insurance Regulator, who may become aware of claim farming of CTP insurance claims.

In addition, as claim farming practices by a legal practitioner will be considered professional misconduct, the Legal Profession Conduct Commissioner will be able to use their existing investigation powers to investigate suspected claim farming by legal practitioners. The powers of the LPCC include the ability to require investigated legal practitioners to produce documents or written information. To preserve the privilege against self-incrimination, the purposes for which these documents can be used are limited. The LPCC can also search premises with the consent of the occupier or under a warrant issued by a magistrate.

Approaching a person at the person's request, such as a law firm receiving an inquiry through their website or someone asking to be contacted in relation to a personal injury, is not prohibited. General advertising of a law practice's services, including on social media, is also not prohibited.

Amendment No. 1, definition of 'claim' under the bill: a 'claim' means a claim for compensation for personal injury. This amendment will put beyond doubt that claims under the National Redress Scheme are also considered claims for personal injury and are covered by the prohibitions on claim farming.

Amendment No. 2, definition of 'industrial organisation': the bill provides some exceptions to the offence of approaching a person to solicit or induce them to make a personal injury claim. One exception provides that a law firm may contact a potential claimant if requested to do so by a community legal centre or industrial organisation. This amendment will insert a definition of 'industrial organisation' for the purposes of this exception to ensure consistency with the Fair Work Act 1994.

Amendment No. 3, definition of 'legal services': another exception to the unsolicited approach offence provides that law firms may contact potential claimants to whom the law firm has previously supplied legal services. This amendment will insert a definition of 'legal services' to match the Legal Practitioners Act 1981, which will ensure consistency between the two acts.

Amendment No. 4, referrals from other not-for-profit organisations: the Law Society suggests that law firms should be allowed to contact potential claimants at the request of other not-for-profit organisations, such as the Returned and Services League (RSL), in addition to CLCs and industrial organisations. This amendment will allow other kinds of organisations to be added to the relevant exception by regulation. With that, I seek the support of the council for this bill.



**The Hon. C. BONAROS (17:18):** I rise to speak in support of this bill. I think all the honourable members have now described what claim farming is. I am going to say it because sometimes you just have to: when this bill first came up, I think it was a pretty chaotic week. I was trying to figure out what on earth this had to do with farming and claims. Every time I look at the bill, I am reminded of that day when, indeed, Jody and I both sat in our office saying, 'What are we doing about farming?'

It turns out that there is a much more sinister side to this bill, a very troubling one indeed, particularly as it relates to historic child abuse cases where we know that individuals can be not just financially exploited but, perhaps worse still, retraumatised through the practice of claim farming, otherwise known as claim harvesting. If there is one thing I think we know—and other commentators have said this—victims in particular and those vulnerable members of our community need a system they can trust.

What we saw in New South Wales was a terrible case which resulted in this legislation. Even though it was not claim farming per se, in effect what happened in that jurisdiction was that there were a number of arrests made—seven I think in total—after an allegedly fraudulent claims farm syndicate had been uncovered. It was alleged in that case that at the heart of that scheme claim farmers coached former young offenders, inmates and public school students on how to file false compensation claims for child sex abuse while in care, and then sold those referrals to law firms in Sydney.

That is unconscionable, to say the least, and really detracts from the severity of the sorts of historic child sex abuses that we deal with in this area. It was that particular case that, as was reported, shone a light on what is otherwise—and has until this point in time—been legal, and now we have seen New South Wales and Queensland and us moving towards stopping this sort of predatory practice from being able to continue any further.

I note of course that the Knowmore Legal Service has, for obvious reasons, spoken in support of this legislation, as has the Australian Lawyers Alliance. Their strong opposition to what they call an insidious practice of claim farming has been provided loudly to all of us. There is no place for those who make fraudulent claims in the justice system. As the Hon. Michelle Lensink said, it just serves to undermine the integrity of that system, but also the faith that people have in that system.

I note also that—and we might canvass some of this when we get to the committee stage debate—there have been some questions raised with me around why we are dealing with this in the Summary Offences Act. I will foreshadow those now and we can get to them when we deal with the committee stage debate. In all, I guess what we are really trying to do by legislating against claim farming is to prevent the undermining of those legitimate claims by survivors, particularly by survivors of abuse and those survivors who already lack faith in the system because of the abuse that they have sustained.

As has been said publicly, they, more than anybody else, who are amongst our most vulnerable, need a system that they can trust, and this sort of measure is aimed directly at providing that sort of faith in the system they are dealing with. I note also commentary that was made in relation to the fact that boys' homes and juvenile detention centres, for instance, had, as we know, disproportionately high levels of sexual and physical abuse.

There are many legitimate claims and to have those undermined by the sorts of claims that gave rise to this legislation in the first place—where you have these individuals who think it is appropriate to go to people who are young offenders and inmates in incarceration and convince them to make false claims, only to sell those on for profit to law firms—beggars belief in many respects, that people would stoop to that sort of level and undermine our justice system as much as they do.

I think overall this is a positive step forward, one that certainly has the support of those alliances and groups working in this space, but also who have been advocating for these changes. I think it is important also to note, and this was canvassed during the briefing, that there are carve-outs in the bill, that there are, I suppose, unique elements of this bill that differ from other models, and make it unique to South Australian circumstances.

But, specifically, what we would not want to do is anything to affect the ability to have, for instance, class actions. There are carve-outs for unions, there are carve-outs for class actions and other like associations who we know often go down the path of bringing together claimants for whatever purpose it is, not necessarily child abuse; it could be anything. The one that springs to mind is the underpayment of wages. You would expect that those sorts of things would be carved out.

By the same token, though, this idea of having what claim farmers would call legitimate people working as intermediaries trying to link claimants together for the purposes of making one of these claims only to onsell that to somebody else is, as the Lawyers Alliance said, an insidious practise that needs to be stamped out, and I am glad that we are one step closer to doing that.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (17:26):** I thank members for their contributions on this bill and their indications of support. I must say there are a number of staff in my office who have been most pleased that some have thought this might have been about clam farming. They thought we were secretly implementing their vegan agenda by stealth as a matter of course through this bill. But, alas, no, it is not a secret vegan agenda to outlaw the eating of certain types of seafood.

It is a very serious issue, as members have spoken about. It can be an insidious practice. At its heart, this is about doing less harm to people who have suffered great trauma. The very fact of being approached unsolicited about a possibility of harm, it is reported, can cause great harm and distress for someone who does not wish to engage in that. These are the sorts of practices that we are looking to address here.

I look forward to having some further discussions about how this works, particularly the government amendments and other amendments and views that are being put forward by the Law Society. Certainly, we have aimed to take into account much of what the consultation, particularly with groups who represent lawyers like the Law Society, have said in relation to what this bill does and look forward on the next sitting day when we progress to the committee stage, having those discussions.

Bill read a second time.

At 17:29 the council adjourned until Tuesday 1 April 2025 at 14:15.

*Answers to Questions***DEPARTMENT FOR EDUCATION STAFF**

**423 The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition)** (6 February 2025).

1. The number of Department for Education staff currently suspended from duties, categorised by job title, type of site (i.e. school/preschool/support services/corporate/etc.), region, and length of time suspended.
2. The number of staff, broken down by permanent, casual, or contract, or otherwise, between financial year 2022 to present.
3. The number of vacancies at the beginning of each term, between financial year 2022 to present.
4. The number of reports of incidents requiring police attendance at schools and reason for attendance from financial year 2022 to present.
5. The number of critical incidents involving assaults by students on teachers (or whatever relevant category is/was used by the department to capture incidents of this nature) from financial year 2022 to present.
6. The number of critical incidents involving assaults by students on students (or whatever relevant category is/was used by the department to capture incidents of this nature) from financial year 2022 to present.

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing):** The Minister for Education, Training and Skills has advised:

Staff suspended from duties is publicly available from a recent freedom of information request provided to Hon. John Gardner MP.

The total number of staff is publicly available from the Office of the Commissioner for Public Sector Employment. I note the Malinauskas Labor government has dramatically increased the number of staff converted to permanency, with over 1,800 staff converted since coming to government.

In relation to vacancies, South Australia is doing remarkably well compared to the Eastern States, who have previously had thousands of teacher vacancies. In comparison, we have commenced the year with only 57 vacancies, down from 68 in 2024 and 86 in 2022.

In relation to critical incidents, upon coming to government the Malinauskas Labor government was concerned about the rising numbers of incidents schools were experiencing under the former government. That is why the Minister for Education, Training and Skills held a violence in schools round table with students, teachers, parents and experts to develop a response.

The government has since announced a range of actions to reduce violence and bullying in schools, which can be found at <https://www.education.sa.gov.au/parents-and-families/safety-and-wellbeing/behaviour-support/violence-prevention-and-response-in-schools>.

While reducing incidents in schools takes time, I am pleased to advise that we are seeing some positive signs of improvements, including reduced incidents requiring police attendance in 2024.

**CHILD ABUSE IN SCHOOLS**

In reply to **the Hon. J.S. LEE** (5 February 2025).

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing):** The Minister for Education, Training and Skills has advised:

The questions relate to a matter that is currently before the court. The government will not comment further at this time due to the ongoing court proceedings.

The government takes the safety and wellbeing of children and young people very seriously. In addition to existing mandatory notification requirements and training for all department employees regarding protective practices and responding to risks of harm, abuse and neglect, the Department for Education has a range of policies and guidelines in place to address duty of care and to ensure the safety of children and young people.

**REGIONAL EMERGENCY SERVICES**

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (18 February 2025).

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing):** I have been advised:

New emergency services appliances have and will be rolled out to locations including: Mount Gambier, Moonta, Renmark, Whyalla, Loxton, Mannum, Coffin Bay, Tumby Bay, Port Broughton, Port Lincoln, Kimba and Keith.