

HOUSE OF ASSEMBLY**Monday, 29 July 2019****ESTIMATES COMMITTEE A****Chair:**

Mr P.A. Treloar

Members:

Dr R.M. Harvey
Ms P.M. Luethen
Ms A. Michaels
Mr C.J. Picton
Mr J.K. Szakacs
Mr J.B. Teague

*The committee met at 13:30**Estimates Vote***COURTS ADMINISTRATION AUTHORITY, \$109,489,000****Minister:**

Hon. V.A. Chapman, Deputy Premier, Attorney-General.

Departmental Advisers:

Mr C. Kourakis, Chief Justice, Courts Administration Authority.

Ms J.A. Burgess, State Courts Administrator, Courts Administration Authority.

Mr T. Pearce, Chief Financial Officer, Courts Administration Authority.

Mr M. Church, Manager, Financial Services, Courts Administration Authority.

Mr C. Black, Business Analyst, Courts Administration Authority.

Ms J. Carney, Chief of Staff.

The CHAIR: Welcome, everybody, to the Attorney-General's session. The estimates committees are a relatively informal procedure and as such there is no need to stand to ask or answer questions. Changes to committee membership will be notified as they occur. Members should ensure that the Chair is provided with a completed request to be discharged form. If the Attorney undertakes to supply information at a later date, it must be submitted to the Clerk Assistant via the answers to questions mailbox no later than Friday 5 September 2019.

I propose to allow both the minister and the lead speaker for the opposition to make opening statements of about 10 minutes each should they wish. Questions must be based on lines of expenditure in the budget papers and must be identifiable or referenced. There is no formal facility for the tabling of documents before the committee; however, documents can be supplied to the Chair for distribution to the committee. The incorporation of material in *Hansard* is permitted on the same basis as it applies in the house. All questions are to be directed to the Attorney, not the Attorney's advisers. The Attorney may refer questions to advisers for a response.

The portfolio this afternoon is the Courts Administration Authority, and the minister appearing is the Attorney-General. I declare the proposed payments open for examination. I call on the Attorney to make a statement if she wishes and introduce her advisers. Attorney, you have the call.

The Hon. V.A. CHAPMAN: Good afternoon, Mr Chair, and members of the committee. It is with pleasure that I introduce the Chief Justice, to my left, the Hon. Chris Kourakis SC; the State Courts Administrator, to my right, Ms Julie-Anne Burgess; and, to my far left, the Chief Financial Adviser, Mr Trevor Pearce. There are some other advisers also present, who may provide assistance from time to time for questions of the committee. I will not be making an opening statement.

The CHAIR: Thanks, Attorney. I need to follow my own advice here and advise the committee that the following members have requested to be discharged: the members for Morphett, Davenport, Finniss, Light, Reynell and Torrens. They have been replaced by the members for Heysen, King, Newland, Kaurna, Cheltenham and Enfield. Member for Kaurna, do you have an opening statement?

Mr PICTON: I am happy to swing straight into questions.

The CHAIR: Straight into questions? I am happy if you are.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 116, which references the exercise of judicial power. Has the Chief Justice exercised his judicial power conferred on him by the Constitution Act and appointed the Chair of the Electoral Districts Boundaries Commission and, if so, who has been appointed the chair?

The Hon. V.A. CHAPMAN: I thank the member for the question. I think the gazettal of this announcement was last Friday, from memory, but I will no doubt check on that. I understand that it is Her Honour Justice Trish Kelly.

The CHAIR: Member for Kaurna, I might remind you to please direct your questions to the Attorney.

Mr PICTON: I did.

The CHAIR: Okay, thank you.

Mr PICTON: Attorney, has the Electoral Districts Boundaries Commission been convened and has the redistribution process commenced?

The Hon. V.A. CHAPMAN: The first stage of the establishment of the commission is the identification and nomination, of course, by the Chief Justice. As I said, that was gazetted last week. My understanding from there is that in due course the Electoral Commissioner, Mr Mick Sherry, and the Surveyor General, Mr Michael Barrett, together with the nominated justice, as I have indicated, will meet to progress the usual process in relation to those matters.

Mr PICTON: Have you been given a time frame for when that is expected to occur?

The Hon. V.A. CHAPMAN: I have not, but I have discussed the matter with the Chief Justice. I will just ask whether he has anything else that he can add at this point.

Chief Justice KOURAKIS: It will be for the commission to organise its time line for that, and they will finalise it in accordance with the Constitution Act.

Mr PICTON: Given that Budget Paper 4, Volume 2, page 28, shows an increase of \$50,000 in cash outflows for the Electoral Districts Boundaries Commission, is it safe for the committee to assume that the process will at least commence during this 2019-20 financial year?

The Hon. V.A. CHAPMAN: I will ask the Chief Justice.

Chief Justice KOURAKIS: I expect the process to commence this year. It is proposed that counsel assisting will be appointed, as it was on the last occasion. As I said, it will be a matter for the commission and counsel assisting to work through that.

Mr PICTON: Does the Attorney-General agree that the redistribution process should commence as early as possible, considering the previous process finished so close to the last election?

The Hon. V.A. CHAPMAN: I would expect the process to be undertaken as is required under the constitution.

Mr PICTON: Considering the change to remove the fairness clause for the act, will the commissioner ensure that suitable time is made available for the process to include future challenges to the boundaries commission?

The Hon. V.A. CHAPMAN: Again, I think that is a matter for the commission to determine. In due course, if the member would like to put any representations to the commission once it convenes, then it will be a matter for you to do so, or of course your representative for the Australian Labor Party.

Mr PICTON: Have you been given any advice as to when the commission is likely to complete its review?

The Hon. V.A. CHAPMAN: No.

Mr PICTON: When determining the boundaries, who will actually be putting the data together and is it in fact DPTI that is providing the population projection data for 18-plus population at a census collection district level?

The Hon. V.A. CHAPMAN: Again, I think matters such as that really are matters for the commission. Obviously, it will convene. I think you will recall from previous practice that it will have a website and call for submissions and the like. The compilation of data and who that relies on is really a matter for the commission.

Mr PICTON: Will the commission review how the population projections are calculated, considering that the final population figures were noticeably different from the projections, with a number of seats' populations falling outside the 10 per cent variance and tolerance under the act?

The Hon. V.A. CHAPMAN: Again, those matters are better directed to the commission once it has convened.

Mr PICTON: Are you aware of how DPTI will be compiling their data, how much is actual survey results and how much is a projection?

The Hon. V.A. CHAPMAN: Who is doing it, who is compiling it and who is providing it? No, I do not.

Mr PICTON: Do you think that the Electoral Districts Boundaries Commission will have the skills to properly interpret the data, and what makes you think that is the case?

The Hon. V.A. CHAPMAN: I do not offer any view in relation to that. Again, these are matters for the commission.

Mr PICTON: Do you think that the Electoral Districts Boundaries Commission has used data previously in the way that it was intended?

The Hon. V.A. CHAPMAN: I do not really think my view on those matters is entirely relevant to the issues before the committee.

Mr PICTON: I refer to Budget Paper 1, Volume 1, page 116, key agency outputs, the proper administration of justice.

The Hon. V.A. CHAPMAN: I am sorry, we are on the top somewhere?

Mr PICTON: Yes. Attorney-General, have you apologised to the ICAC commissioner for making public the workings of an investigation without Commissioner Lander's approval?

The Hon. V.A. CHAPMAN: I do not think that is either before the committee or relevant to the statement you just raised.

Mr PICTON: You do not think that it is appropriate for the proper administration of justice?

The Hon. V.A. CHAPMAN: These are matters that were canvassed in last year's estimates and in the parliament and I do not have anything further to add.

Mr PICTON: Attorney, have you apologised to the former Murray-Darling Basin royal commissioner, Bret Walker?

The Hon. V.A. CHAPMAN: Again, that is a matter that has been raised in the parliament. I do not have anything further to add.

Mr PICTON: What about the equal opportunity commissioner?

The Hon. V.A. CHAPMAN: The equal opportunity commissioner is employed by the government and her agency is responsible to me. She continues to undertake her work as the equal opportunity commissioner.

Mr PICTON: Or the former victims' rights commissioner?

The Hon. V.A. CHAPMAN: In what way?

Mr PICTON: Have you apologised for the way that he was treated?

The Hon. V.A. CHAPMAN: Again, I think the member misunderstands the purpose of today's committee meeting—that is, to raise matters in relation to the budget. I am happy to do that if there are any matters. I do not see anything in the budget that is relevant to the former commissioner for victims' rights, who concluded his term of office with the government.

Mr PICTON: Are there any other statutory authorities that you have recently had a dispute with?

The Hon. V.A. CHAPMAN: I find that question quite offensive, frankly, but the answer is no.

Mr PICTON: I refer to Budget Paper 5, page 24, the Courts Administration Authority, purchase of the Sir Samuel Way Building. Can you confirm that the early purchase of the Sir Samuel Way Building was for a total purchase price of \$43.5 million, which included prepayment of rent for the remainder of the lease term?

The Hon. V.A. CHAPMAN: I think the member is referring to the explanatory note, which says, 'This measure provides for a payment of \$43.5 million for the early termination of the finance lease associated with the Sir Samuel Way Building.'

The CHAIR: Is that the reference, member for Kaurana?

The Hon. V.A. CHAPMAN: Is that the reference?

Mr PICTON: Yes. Is that—

The Hon. V.A. CHAPMAN: Could you just repeat the question?

Mr PICTON: The question is: can you confirm that the early purchase of the Sir Samuel Way Building was for a total purchase price of \$43.5 million, which included prepayment of rent for the remainder of the lease term?

The Hon. V.A. CHAPMAN: Yes. That figure represents the present calculated site value of \$21.6 million, as determined by the Valuer-General, and the remaining lease payments to June 2023 really as per the explanatory note that is in the budget papers.

Mr PICTON: Can you confirm, Attorney-General, that the Courts Administration Authority also received a corresponding reduction in funding?

The Hon. V.A. CHAPMAN: In respect of the reduced funding relevant to the \$6 million that it would no longer be paying in rent?

Mr PICTON: Correct.

The Hon. V.A. CHAPMAN: Yes.

Mr PICTON: What was the annual rent on the Sir Samuel Way Building?

The Hon. V.A. CHAPMAN: I think I have just answered that.

Mr PICTON: So it is \$6 million?

The Hon. V.A. CHAPMAN: Thereabouts.

Mr PICTON: Do you have an exact figure?

The Hon. V.A. CHAPMAN: I am advised that it is approximately \$6.1 million, but it has varied, obviously, depending on the adjustments.

Mr PICTON: Is that consistent over the forward estimates?

The Hon. V.A. CHAPMAN: As I have just said, it varies. It would have varied had we not acquired it.

Mr PICTON: Would that have varied by a set increase per year?

The Hon. V.A. CHAPMAN: No. I think it is based on the adjustment of the value of the property as per the lease. Can I ask Mr Trevor Pearce to explain the formula.

Mr PEARCE: In the Courts Administration Authority budget base, there were future lease requirements of about \$6 million per year. Effectively, those figures are reflected as being taken out of the budget, and the accounting adjustments will get done within the budget papers this year and last year.

Mr PICTON: The Chief Justice has described the rent as uncommercial. Would you agree with that statement, Attorney?

The Hon. V.A. CHAPMAN: I think I said similar words when I was sitting in your position a few years ago and urging the then attorney-general to do something about it.

Mr PICTON: How much rent, Attorney-General, would you expect to pay for a similar building at a commercial rate?

The Hon. V.A. CHAPMAN: I do not know, nor am I qualified to give advice on commercial leasing.

Mr PICTON: No advice has been provided on what a commercial basis for that rent would be?

The Hon. V.A. CHAPMAN: These matters were all under consideration when the presentation was submitted to government to consider acquiring the property, including the high level of rental that continued to be paid for the property. It is one of a number of factors. The government has now supported the Chief Justice's submission on behalf of the Courts Administration Authority to purchase the property and secure it for the future requirements of the courts.

Mr PICTON: Would any of your advisers know what the commercial basis would be for a property of that scope?

The Hon. V.A. CHAPMAN: I am not sure that any of them have qualified as commercial advisers, but I think that—

Mr PICTON: That is not what I asked.

The Hon. V.A. CHAPMAN: —I adequately covered the matter.

Mr PICTON: They might have received some advice on the matter.

The Hon. V.A. CHAPMAN: As I say, I rely on the answers that we have given.

Mr PICTON: Given that you have said that you yourself raised concerns about the uncommercial basis of this, did you seek independent advice before the budget decision was made to reduce the payments to the Courts Administration Authority by that amount?

The Hon. V.A. CHAPMAN: No. My comment in relation to this matter preceded our government coming into office, and I was of that view and I expressed it. Since coming into office, the Courts Administration Authority has presented to the government a significant proposal, including this one particularly, and I have presented it for the government's consideration and it is now in the budget.

Mr PICTON: So this was the proposal that was given by the Courts Administration Authority, including the reduction in payments?

The Hon. V.A. CHAPMAN: The proposal in relation to the acquisition of the property was presented for consideration in the budget.

Mr PICTON: What was the date that the purchase of the Sir Samuel Way building settled?

The Hon. V.A. CHAPMAN: The transfer to the Courts Administration Authority? I will just ask Mr Pearce.

Mr PEARCE: It was 25 June 2019.

Mr PICTON: I do not think you had your microphone on. It was 25 June 2019?

Mr PEARCE: Yes.

Mr PICTON: What period of time remained on the lease prior to the purchase?

The Hon. V.A. CHAPMAN: I will ask Mr Pearce. It was several years.

Mr PEARCE: Basically, the lease payments are, as you pointed out, on page 24. They are the four years of the forward estimates. The lease payments went up to 30 June 2023.

Mr PICTON: Budget Paper 5, page 24, says that there will be a saving of \$6.1 million as outlined in lease costs. This is not strictly true, is it? The Courts Administration Authority is having its funding cut by \$6.1 million, isn't it?

The Hon. V.A. CHAPMAN: Well, it is a saving to the government.

Mr PICTON: Yes, but it is a saving to the government of payments that would go to the Courts Administration Authority.

The Hon. V.A. CHAPMAN: If the member is asking me whether the government is continuing to pay \$6.1 million for an expense that is no longer applicable, the answer is no.

Mr PICTON: Attorney, are you aware of a media release issued by the Hon. Chris Kourakis, titled 'Budget announcement', in which it says:

The CAA had hoped that a significant part of the budget reduction in the 2021/2022 year would be met by the government purchase of the Sir Samuel Way Building from FundsSA. The CCA pays an uncommercially high annual rent of \$6 million to FundsSA for that building in return for an option to purchase it at site value in June 2023 at the expiration of the lease.

The Hon. V.A. CHAPMAN: Yes, I am aware of that statement.

Mr PICTON: Do you have any reaction to that?

The Hon. V.A. CHAPMAN: Other than the fact that the Courts Administration Authority has already on its plate some budget measures imposed by the previous government. As it turned out, the further budget measures that have been foreshadowed in that statement did not apply.

Mr PICTON: Is the reduction in the Courts Administration Authority budget by the \$6.1 million until the end of the rental period, or is it a permanent reduction in the budget?

The Hon. V.A. CHAPMAN: All that is in this budget, of course, is to the forward estimates, but it is not anticipated that it would come back on the balance sheet because obviously the property is now acquired. The future will be, I have no doubt, that the Courts Administration Authority will present in its annual budget any costs of maintaining that property for which it may be obliged. I have not seen a lease document at this stage, or the agreement, in the dedication of the property to the Courts Administration Authority, but I would expect that, although it is not receiving the rental stream, there will be a submission put in due course about any other costs of maintaining the property if it is obliged under the agreement to meet those costs.

Mr PICTON: So there is not a period that you are aware of in which those savings would be relieved in the future: they would continue beyond the forward estimates?

The Hon. V.A. CHAPMAN: There is no intention to reinstate a payment to the Courts Administration Authority to meet a rental payment that it does not have to pay for.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 117, key agency outputs, which reads:

The Courts Administration Authority provides participating courts and court users with services and facilities that support the proper administration of justice.

That also follows on from our previous discussion about the Sir Samuel Way Building. In the Chief Justice's statement of 18 June 2019, titled 'Budget announcement', the Chief Justice said that, if the Courts Administration Authority budget reduction to cover the uncommercial rent on the Sir Samuel Way Building was not ameliorated, the CCA would continue to plan and consult over the measures which it may be forced to adopt to meet that target. Attorney, could those measures include court closures?

The Hon. V.A. CHAPMAN: That is a matter entirely for the Courts Administration Authority as to how they administer those. I think the indication I have had from the Chief Justice is that he has conducted a consultation around the state, which I have publicly complimented him on doing, and identified the importance of retaining those court facilities. I am not aware of any intention to close any courts.

Mr PICTON: Based on your advice from the Chief Justice, you are confident that no courts will be closed?

The Hon. V.A. CHAPMAN: I do not have any indication to the contrary.

Mr PICTON: There are no plans and no discussions about any court closures?

The Hon. V.A. CHAPMAN: Not that I am aware of, unless the Chief Justice is about to make an announcement.

Mr PICTON: Can you rule out court closures?

The Hon. V.A. CHAPMAN: As I say, it is a matter for the Chief Justice, and obviously his council, to consider on behalf of the Courts Administration Authority how he administers those services. To date, there has been no indication of that.

Mr PICTON: Would the Chief Justice like the opportunity to outline his views on court closures?

The CHAIR: Member for Kaurna—

Mr PICTON: It was a question to the Attorney-General.

The Hon. V.A. CHAPMAN: I cannot read the mind of the Chief Justice, but I am sure that if the Chief Justice wants to make a public statement on a matter he can. To date, there has not been any indication that there will be a closure of a court.

Mr PICTON: So the community can be assured that courts in Port Pirie, Port Augusta, Whyalla, Coober Pedy, Mount Gambier and Naracoorte will all continue?

The Hon. V.A. CHAPMAN: I am happy that they will be.

Mr PICTON: You are happy that they will be. So people should be assured that they will be continuing?

The Hon. V.A. CHAPMAN: Well, I think not only will they continue but they will provide a valuable service.

Mr PICTON: What was the result of the consultation the Chief Justice conducted regarding those court closures?

The Hon. V.A. CHAPMAN: On the advice of the Chief Justice, he conducted that and was satisfied that, for a number of reasons that were presented to him on those inquiries, they provided an important service, that they are an important part of the infrastructure of the local towns and regions he visited and that they will be continuing.

Mr PICTON: Did the Chief Justice provide you with a report or a summary based on his consultations that occurred?

The Hon. V.A. CHAPMAN: He did.

Mr PICTON: Is that something that you can release to the committee?

The Hon. V.A. CHAPMAN: I think that would be inappropriate. I will take advice on that and see whether that is something that can be provided. Generally, the correspondence that I receive or reports from the Chief Justice or other heads of jurisdictions are confidential unless I have canvassed that otherwise.

Mr PICTON: What did the Chief Justice say to you was the result of his consultation?

The Hon. V.A. CHAPMAN: I am just indicating that I am satisfied that on the report there was valuable—in fact, the chief administrator reminds me that there is also feedback in relation to this available on the CAA's website, which is www.courts.sa.gov.au/community/pages/communityconsultation.aspx

Mr PICTON: Was any modelling done on budget savings on particular measures or closures of particular courts?

The Hon. V.A. CHAPMAN: Not that I am aware of.

Mr PICTON: No analysis was done on what savings would be made of any court closures?

The Hon. V.A. CHAPMAN: Not by us.

Chief Justice KOURAKIS: Can I answer? Yes, there was.

Mr PICTON: There was?

Chief Justice KOURAKIS: Yes.

Mr PICTON: And what was the outcome of that?

Chief Justice KOURAKIS: It showed various amounts of savings that could be achieved in different scenarios, reductions. As the Attorney said, we undertook a large consultation. It was clear that it would disrupt local communities. Travelling time from one place to another—Whyalla to Port Augusta, for example—would have been a real problem. People's jobs would have been in jeopardy. Many of the criminal matters that magistrates deal with involve licence disqualifications. There would have been a real problem in getting to places. There are many supporting parents who would have had real problems with making childcare arrangements.

We came away well aware of the difficulties it would cause regional communities. Fortunately, there were not additional budget cuts to what we had anticipated in this year's budget and we have been able to meet them from temporary voluntary separation packages. The statement I made was simply projecting into 2021-22, where we also had a \$4 million shortfall. We are primarily hoping that savings from the Electronic Court Management System will help us meet that target, but we cannot know that yet and this will be something that we will constantly review.

Mr PICTON: The Electronic Court Management System will predominantly meet the savings you are expecting at this time?

Chief Justice KOURAKIS: That is what we are hoping. The IT project has gone well; it is going well. It seems that it will deliver what we hope, but there is much that can go wrong between now and then. Even if everything goes well, I just do not know what the full extent of the savings will be. It was referred to as a lease, but it is actually a finance lease. It was actually a financing arrangement and we had borrowing costs associated with it. We hope that on the determination of that financing lease there might be some relief. Clearly, we would not have the \$6 million finance rent bill, but things are always tight in providing these core services.

Mr PICTON: When will the determination have to be made in terms of those 2021-22 budget savings and how they will be met?

The Hon. A. KOUTSANTONIS: The Electronic Court Management System will be operational for the civil jurisdiction in February or March next year, 2020, and the criminal part of the system in the first quarter of 2021. We will then have an idea and leading up to that we will have an idea—probably towards the end of next year, beginning of 2021.

Mr PICTON: Was analysis done?

The CHAIR: Member for Kaurna, sorry to be pedantic, but you are directing these questions to the Attorney?

Mr PICTON: Absolutely. Always.

The CHAIR: And the Attorney is deferring to Mr Kourakis.

Mr PICTON: Correct. As part of the analysis that was done, was any analysis done in terms of which were, I guess, the least economic courts?

The Hon. V.A. CHAPMAN: I think the Chief Justice has answered the question that some modelling was done.

Mr PICTON: Was any modelling done on the justice implications of closing those courts, in terms of delays for hearings, sentences, transport costs of witnesses to other courts, and so on?

The Hon. V.A. CHAPMAN: I think both the Chief Justice and I have answered that.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 117, key agency outputs, dot points 1 and 3:

- provide administrative support to the South Australian courts
- [provide] an environment in which judicial officers, staff and volunteers can contribute to effective performance of the court system

What kind of support does the Sheriff's Office provide to the courts and the Courts Administration Authority?

The Hon. V.A. CHAPMAN: The member might be aware that currently there is an inquiry by the Statutory Authorities Review Committee into the Sheriff's Office, the Inquiry into the State Courts Administrative Council: Sheriff's Office. Submissions have been received and that matter is continuing to be undertaken. In respect of the current operations of the Sheriff's Office and the particular services that it provides to the courts, I will invite the Chief Justice to make a comment about its valuable work.

Chief Justice KOURAKIS: There are about 120 Sheriff's officers. They deal with prisoners in the Sir Samuel Way Building, taking them up to court. The prisoners are delivered to prisons by an outside contractor, G4S, or whatever they are now called. The Sheriff's officers attend on courts, see juries in and out, bring witnesses into the court, deal with the service of civil proceedings and provide general court orderly services throughout our courts.

The Hon. V.A. CHAPMAN: And protect our judges.

Chief Justice KOURAKIS: Yes.

Mr PICTON: How would you describe the morale and culture within the Sheriff's Office at the moment?

The Hon. V.A. CHAPMAN: I think they are really matters that are not within the purview of the budget.

Mr PICTON: Why not?

The Hon. V.A. CHAPMAN: As I say, unless there is some aspect in relation to the finances, then I think—

Mr PICTON: The parliament is financing the Sheriff's Office and I think it has every right to know what the culture is. With my other hat on in terms of health, how those organisations are

performing, and how that impacts the finances, is a significant point of debate. I would have thought that it was an entirely appropriate question to ask. Are you refusing to answer?

The Hon. V.A. CHAPMAN: I do not think there is anything further I can add to the committee in relation to that.

Mr PICTON: You have no description in terms of what the morale in the Sheriff's Office is like at the moment?

The Hon. V.A. CHAPMAN: I receive and have regular meetings with the heads of jurisdictions and the Chief Justice, and there is nothing that has been brought to my attention that suggests there is anything further I can add.

Mr PICTON: Are you aware of bullying, harassment and misconduct complaints about the Sheriff's Office?

The Hon. V.A. CHAPMAN: I think I have just indicated that there is a current inquiry in relation to that in this parliament.

Mr PICTON: I am told, in relation to disciplinary matters, that in 2015 there were 21 complaints, in 2016 there were 14 and in 2017 there were 18. That is a significant number of complaints. Is that something you are concerned about?

The Hon. V.A. CHAPMAN: There is nothing that has been brought to my attention that suggests there is any basis upon which there would be concern as to the operation of the Sheriff's Office. In respect to the discrete matter, which has been raised in the form that you have described, that is a matter which is currently being inquired into by a committee of this parliament.

Mr PICTON: Do your advisers have anything to contribute about the bullying and harassment issues that have been raised in terms of the Sheriff's Office?

The Hon. V.A. CHAPMAN: Nothing further, other than the matters that are the subject of that inquiry.

Mr PICTON: What is the total budget of the Sheriff's Office, and can you provide that for 2018-19, 2019-20 and over the forward estimates?

The Hon. V.A. CHAPMAN: I may need to take that on notice. For each of the three years?

Mr PICTON: Yes. Do you have any information on the FTE count for the Sheriff's Office?

The Hon. V.A. CHAPMAN: I think the Chief Justice just indicated that it is about 120. We will take that on notice and provide the details.

Mr PICTON: And the headcount as well, if you could.

The Hon. V.A. CHAPMAN: The number of employees as distinct from the full-time equivalents?

Mr PICTON: Yes.

The Hon. V.A. CHAPMAN: Yes, we are happy to take that on notice.

Mr PICTON: Can you confirm that the appointment of the Sheriff is by the Chief Justice, the person who can terminate the Sheriff is the Chief Justice and the Sheriff reports to the Chief Justice?

The Hon. V.A. CHAPMAN: I will ask the Chief Justice to clarify that, but in relation to termination obviously there are legal processes to go through.

Chief Justice KOURAKIS: The Sheriff can only be appointed with my consent and removed with my consent, but there is a bifurcated line of authority through to the State Courts Administrator and to me.

Mr PICTON: Has there been any internal investigation in the Courts Administration Authority into the practices of the Sheriff's Office?

The Hon. V.A. CHAPMAN: Again, I do not think that is a matter that can be usefully added to in this committee. What is occurring in relation to a discrete manner is that it is currently under investigation by a committee here in the parliament.

Mr PICTON: So there is no investigation internally within the Courts Administration Authority or the Sheriff's Office?

The Hon. V.A. CHAPMAN: As I indicated before, there is no matter that I am aware of, and I have regular meetings in relation to the operations about which I have concern.

Mr PICTON: Has the Sheriff ever raised any complaints with the Chief Justice and what has been done about them?

The Hon. V.A. CHAPMAN: Again, in relation to the complaints procedure, each of the agencies of the government, including in the Courts Administration Authority, operates one form or another of a complaints process. It has a review process as to how those are dealt with, and there has been nothing brought to my attention that would raise any concern with me as to the general operation of this unit.

Mr PICTON: But I did not ask if anything has been brought to your attention. I asked if anything was brought to the Chief Justice's attention, who is the person who manages the Sheriff's Office.

The Hon. V.A. CHAPMAN: I do not think I can add anything further.

Mr PICTON: Because you do not want to or you do not have the information?

The Hon. V.A. CHAPMAN: No, because I think I have answered it three times. I am satisfied in relation to the reporting on this matter. The only matter that is currently under consideration that may or may not raise some concern is a matter for determination by the parliament's committee that is looking at that matter.

Mr PICTON: Would any of your advisers have information if issues have been brought to the Chief Justice's attention about the Sheriff's Office?

The Hon. V.A. CHAPMAN: I do not think I can add anything further.

Mr TEAGUE: Chair, point of order: I have been focusing on dot points 1 and 3 and listening to what is becoming increasingly cross-examination on matters that are, in my view, departing from budget line items.

The CHAIR: Thank you, member for Heysen. My opinion, member for Kaurana, is that it is probably time we moved on from this. You are directing questions to the Attorney about what her advisers may or may not think about something, so let's move on to another budget line.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 121, activity indicators, the Youth Court. The Law Society's state budget submission states, and I quote:

The court's workload has increased considerably in the area of child protection matters, particularly since the introduction of child safety legislation last year, has further increased the workload with regards to care and protection matters in the Youth Court. Figures obtained by the Society show that from 1 July 2018 to 28 February 2019, 67 child care and protection trials were listed and 37 had commenced. When compared to the same period in the previous year, 45 care and protection trials were listed and 26 commenced.

Attorney, given the increase in the workload and responsibilities of the Youth Court, why was no additional funding provided in this year's state budget?

The Hon. V.A. CHAPMAN: I would like to assure the committee that the operations of both the Youth Court and our other courts are matters that provide a very valuable service. The Youth Court has a number of roles in relation to matters of criminal hearings and, of course, in relation to care and protection orders and, although much less frequently these days, adoptions.

A number of the cases that have been lodged in relation to care and protection were expected, as of the commencement of the new law operational from 1 October 2018, to significantly decrease the call upon the court in time and in numbers of cases. The expectation in that regard was largely as a result of the change of onus of proof that was expected to have a significant impact on

the number of persons who might want to proceed to seek the return of their child or children, largely because of the significant onus of proof, or the burden of onus of proof, in having to establish the interests of the child being returned to them.

That reverse onus of proof was coupled with an expectation that there would be a reduction. I have taken a personal interest in the number of cases in relation to this during last year, in particular since 1 October last year, and with that a breakdown of a number of important statistics, including the numbers of trial days and the numbers of cases in which the applicant party was not legally represented.

The reason for the interest in the latter was particularly because the extra responsibility placed on any court in dealing with a matter in which one or both of the parties is not legally represented is sometimes seen as quite burdensome, particularly as they are cautious to ensure that parties before them have their fair day in court and are able to have access to the judicial process, both fairly and in a circumstance where they are not prejudiced. I commend the courts for their endeavours to do that.

Interestingly, though, in relation to that data, there has not been any measurable increase in relation to those matters. On the criminal data, the performance, which is the other body of work largely they undertake, the percentage of lodgements pending completion greater than six months old, as expected, was 10 per cent in the last financial year and it is targeted again. The percentage of lodgements pending completion greater than 12 months old was expected to be 2 per cent, and that is the estimated result.

In relation to the number of lodgements, which of itself does not always tell us how lengthy and expensive in time cases are before them, the estimated result actually from 2017-18 was 5,751 in the Youth Court and the estimated result for 2018-19 is a reduced amount, quite significantly, of 5,684. The number of finalisations, similarly from 2017-18, was 5,751. There was a projected increase to 6,200 but, in fact, what happened was that the estimated result was 5,388 and, indeed, the projection for 2019-20 is 5,400.

The material from which you have read, member for Kaurua, has not actually translated in the material that has actually occurred. What I would say, though, is that I would expect, given the commitment of the government to provide and where possible maintain early intervention services for families who might be able to, with support, resume the care of their children, some intensive work be undertaken, which may take further personal and judicial time.

I am advised by the head of the Youth Court, Judge Eldridge, that she has undertaken to supervise a number of cases herself to provide that service, and she reports to me that she considers that to be most effective and, indeed, of benefit to those families. If this is an approach that provides us with many more families being able to resume the care of their children and provide them with a secure and safe upbringing, that is to be applauded. Things like that may need to attract some extra support in the future.

One other matter that is pending in the parliament relates to youth treatment orders and the proposed court to undertake any assessment and determination of a youth treatment order for children who are declared to have an addiction in relation to illicit drugs. If it is passed in the parliament, it may introduce a new level of responsibility to the Youth Court. Again, they are matters we would take up with the Courts Administration Authority and, of course, Judge Eldridge if she is called upon to provide that service.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 116, the administration of justice by the Courts Administration Authority. I wonder if you can outline what your discussions have been with the Chief Justice in terms of the appointment of Justice Hinton as the DPP and what impact that is going to have on the court.

The Hon. V.A. CHAPMAN: I am sorry, I do not have any reference to that. There is a provision for DPP in the next session of the Attorney-General's Department.

Mr PICTON: I understand, but he is currently a justice of the Supreme Court, is he not?

The Hon. V.A. CHAPMAN: Yes.

Mr PICTON: So have you had any discussions with the Chief Justice in terms of what the impact of him leaving the court to become the DPP will be in terms of the court?

The Hon. V.A. CHAPMAN: If I have, then of course they would be matters that I would have in confidence. If the member is actually getting to the question of the provision of judicial personnel in the ultimate appointment of Justice Hinton to that position, I can confirm that there are ongoing discussions and that they will ultimately be a matter for cabinet for any replacement. But I assure the committee that the Courts Administration Authority continues to have the income stream for that judge in that position in this financial year and doubtless would consider calling in judges who are auxiliary judges, who are available to support courts when they need to supplement for services to provide.

Mr PICTON: Has the Chief Justice raised any concerns with you in terms of the numbers of judicial officers?

The Hon. V.A. CHAPMAN: As I say, they are matters that I have discussions with the Chief Justice, obviously, as the head of the Courts Administration Authority. He is responsible for making those assessments and conferring with me and me with cabinet. Other than that, I cannot provide any other assistance to you.

Mr PICTON: Does the Chief Justice have any concerns in terms of any delays to cases there might be because of conflicts with the appointment of the new DPP?

The Hon. V.A. CHAPMAN: Not that I am aware of.

Mr PICTON: Does the Chief Justice have any concerns in terms of the number of judges of the District Court?

The Hon. V.A. CHAPMAN: Again, those are matters that he can raise with me. As to any population of the District Court, I do regularly meet with the head of the District Court also. Of course, he and I have had a number of discussions about the appointment of judges. For example, one judge wished to move interstate. She retired and a replacement was provided. I think there have been four appointments in that court since the change of government.

Of course, even positions in relation to the Magistrates Court, whether that is for a new magistrate or a new deputy coroner or the provision of services for the new position of judicial registrar, which of course was a new position that was provided legislatively in the previous parliament under the previous government, are all matters on which I confer with the head of jurisdiction and also the Chief Justice, who is of course the head of the Courts Administration Authority, so yes, we are in regular communication about those matters.

Mr PICTON: How regularly do you communicate with the Chief Justice about these matters?

The Hon. V.A. CHAPMAN: I meet with the Chief Justice and heads of jurisdiction on a regular monthly basis and otherwise as required. I think I have probably signed more letters to the Chief Justice than to just about anyone else in my division, but that is obviously because, as the head of the jurisdiction and also head of all of the courts via the council, he has an important role, as have, I should say, the other heads of jurisdiction as well that are consulted on legislation. I am proud to say that in the course of this new government we have passed 97 pieces of new legislation and so he gets a letter from me pretty regularly.

Mr PICTON: Does the Chief Justice have concerns about the government's intention to bring back the term 'Queen's Counsel'?

The Hon. V.A. CHAPMAN: I have not noticed anywhere here that that is a budget item—

Mr PICTON: It is about the administration of justice.

The Hon. V.A. CHAPMAN: —but I think it is a matter of public record as to those matters. I do not have anything further to add.

Mr PICTON: So it is not something that you have discussed with the Chief Justice?

The Hon. V.A. CHAPMAN: I do not think I can add anything further.

Mr PICTON: Do any of your advisers have anything to add on this matter?

The Hon. V.A. CHAPMAN: No.

The CHAIR: Member for Kaurua, we have had this conversation before. It is not an appropriate question to ask the Attorney if any of her advisers have an opinion.

Mr PICTON: Why is that, Chair?

The CHAIR: It really gives me a sense of you asking the advisers more than you asking—

Mr PICTON: It was a question to the Attorney-General as to whether she has advice.

The CHAIR: Could you clarify that it is to the Attorney for my benefit, please?

Mr PICTON: Chair, I have a question for the Attorney-General. Do any of her advisers at the table have anything to add in relation to the Chief Justice's views about the return of the term 'Queen's Counsel'?

The Hon. V.A. CHAPMAN: I do not have anything further to add.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 117, the net cost of services. Why has the net cost of providing services in 2019-20 decreased by almost \$26 million compared against the 2018-19 estimated number?

The Hon. V.A. CHAPMAN: Just refer to the particular items, if you would. Is it program 1 you are referring to?

Mr PICTON: Yes. If you look at the net cost of services—

The Hon. V.A. CHAPMAN: For program 1 or 2?

Mr PICTON: I think in total.

The Hon. V.A. CHAPMAN: Total? Yes, I am happy to do that. I will ask the Chief Justice, who might like to contribute on that.

Chief Justice KOURAKIS: The estimated result for 2018-19 has the extra \$17 million for the lease being paid out in advance. That is the finance lease for the Sir Samuel Way Building, so it is artificially inflated. The figure in 2019-20, even taking that into account, is less than the 2018-19 budget because \$6 million has been taken from the Courts Administration Authority budget for that rent, so that \$6 million comes out. There was special funding for the Coroner in the 2018-19 year of \$2 million and that comes out. There is the savings requirement for this year as well, so that is why the 2019-20 budget figure of \$84.577 million is about \$10 million less than the 2018-19 budget figure.

Mr PICTON: Does the Courts Administration Authority determine its own internal budget following the release of the state budget that outlines how this will be broken down within units within the Courts Administration Authority?

The Hon. V.A. CHAPMAN: Yes, once the budget has been approved, it is the actual day-to-day operation of that and management, under the supervision of course of the council chaired by the Chief Justice and administered by this remarkable lady to my right. I should not underestimate the value of Mr Pearce and others of her staff.

Mr PICTON: Has that now broken down the savings task for 2019-20 in that internal budget?

The Hon. V.A. CHAPMAN: Any savings task in relation to the previous government's obligation? Is that what you are referring to?

Mr PICTON: I think you are in government, are you not, Attorney?

The Hon. V.A. CHAPMAN: We are, but the savings that are identified—

Mr PICTON: Well, it is your budget.

The Hon. V.A. CHAPMAN: —as I said to you earlier, that the Chief Justice has referred to, are from the previous government.

Mr PICTON: Has the Courts Administration Authority identified the savings for the 2019-20 financial year?

The Hon. V.A. CHAPMAN: I will ask the Chief Justice.

Chief Justice KOURAKIS: Yes, we have, and we largely put them in place through targeted voluntary separation packages. There was about \$1 million in savings from those. Fifteen persons have already taken it, and there is one more in March.

Mr PICTON: What positions have they been?

Chief Justice KOURAKIS: They have been spread across chamber support (that is, direct support to judges), registries, I think our communications office—one of our communications officers—and some people in corporate services. It has been spread across.

Mr PICTON: Does that leave much fat to cut in future years?

The CHAIR: Mr Kourakis, I might just get you to lean forward, please, for the sake of the committee and also for Hansard. Thank you.

Chief Justice KOURAKIS: The Courts Administration Authority has not had any fat for decades, and we do not have discretionary spends. It is all core services, so it is always a matter of trying to find a cleverer way of doing things, which we have been doing all the time, but it gets harder and harder. As I said earlier, we are hoping that the Electronic Court Management System will give us some ways of reducing expenses without reducing services—certainly changing them, because they will go online.

Mr PICTON: Do you have a full list of those savings and TVSPs that have been made this year?

Chief Justice KOURAKIS: Yes. It was \$1.2 million. We have a line with which divisions they have come from.

The Hon. V.A. CHAPMAN: We have a list here somewhere; I am just finding it.

Chief Justice KOURAKIS: As I said, there are around 16 positions in total, \$1.2 million, but the actual numbers in each division of the courts, I will have to get in a moment. I will take it on notice.

The Hon. V.A. CHAPMAN: I think I have just found them for you, Chief Justice. It might assist. The TVS payments for 2018-19: 21 staff were offered during 2018-19 and 15 staff accepted and received TVSPs during 2018-19. This is the equivalent of 12.7 FTEs. The annual savings were estimated at \$1,061,000.

I think it is also fair to identify that sometimes it is important for the Courts Administration Authority to present to us projects that might require some initial expenditure but overall present a case for the reduction of ongoing costs. One of those that the Chief Justice has referred to is the Electronic Court Management System, which has been established in the probate and civil areas.

For example, this year, the Courts Administration Authority presented to me, and I on their behalf to the government, the acquisition of a Judge View software package, as I understand it, which enables judges to view, annotate and approve court documents. That was acquired and cost \$591,000. It is on the basis that, to be able to spend that, it will save considerable time and costs. Sometimes—and you will see this in the budget this year—it is important to spend money to enable those costs to be achieved.

We would certainly trust that the Courts Administration Authority would ultimately be able to enjoy some of the benefits of these extra funds to ensure that it adds to the capacity to be able to save funds in the long term.

Mr PICTON: Are there any other savings for this year apart from the electronic courts and the TVSPs?

The Hon. V.A. CHAPMAN: I will just ask Mr Pearce.

Mr PEARCE: We constantly review our budget and we have put in a number of initiatives. We are hoping to achieve efficiencies with electricity and other outlays. We are constantly looking at every position that is vacated and we are looking at how we manage those. It is an ongoing process.

Mr PICTON: For the 2021-22 financial year, how much of the savings task is expected to be met from the electronic courts versus other savings that will need to be made?

Mr PEARCE: For 2021-22, an additional \$4.3 million is the target. If that is all met from FTEs, then it is an additional 36 based on our average cost. That is if it is all met from that, but we are looking at every avenue.

Chief Justice KOURAKIS: 'Electricity savings measure' does not mean switching off the lights. We have new low-usage lights in the Magistrates Court and we have put up a solar panel in Port Augusta.

Mr PICTON: It was mentioned before that there is an estimate of how much the Courts Administration Authority will get from electronic courts management in the 2021-22 financial year. Is there any estimate of how much of the 2021-22 savings task that is, or not at this stage?

Chief Justice KOURAKIS: No. There is a review currently underway on how to consolidate the registry services between the Magistrates Court in Adelaide and in the suburbs and regions and the District and Supreme courts so that they can operate online. Until that review is completed, we will not know what the savings will be in the civil area. We are working on both civil and crime, but we will know mostly about the civil area sooner. That review, as I say, has just started. Consultations have just been held.

Mr PICTON: The idea would be to try to find money either through that or the electronic courts and, if not, then by having to look at further FTE reductions.

Chief Justice KOURAKIS: That is the same thing. The consolidation of the registry is because registry services will be done online, so we will not need people physically located where they are. They will need to be skilled to deal with both Magistrates Court and Supreme and District court lodgements.

Mr PICTON: It would be early next year when you would have a sense of how much that is saving.

Chief Justice KOURAKIS: Yes, for civil. It is a good idea for civil, and we will start to get some idea of what that means for the people in our registries who work on criminal matters.

Mr PICTON: If that does not work, then you will have to look at FTE reductions?

Chief Justice KOURAKIS: That will involve FTE reductions. Whether we need to look at other FTE reductions or other savings measures will depend on how much we can save through the Electronic Court Management System.

Mr PICTON: I think the member for Enfield might ask our omnibus questions now.

The CHAIR: Excellent. I will call the member for Enfield. This is the only time you will need to do this today. You have the call, member for Enfield.

Ms MICHAELS: The burden of responsibility. The omnibus questions are:

1. For each department and agency reporting to the minister:
 - What is the actual FTE count at 30 June 2019 and the projected actual FTE count for each year of the forward estimates?
 - What is the total employment cost for each year of the forward estimates?
 - What is the notional FTE job reduction target that has been agreed with Treasury for each year of the forward estimates?
 - Does the agency or department expect to meet the target in each year of the forward estimates?

- How many TVSPs are estimated to be required to meet FTE reductions over the forward estimates?
2. Between 1 July 2018 and 30 June 2019, will the minister list the job title and total employment cost of each position with a total estimated cost of \$100,000 or more which has either (1) been abolished and (2) which has been created.
 3. Will the minister provide a detailed breakdown of expenditure on consultants and contractors above \$10,000 between 1 July 2018 and 30 June 2019 for all departments and agencies reporting to the minister, listing:
 - the name of the consultant, contractor or service supplier;
 - cost;
 - work undertaken;
 - reason for engaging the contractor, and
 - method of appointment?
 4. For each department and agency for which the minister has responsibility:
 - How many FTEs were employed to provide communication and promotion activities in 2018-19 and what was their employment expense?
 - How many FTEs are budgeted to provide communication and promotion activities in 2019-20, 2020-21, 2021-22 and 2022-23 and what is their estimated employment expense?
 - The total cost of government-paid advertising, including campaigns, across all mediums in 2018-19 and budgeted cost for 2019-20.
 5. For each department and agency reporting to the minister, please provide a full itemised breakdown of attraction and retention allowances as well as non-salary benefits paid to public servants and contracts between 1 July 2018 and 30 June 2019.
 6. What is the title and total employment cost of each individual staff member in the minister's office as at 30 June 2019, including all departmental employees seconded to ministerial offices?
 7. For each department and agency reporting to the minister, could you detail:
 - (a) How much was spent on targeted voluntary separation packages in 2018-19?
 - (b) What department funded these TVSPs? (except for DTF Estimates)
 - (c) What number of TVSPs were funded?
 - (d) What is the budget for targeted voluntary separation packages for financial years included in the forward estimates (by year), and how are these packages funded?
 - (e) What is the breakdown per agency/branch of targeted voluntary separation packages for financial years included in the forward estimates (by year) by FTEs?
 8. For each department and agency reporting to the minister, how many executive terminations have occurred since 1 July 2018 and what is the value of executive termination payments made?
 9. For each department and agency reporting to the minister, what new executive appointments have been made since 1 July 2018, and what is the annual salary, and total employment cost for each position?
 10. For each department and agency reporting to the minister, how many employees have been declared excess, how long has each employee been declared excess, and what is the salary of each excess employee?

11. In the 2018-19 financial year, for all departments and agencies reporting to the minister, what underspending on operating programs (1) was and (2) was not approved by cabinet for carryover expenditure in 2019-20?

12. In the 2018-19 financial year, for all departments and agencies reporting to the minister, what underspending on investing or capital projects or programs (1) was and (2) was not approved by cabinet for carryover expenditure in 2019-20? How was much sought and how much was approved?

13. For each grant program or fund the minister is responsible for please provide the following information for 2018-19, 2019-20, 2020-21 and 2021-22 financial years:

- (a) Name of the program or fund;
- (b) The purpose of the program or fund;
- (c) Balance of the grant program or fund;
- (d) Budgeted (or actual) expenditure from the program or fund;
- (e) Budgeted (or actual) payments into the program or fund;
- (f) Carryovers into or from the program or fund; and
- (g) Details, including the value and beneficiary, of any commitments already made to be funded from the program or fund.

14. For the period of 1 July 2018 to 30 June 2019, provide a breakdown of all grants paid by the department/agency that report to the minister, including when the payment was made to the recipient, and when the grant agreement was signed by both parties.

15. For each year of the forward estimates, please provide the name and budgeted expenditure across the 2019-20, 2020-21, 2021-22 and 2022-23 financial years for each individual investing expenditure project administered by or on behalf of all departments and agencies reporting to the minister.

16. For each year of the forward estimates, please provide the name and budget for each individual program administered by or on behalf of all departments and agencies reporting to the minister.

17. For each department and agency reporting to the minister, what is the total cost of machinery of government changes since 1 July 2018 and please provide a breakdown of those costs?

18. For each department and agency reporting to the minister, what new sections of your department or agency have been established since 1 July 2018 and what is their purpose?

19. For each department and agency reporting to the minister:

- What savings targets have been set for each year of the forward estimates?
- What measures are you implementing to meet your savings target?
- What is the estimated FTE impact of these measures?

The CHAIR: Thank you, member for Enfield. There being no further questions, I declare the examination of the proposed payments for the Courts Administration Authority to be completed.

The Hon. V.A. CHAPMAN: I think I need to acknowledge the member's questions and indicate that, where possible, I will take all those matters on notice and get back to the committee as soon as practicable.

The CHAIR: Excellent, thank you, Attorney. I am sorry I did not give you the call. The examination has been completed.

ATTORNEY-GENERAL'S DEPARTMENT, \$162,125,000**ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT, \$49,552,000****Minister:**

Hon. V.A. Chapman, Deputy Premier, Attorney-General.

Departmental Advisers:

Ms C. Mealor, Chief Executive, Attorney-General's Department.

Mr A. Swanson, Chief Financial Officer, Attorney-General's Department.

Mr A. Kilvert, Executive Director, Policy and Community, Attorney-General's Department.

Ms T. Brooks, Principal Accountant, Treasury and Parliamentary Reporting, Attorney-General's Department.

Mr T. Brumfield, General Manager, Business and Client Financial Services, Attorney-General's Department.

Mr D. Corcoran, Director, Financial Services, Attorney-General's Department.

Ms J. Carney, Chief of Staff.

Mr J. Lai, Principal Adviser, Budgeting, Attorney-General's Department.

The CHAIR: Attorney, you can make a short statement if you wish; otherwise, please introduce your advisers and we will begin questions.

The Hon. V.A. CHAPMAN: Thank you, Mr Chair and members of the committee. May I introduce to you the Chief Executive, Caroline Mealor, to my right. To my left is the Chief Financial Officer, Mr Andrew Swanson, and to my far left is the Executive Director of Policy and Community, Mr Adam Kilvert. Behind me, of course, are further advisers who may assist from time to time.

I would like to make a brief opening statement to tell you that not only am I proud to be the Attorney-General but I am pleased to have advanced this year some 97 pieces of legislation for consideration by the parliament. The transparency agenda has been perpetuated, of course, through the passage of legislation such as the Public Interest Disclosure Act and the Evidence (Journalists) Amendment Act. We continue to fight for ICAC to be able to hold public hearings.

The government's swift announcement in support of the National Redress Scheme and the Premier's commitment to the advance of this scheme is a moment of which I am immensely proud and I appreciate his personal involvement and support of that. The Domestic Violence Disclosure Scheme, I think, was a highlight during the last year. In this budget, we have provided further funding for that to continue its important work.

The removal of limitation of actions for compensation claims for child sexual abuse is also something of which I am immensely proud, to have been part of a government that has advanced that. These are just some of the commitments we have delivered, and we will continue to focus on the delivering of legal services of the government, our legislative program and the administration of an effective, efficient and fair judicial system.

I am pleased to announce that I recently released South Australia's justice agenda, which highlights the progress made on the government's agenda to date and lays the foundation for work yet to come. Six key priorities inform the initiatives and reforms over the next three years: (1) protecting South Australians; (2) stronger penalties and effective solutions; (3) a court system built to last; (4) modern liquor and gambling laws; (5) supporting consumers; and (6) keeping the law and our policies current and relevant. I would like now to invite any members of the committee to ask any questions in relation to the budget.

The CHAIR: Thank you, Attorney; that is actually my job. Anyway, I appreciate your help. Member for Kaurna, do you have a question?

Mr PICTON: I do, thank you. One day I think the Attorney would like us all to work for her; sadly, that is not the case. On Budget Paper 4, Volume 1, page 13, how much of her ministerial office budget has the Attorney-General allocated towards using government resources for personal legal matters—for example, the letter on government letterhead she sent to the member for Lee?

The Hon. V.A. CHAPMAN: As I have indicated previously, that is a matter I have answered questions on in the parliament and I do not think there is anything further I can add.

Mr PICTON: I have checked *Hansard*. You have not answered in terms of how much of your government ministerial office budget you have allocated towards personal legal matters. I am wondering if you can outline that for the budget estimates committee?

The Hon. V.A. CHAPMAN: As I say, in relation to the correspondence you have referred to, that is a letter that was sent and that has been acknowledged. Further questions were asked either by you or one of your colleagues as to the other work done or whether there was any use of government taxpayer-funded personnel to provide legal advice, all of which was not the case, as I dictated the letter in question.

Mr PICTON: Has any of your budget been allocated towards personal legal matters?

The Hon. V.A. CHAPMAN: Not that I am aware of.

Mr PICTON: Do you believe that this letter to the member for Lee was an appropriate use of your ministerial office budget?

The Hon. V.A. CHAPMAN: I think I have answered those questions and there is nothing further I can add.

Mr PICTON: Do you agree with your chief executive, who spoke about the use of ministerial office resources to send correspondence of a legal nature, and I quote: 'I would say that, in my opinion, it shouldn't have been sent on AGD letterhead'?

The Hon. V.A. CHAPMAN: As I say, I have answered questions in relation to those matters.

Mr PICTON: So you cannot say whether you agree with your chief executive on that matter?

The Hon. V.A. CHAPMAN: I have already answered those matters. There is nothing further I can add.

Mr PICTON: Does the Attorney-General agree with her former director of public prosecutions, Mr Adam Kimber, who said about the use of ministerial office resources to send that correspondence, and I quote, that 'they could be the subject of disciplinary proceedings'.

The Hon. V.A. CHAPMAN: Again, there is nothing further I can add to assist the committee in that regard.

Mr PICTON: You do or you do not agree with that?

The Hon. V.A. CHAPMAN: As I say, I think I have made those contributions and there is nothing further I can add.

Mr PICTON: Did any staff member in your office proofread the letter sent to the member for Lee?

The Hon. V.A. CHAPMAN: Not that I am aware of.

Mr PICTON: Who printed the letter?

The Hon. V.A. CHAPMAN: I do not recall.

Mr PICTON: Who transmitted the letter?

The Hon. V.A. CHAPMAN: Again, I do not recall.

Mr PICTON: Who paid for the stamp?

The Hon. V.A. CHAPMAN: Well, assuming it was even stamped.

Mr PICTON: But who paid for it?

The Hon. V.A. CHAPMAN: I do not recall.

Mr PICTON: Was the letter added to the office document management system?

The Hon. V.A. CHAPMAN: I do not know the answer to that question.

Mr PICTON: Can you take those questions on notice?

The Hon. V.A. CHAPMAN: I am happy to take that question on notice.

Mr PICTON: And in terms of whether a staff member proofread the letter and who printed the letter and who transmitted the letter?

Mr TEAGUE: Point of order: standing order 268, subparagraph 2. We are here conducting estimates on proposed spending. The three questions the member for Kaurna has referred to as a subsequent bundle, apart from capturing the cross-examination—

Mr PICTON: Is this a point of order or a speech?

Mr TEAGUE: —do not seem to me to relate to any particular line item.

The CHAIR: The member for Heysen has raised standing order 268. I did allow the questions. The Attorney or any minister appearing is at liberty to answer them or not in a way they see fit or otherwise. The Attorney appeared to me to be writing something down. She is probably going to take them on notice. The member for Kaurna now has canvassed this. He has been wanting to. We can move on to the next budget line.

Mr PICTON: I am just seeking clarification that the Attorney is taking them on notice.

The Hon. V.A. CHAPMAN: Well, I think there was a question of a stamp in there somewhere and I indicated that I would take that on notice.

The CHAIR: Thank you. Member for Kaurna, budget line please.

Mr PICTON: Budget Paper 4, Volume 1, page 13, ministerial office resources and the expenditure of \$2.601 million on her ministerial office. Does the Attorney-General think it is fair that her ministerial staff member Ms Madeleine Church received a pay rise of 22.9 per cent or \$24,980 extra while at the same time public servants cannot secure a pay rise of a small 1.5 per cent?

The Hon. V.A. CHAPMAN: I did read recently that there had been an assertion of some major increase in salaries of certain employees of the government. To the best of my knowledge, the salary increases reflected a change of position they undertook. From memory, there were several in the Premier's office, but they all relate to changes of position that were granted to those personnel; that is, they had moved from one position of office to another which had a different salary structure.

Mr PICTON: But your staff member Ms Church, who received the 22.9 per cent pay increase, did not move from office to office. She stayed within your office. What was the basis of that?

The Hon. V.A. CHAPMAN: She moved from one position in my office to another, which was paid at a higher rate.

Mr PICTON: It was a new position—

The Hon. V.A. CHAPMAN: Correct.

Mr PICTON: —that was created.

The Hon. V.A. CHAPMAN: No. She moved to another position in my office, which she filled. After commencing in my office in one position, she was then promoted to another position.

Mr PICTON: What duties does she have in the new position that she did not have in the previous position?

The Hon. V.A. CHAPMAN: A lot.

Mr PICTON: What are they?

The Hon. V.A. CHAPMAN: I do not think it is necessary to go into that, but I can assure you she took on a different position as a senior adviser, as distinct from being one of the advisers.

Mr PICTON: Was there any work value assessment conducted to determine her new pay increase?

The Hon. V.A. CHAPMAN: Nobody works for me in any position without working hard.

Mr PICTON: That may be the truth, but I was asking if a work value assessment was conducted in terms of her new pay increase.

The Hon. V.A. CHAPMAN: I am not sure what the question really relates to, as to whether that is an assessment of any particular kind. I can indicate to you that from my assessment, as she works for me as the minister, I have to be satisfied that she or anyone else who takes those positions is competent to undertake duties and higher duties and more duties and different duties in relation to different positions before I recommend their appointment. That is what I have done in this case, as I have for other members of my staff.

Mr PICTON: Did the Attorney-General previously have a senior adviser position in her office, or is this a newly created position?

The Hon. V.A. CHAPMAN: No. There was a senior adviser position. It was vacant until that point.

Mr PICTON: Vacant from the election until that point?

The Hon. V.A. CHAPMAN: Correct.

Mr PICTON: For how long was it vacant?

The Hon. V.A. CHAPMAN: I could take that on notice, but it was whatever time it was between the time of the election until the time she was elevated to the position.

Mr PICTON: Given that you said there were so many significant duties responsible to the senior adviser position, how did your office cope without that senior adviser position for potentially up to a year?

The Hon. V.A. CHAPMAN: With difficulty, as one does. One of the advantages I have as minister, which I have learned, is that I can call upon extra support from the chief executive's office to find people in the department to provide advice. I am fortunate that there is a department under her responsibility that not only is the biggest law firm in Adelaide but also is populated with lots of very smart people who can assist me when I require advice.

Mr PICTON: On what day did Ms Church start the new position as the senior adviser in your office?

The Hon. V.A. CHAPMAN: I would have to take that on notice, but it was some months after we had come to office.

Mr PICTON: Last year at some stage, was it?

The Hon. V.A. CHAPMAN: As I say, I would have to check exactly when it was.

Mr PICTON: Who determined the salary package for that position?

The Hon. V.A. CHAPMAN: From memory, they were all set before we came to office. I had advice from the Premier's office. I am pretty sure it was the Premier's office; it may have been from the Cabinet Office. It was one or the other, I am advised.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 18 and 'initiates and conducts criminal prosecutions'. On what date did the Hon. Michael David QC accept the brief to provide advice to the DPP in regard to the Attorney-General's breach of the ICAC Act?

The Hon. V.A. CHAPMAN: I have no idea. I can take it on notice if it is something—

Mr PICTON: Is that something your advisers have information on?

The Hon. V.A. CHAPMAN: If it is something I am able to provide, I will take it on notice.

Mr PICTON: Why did the DPP believe that they needed to seek external counsel?

The Hon. V.A. CHAPMAN: I do not know the answer to the question. I can speculate, but I do not know the answer to that.

Mr PICTON: Do any of your advisers, including from the DPP's office, have information on that?

The Hon. V.A. CHAPMAN: Again, that would be a matter for the DPP's office. It may or may not be able to be available anyway, but if it is available I will inquire.

Mr PICTON: Did you bring advisers from the DPP's office to the estimates hearing today?

The Hon. V.A. CHAPMAN: I have a number of advisers here.

Mr PICTON: From the DPP's office?

The Hon. V.A. CHAPMAN: As I say, I have a number of advisers here.

Mr PICTON: I understand that.

The Hon. V.A. CHAPMAN: So what is your question?

Mr PICTON: Did you bring any advisers today from the Office of the DPP?

The Hon. V.A. CHAPMAN: As I say, I am not going to identify every person sitting behind me, but I am happy to answer any questions.

Mr PICTON: Usually the ministers do that.

The Hon. V.A. CHAPMAN: I do not know how often the member has been sitting in these committees, but there is usually quite an entourage of people who come and make themselves available to advise and assist me in relation to supporting information to the committee. I am happy to do that, so I am happy to answer your next question.

Mr PICTON: Excellent. Are any of the people sitting behind you from the Office of the DPP?

The Hon. V.A. CHAPMAN: Again, I am not going to go into that.

The CHAIR: To be fair, member for Kaurna, any minister appearing can bring advisers that he or she feels are appropriate for the committee.

Mr PICTON: I understand, Chair, but it is pretty unprecedented for a very significant office such as the DPP not to have a representative here at the parliament's estimates committee.

The CHAIR: That may or may not be so, but it is up to the Attorney what advisers she brings.

Mr PICTON: The Attorney-General is not even answering whether there is somebody here from the DPP's office or not.

The CHAIR: Mr Chairman, it may assist the committee to know that in the many years I sat in the member for Kaurna's spot at these estimate committees neither the DPP nor members from that office attended estimates, and probably for good reason.

It is a statutory body that is independent and has a role in relation to the investigation and prosecution of matters. That has not been the case in the past but, as I said, there is still a provision on page 18 in relation to the financing of the Office of the Director of Public Prosecutions. I am happy to consider any questions and, if we do not have the information available, I am happy to take them on notice.

Mr PICTON: Was there any discussion with the Office of the DPP about appearing here at estimates today?

The Hon. V.A. CHAPMAN: Not by me.

Mr PICTON: You can confirm, though, that none of the people sitting behind you are from the office of the DPP?

The Hon. V.A. CHAPMAN: As I said, I think I have said all I can to assist the committee in that regard. It is not usual practice that they attend for estimates committee attendances.

Mr PICTON: On what date did Mr David QC deliver the advice in relation to the Attorney-General's breach of the ICAC Act?

The Hon. V.A. CHAPMAN: Alleged breach—I have no idea.

Mr PICTON: How much was Mr David QC paid to provide that advice?

The Hon. V.A. CHAPMAN: I do not have that information.

Mr PICTON: How often are external lawyers used by the DPP in such circumstances?

The Hon. V.A. CHAPMAN: Again, I do not have that information.

Mr PICTON: Did you or anyone in your office sight the advice provided by Mr David QC?

The Hon. V.A. CHAPMAN: No.

Mr PICTON: Are you aware of the content of that advice?

The Hon. V.A. CHAPMAN: No.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 13, regarding ministerial office resources, and also Budget Paper 4, Volume 1, page 16, regarding the investing expenditure summary and the GPO tower fit-out of 10 Franklin Street. On what floor will your ministerial office be located at the new GPO office tower?

The Hon. V.A. CHAPMAN: The 19th floor.

Mr PICTON: The 19th floor; is that correct?

The Hon. V.A. CHAPMAN: Yes, I think BHP is the other main tenant of the building. That has been announced publicly. They are taking the bottom nine floors. I think minister Wingard has some space in the top half and there is some vacant space still available.

Mr PICTON: Did you request to have your ministerial office at the new GPO office tower moved from level 11 to level 19?

The Hon. V.A. CHAPMAN: Not that I recall. I think it was always proposed to be on level 19. I had asked whether they would consider whether minister Wingard, as the other minister, could be located on the same floor as me.

Mr PICTON: So you are not aware of any previous proposal that would have had your office on level 11 of that building?

The Hon. V.A. CHAPMAN: No. I am getting shaking heads here from others.

Mr PICTON: Is it correct that there were estimates by Rider Levett Bucknall (RLB) that the location of your office on level 19, as opposed to level 11, would cost in the vicinity of \$500,000?

The Hon. V.A. CHAPMAN: To the best of my knowledge, I appreciate the GPO proposal was something that was announced and pursued by the previous government to relocate the whole of the Attorney-General's Department and the ministerial office to this new facility. That was before my time, most of it. By the time there was a change of government, there had been at least one or two estimates when I had been sitting in your spot asking questions about the then government's proposal. But at the time I came in, there had been significant advances as to where each of the units of the A-G's Department and ministerial office would be accommodated.

In fact, there had even been designs as to closed offices, some open facilities for desks for personnel and the like, so it was quite advanced. There were certainly some matters which had discussion and were consulted on, but at no time was there ever any proposal to change my office from level 11 to level 19. To the best of my knowledge, it had never been identified as being on level 11.

Mr PICTON: Did your chief of staff ever make a request to move your ministerial office in the tower from level 11 to level 19?

The Hon. V.A. CHAPMAN: Not that I am aware of.

Mr PICTON: Will your new office comply with standardised government policy around office space?

The Hon. V.A. CHAPMAN: It is the same size as I was shown Mr Rau was going to occupy. I would have to say that Mr Rau did have a number of other portfolios when he was deputy premier and attorney-general, which I do not have responsibility for, so there may certainly have been some modification around that. I think I have the same area as the previous attorney was proposed to have, which I have to say is a lot bigger than I currently have at 45 Pirie Street, which is accommodation I quite enjoy being in, actually.

Mr PICTON: Was a request made to move your office from the south-eastern corner to the southern facade?

The Hon. V.A. CHAPMAN: It certainly moved. I cannot recall what direction that was.

Mr PICTON: Was that a request made by your office?

The Hon. V.A. CHAPMAN: By me.

Mr PICTON: Why did you make that request?

The Hon. V.A. CHAPMAN: Largely, in relation to the whole of the site, it was to consider who else would be on the floor, and there were some changes made to that, as to what other agencies would be on that floor. As best I can recall at the moment, that floor now will accommodate me, the Solicitor-General and all the staff that goes with those, and the chief executive and a number of her personal staff. From memory, finally, Legislative Services personnel will also be on that floor, all of whom I have almost daily interaction with.

Mr PICTON: Just set me straight: why would the make-up of other people on the floor necessitate you moving from the south-eastern facade to the southern facade of the building?

The Hon. V.A. CHAPMAN: I think there was a question of where we could best be accommodated, and that is what I sought to occur. Some of those things were accommodated and some were not. I think I will ask Mr Swanson because he was in charge of some of the development of that and the accommodation. So, yes, there were significant changes in relation to who else could fit on that floor and how we could best utilise that to ensure that particularly those we have the most interaction with are able to be accommodated.

In a general way, there was also discussion about ensuring that the other ministerial office in the building, which was to be that of the Minister for Police, for obvious security reasons, and the person in that position should also be accommodated in an area of security. The issue largely there was the question of who might otherwise take the remaining part of that floor on which he operates. These are all matters of general security to make sure that there is no possibility of any breach by unacceptable tenants being next to them, for example. But, as it turned out in the end, BHP were the final tenants of the other half of the building, and we are very pleased to have them as our neighbours.

Mr PICTON: Did you or your office make any request for minister Wingard to also move to level 19 of the building?

The Hon. V.A. CHAPMAN: I certainly asked that that be considered because at that stage there was a period of vacant space adjacent to a proposed area for him and I was a little concerned about the security in relation to that. But within the budget that had been allocated for this, that was not something that was achievable. I will ask Mr Swanson to add to that if there is anything else.

Mr SWANSON: Only to say that there were a number of combinations considered in terms of who would be on what floor. We are talking a move of around 700 people, so things to consider were both the size of the areas in question plus the connectivity and how those areas really worked with each other. There were ongoing discussions on that for some time.

Mr PICTON: Was there any cost estimate associated with the proposal to move minister Wingard to the 19th floor?

Mr SWANSON: I would have to confirm that.

Mr PICTON: Is the floor space for the Attorney's office on the southern facade the same or different from what it was going to be on the south-eastern edge of the building?

The Hon. V.A. CHAPMAN: I can answer that. As best I recall, it is exactly the same size, even though I had indicated that I did not think I needed such a big area.

Mr PICTON: Is the cost of that proposal the same as the original proposal?

The Hon. V.A. CHAPMAN: It is the same area.

Mr PICTON: That is not what I asked. Is the cost the same?

The Hon. V.A. CHAPMAN: I am happy to take that on notice, but it is the same area because I remember suggesting that it be reduced.

Mr PICTON: I refer to Budget Paper 4—

The CHAIR: Member for Kaurua, I will come back to you. I note that the member for King has a question. I will come straight back to you, member for Kaurua.

Ms LUETHEN: In the north and north-east, there has been particular interest in the government's approach to domestic violence initiatives. I refer to Budget Paper 4, Volume 1, page 27. Attorney, can you outline achievements in 2018-19 in relation to domestic violence initiatives?

The Hon. V.A. CHAPMAN: I thank the member for her question and her ongoing interest in this important area. I am very proud of her contribution to the parliament and to this committee on this matter. The government has effected a whole-of-government approach to the domestic violence reform package and prioritised this very vital area. The dedicated Assistant Minister for Domestic and Family Violence Prevention was an important initiative of the government. I thank the Premier for it.

As Attorney-General, I have worked closely with the Minister for Human Services to pass integral law reform and implement election commitments to break the cycle of domestic and family violence. As detailed in the budget and highlighted, the 2018-19 year saw the passage of the Statutes Amendment (Domestic Violence) Act 2018, which creates a standalone offence for non-fatal strangulation and toughens penalties for abusers who repeatedly breach conditions of court orders that protect victims. It has now passed and has part commenced. Further, the changes include:

- increasing penalties for repeated breaches of intervention orders;
- creating a new offence of non-fatal strangulation;
- allowing video evidence recorded by police to be used in court domestic violence offences, which has not yet commenced but which has been passed in the parliament;
- allowing for interim variations to be made to final intervention orders, which has also not yet commenced;
- expanding the definition of aggravated domestic abuse to include more types of relationships, such as grandchild, sibling, carer and person related according to Aboriginal and Torres Strait Islander kinship rules; and
- expanding the definition of abuse in state intervention order laws to include forced marriage, preventing a person from entering their own home, and taking invasive photographs or videos of someone without their permission and threatening to share them.

The act commenced on 31 January 2019 except for sections 7, 11 and 12. These sections will commence at a later date, as supporting regulations, rule form and IT changes are required. This act was a major step in preventing family violence by targeting indicators, like non-fatal strangulation, to stop the cycle before it takes another life. Early intervention is a key to targeting domestic violence.

A 12-month statewide trial of a domestic violence disclosure scheme commenced on 2 October 2018. The scheme allows a person at risk of domestic abuse to seek information from SAPOL about a current or former partner's violent offending history, enabling them to make more informed decisions about their relationships. Police will assess the safety of the applicant and fast-track information disclosure to applicants deemed to be at high risk. A specialist women's domestic violence support worker will be present at all disclosures, whether information is disclosed or not, which will be conducted face to face in order to ensure that the person is provided with appropriate levels of support and safety planning.

In the first six months of operation (2 October 2018 to 31 March 2019), 114 applications have been received; 69 of these applications were accepted for further consideration and 40 disclosure meetings have been held. The work to prevent domestic violence and educate our community never ends, and I will continue to work with the minister in this area. I again thank the member for her question.

Ms MICHAELS: Can I take the Attorney to page 17 of Budget Paper 5 to continue with the theme of domestic violence. In the budget, there is a cut of \$150,000 per annum in 2019-20 for the Women's Domestic Violence Court Assistance Service grant.

The Hon. V.A. CHAPMAN: Sorry, page 17, did you say?

Ms MICHAELS: Of Budget Paper 5. This is in relation to the cut to the Women's Domestic Violence Court Assistance Service grant. Can you explain how that might improve the services to victims of domestic violence?

The Hon. V.A. CHAPMAN: I thank the member for the question. The Women's Domestic Violence Court Assistance Service had been funded from the Victims of Crime Fund since its inception in 2015 and was operated by the Victim Support Service until 30 June 2019. It had been contract managed by the Office for Women during that time. The WDVCS provides support to victims of domestic and family violence by assisting women in navigating the court system. It operates on a statewide basis at no cost to clients.

The 2018 decision was made to reposition this service, as it is a legal service, and for the contract management functions to be taken over by the Attorney-General's Department at the conclusion of the agreement, which ended on 30 June 2019. We undertook a competitive procurement process to ascertain the most appropriate service provider. I just remind the member that whilst this was operated by the Victim Support Service, which is a counselling service provider in the state, providing legal services was not their core business.

At the conclusion of the procurement process, the Legal Services Commission, which was one of the applicants, was announced on 28 May as the preferred supplier. The Legal Services Commission offered a comprehensive service with high levels of expertise and experience, the ability to draw on existing resources to supplement this program and a competitive budget commensurate with the demand for service.

The Legal Services Commission will receive just over \$2 million over the next four years to provide this service; indeed, it commenced that service on 1 July 2019. As the member may appreciate, they already have a quite sophisticated administrative structure and were therefore able to apply these funds to the provision of service. I expect and I understand, this service having taken place over nearly the past month, that that is underway and continuing to provide a valuable service through that agency, with less money.

Ms MICHAELS: Does the Attorney expect that exactly the same level of service or better service will be provided to victims of crime through the Legal Services Commission with \$150,000 less?

The Hon. V.A. CHAPMAN: Correct, yes.

Ms MICHAELS: In respect of the Victim Support Service, its core funding was cut at the same time as funding for the service grant was cut. Is that an issue? Have you spoken to them?

The Hon. V.A. CHAPMAN: I have had a number of meetings and correspondence in relation to this matter. The Victim Support Service is a valuable service; in fact, it was established by the

Liberal Tonkin government decades ago. It is a community-based provider of services. What was clear when we came into government was that there had been some duplication between the services delivered by VSS and other services funded from the Victims of Crime Fund, including the Homicide Victim Support Group, the Road Trauma Support Team and the Commissioner for Victims' Rights.

We committed to ensuring that the Victims of Crime Fund was most efficiently and best used for the outcomes for victims. This year's budget included a measure to focus on the primary grant paid from the VOC Fund for core counselling services from 1 July 2020. Consequently, the amount of the grant will reduce to \$1.2 million from 2021. I had also sought advice from the commissioner around the most appropriate mix of counselling services funded from the Victims of Crime Fund. This advice will then inform the scope of the procurement process for the delivery of counselling services for victims of crime from 1 July 2020.

It is my view that a competitive tender process will ensure that the counselling services provided are the most efficient and the highest quality available. In short, having identified a significant area of overlap in the provision of services, the core funding in relation to VSS will be for the provision of counselling services. Education, information services, referrals and the like, which are also undertaken by the Office of the Commissioner for Victims' Rights, can be streamlined.

In the correspondence I have had on the matter, I am satisfied that the Victim Support Service is continuing to provide a valuable service to victims. Indeed, it played a very significant role in the provision of counselling services to victims of child institutional sexual abuse identified particularly during the Mullighan inquiry. I expect that it will continue to provide support and counselling under the National Redress Scheme, which has now been initiated and which South Australia has signed up to.

Where South Australians are successful in receiving an amount for redress in those circumstances, they are also eligible for, I think, up to \$3,000 for counselling. I expect that the Victim Support Service will be an impressive and continuing provider of services to them. Some of those victims will be the same people who had availed themselves of funding or support by way of redress under the state scheme.

On all the information we have from the national commission, I think it is fair to say that the retelling of their stories, presenting to give a further submission, may well be something for which they are ultimately able to receive some extra funding under the new national scheme, which of course is at a higher level. That has the potential detriment of re-evoking emotional distress for which they would need extra counselling, and they would be eligible for funding to avail themselves of that service. I am confident that the VSS will continue to have a role in that regard particularly.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 12 and the objective 'to promote justice through protecting rights and holding people to account according to the law'. Did the Attorney-General seek advice from the Crown Solicitor on whether the Liberal Party broke the law with their 6am push polling?

The Hon. V.A. CHAPMAN: I am sorry, could you start that again? I have just got to page 12. The title is Objective; is that right?

Mr PICTON: Yes, 'protecting rights and holding people to account according to the law'. Did the Attorney-General seek advice from the Crown Solicitor on whether the Liberal Party broke the law with their 6am push polling?

The Hon. V.A. CHAPMAN: No. I am not responsible either for providing or to provide advice to the Liberal Party.

Mr PICTON: That is not what I asked. I asked whether you sought advice from the Crown Solicitor on whether there was a breach of the law.

The Hon. V.A. CHAPMAN: I am just letting you know that, no, I am not responsible to provide services from the Crown Solicitor's Office to the Liberal Party.

Mr PICTON: No, but in terms of the upholding of the law did you as Attorney-General seek advice on whether a breach of the law had occurred in this?

The Hon. V.A. CHAPMAN: The answer to that is no again.

Mr PICTON: Is the Attorney-General aware of whether the Liberal Party sought advice from anyone at all?

The Hon. V.A. CHAPMAN: I have no idea. You would have to ask them.

Mr PICTON: Does the Attorney-General agree that the Liberal Party breached the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017 with its push polling?

The Hon. V.A. CHAPMAN: I do not know the answer to that question.

Mr PICTON: Has the Attorney-General sought advice from the Crown Solicitor on whether any other acts were breached as a result of the push polling?

The Hon. V.A. CHAPMAN: No.

Mr TEAGUE: Point of order, Chair: standing order 268, subparagraph 2. I do not detect any relationship to a line item in this line of questioning.

The CHAIR: Member for Kaurua, this line of questioning is certainly a stretch. You have canvassed it on two or three occasions and the Attorney has answered. It might be a good time to move to another line.

Mr PICTON: On 25 July, it was reported that the government is looking at electoral changes, including how-to-vote cards and corflutes. Have there been any changes under consideration, and have you received advice from the Crown Solicitor about such changes?

The Hon. V.A. CHAPMAN: What I can confirm is that I received an extensive report, as did the member for Kaurua as a member of the parliament, from the Electoral Commissioner post the 2018 state election where he made a number of recommendations for consideration of reform—that is, an amendment to the Electoral Act principally. That is quite a comprehensive piece of work. Later this week, we are due to receive his further report in relation to funding and disclosure obligations of political parties. He had indicated in his previous report, which I referred to, that he would be providing that by the end of this month, and I understand we are still expecting to receive that.

There is quite a lot of work that has been undertaken, as usually occurs post state and local government elections. We get a report in the parliament. There are recommendations for law reform, and certainly in stage 1 of that, in the first report, a body of work is being looked at for the purposes of considering those reforms. In the course of that, questions about posters have been raised. During the last federal election, a few months ago again there was some public discussion about that. Certainly, that is something we can consider.

I come from Kangaroo Island. We have never had posters on Kangaroo Island, ever. By a local decision of the local people there, they decided that when we moved from banners to posters at political elections (and quite possibly the member is a little bit too young to remember) there was a change, and this practice of putting up corflutes or posters—canvass banners as they were initially—was something that the local people on Kangaroo Island decided they did not want to have.

It was just agreed between everyone there that anyone who wanted to stand for office or for whatever political party would not put up posters. They have managed to successfully vote and to elect the local member over the years without having a poster.

Mr PICTON: You have a good one at the moment.

The Hon. V.A. CHAPMAN: It seems as though democracy is able to prevail without posters.

Mr PICTON: Are you undertaking work on that, or the only work that has been undertaken is by the Electoral Commissioner and their report?

The Hon. V.A. CHAPMAN: At the moment, there are a number of other areas I am personally looking at, and whatever ultimately becomes part of government policy will progress, but they are ultimately a matter for decisions yet to be made. However, I can say the work that has

commenced relates to the first report of the Electoral Commissioner, which was tabled some months ago, earlier this year.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 40, the Equal Opportunity Commission.

The Hon. V.A. CHAPMAN: Page 40?

Mr PICTON: Correct, and the program net cost of services. Why has the budget for the Equal Opportunity Commission for 2019 decreased by almost \$275,000 compared with the 2018-19 estimated figure of \$1.6 million?

The Hon. V.A. CHAPMAN: Could you just repeat that? I am just trying to find the actual item here. At about point 5; is that where you are referring to it?

Mr PICTON: The net cost of services is what I was referring to.

The Hon. V.A. CHAPMAN: At point 5, yes. What was the question again?

Mr PICTON: The question is: why has the budget decreased by almost \$275,000 compared with the 2018-19 estimated number of \$1.6 million?

The Hon. V.A. CHAPMAN: I will ask Mr Swanson to answer that.

Mr SWANSON: The shift is mainly in relation to a reduction in expenses. The reduction in expenses relates to an increase in savings in 2019-20 of \$55,000. There is some once-off funding provided in 2018-19 of \$87,000. There are also changes that the commission has with funding agreements for dedicated parties for certain projects of \$63,000. There has also been a change in supplies and services from the 2018-19 estimated result to the 2019-20 budget, which is mainly due to some one-off items, including some one-off costs in 2018-19 for reaccreditation costs for White Ribbon Australia of \$100,000 and some once-off funding in 2018-19 for the Chiefs for Gender Equity program of \$75,000.

Mr PICTON: How can the reduction of FTEs between those years only be 0.7 but the reduction in funding for employee benefit expenses be \$230,000 approximately?

The Hon. V.A. CHAPMAN: Just while Mr Swanson is getting that, I will indicate that the \$55,000 increase in savings for 2019-20 was the savings that were allocated to my department in particular and this unit from the previous government.

Mr SWANSON: The decrease in FTEs is mainly in relation to those savings the Attorney just mentioned, to give an estimate of that. There are some other estimates with regard to the EOC budget for 2019-20. That will be updated in due course. The commissioner provided a revised staffing structure after the budget had been published, which we will update in the next budget process.

Mr PICTON: Why is the Equal Opportunity Commission no longer White Ribbon accredited?

The Hon. V.A. CHAPMAN: Mr Swanson.

Mr SWANSON: Just to be clear, the Equal Opportunity Commission coordinates the White Ribbon accreditation across government for all agencies, in effect. There were some one-off costs associated with that reaccreditation, which I think occurs once every three years. It was relevant to 2018-19 but not to 2019-20.

Mr PICTON: How much government funding will the Equal Opportunity Commission receive and what is the commission generating in income through its work and partnership with the University of Adelaide and other organisations?

The Hon. V.A. CHAPMAN: They undertake work for other agencies, including the South Australian police department and the Metropolitan Fire Service, to name a couple. In relation to the former, they have undertaken work firstly to do a review of the conduct and behaviour in the police force—

Mr PICTON: Do you have the budget figures for these?

The Hon. V.A. CHAPMAN: I will come to them in a moment. Under that contract, they are part way through a three-year contract, I think, to provide assessment, review and assistance to advance the culture of the South Australian police force after they had had a report on their behaviour not only in relation to women in the police force but in relation to behaviour that was, I think, unacceptable generally.

It was acknowledged at the time by the Commissioner for Police that it needed a substantial improvement. He committed to doing that, and so the equal opportunity commissioner is the recipient of income for that. Mr Swanson indicates that he will have to check exactly how much that is as part of the Equal Opportunity Commission budget.

In relation to the Metropolitan Fire Service—again, I will check this—it is my recollection that it was just to do the assessment. I am not aware that the Equal Opportunity Commission has ongoing contractual provision there or income from that.

Mr PICTON: Can you outline whether this budget imposes additional savings targets or efficiency measures on the commission? Across the forward estimates, what savings target was there prior to this budget, what additional savings target or efficiency measures are there and what is the aggregated amount of savings now?

The Hon. V.A. CHAPMAN: I am happy to take that on notice.

Mr PICTON: Do you have any figures in terms of the savings for the commission with you or your advisers?

The Hon. V.A. CHAPMAN: We would on some of those but not all of what you just asked for. I am happy to take that on notice.

Mr PICTON: Did the commission put forward any budget bids that did not proceed and were not successful? If so, what were they?

The Hon. V.A. CHAPMAN: The commission, like a number of units, presents its proposals for consideration. There were some extra proposals presented by the Equal Opportunity Commission and they were not successful.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 18, the Office of the DPP. When was the decision made to appoint Justice Hinton and when was it finalised?

The Hon. V.A. CHAPMAN: I will just get the dates that I do have for you. At the conclusion of the seven-year term of the DPP's position on 25 October this year, a selection panel was retained. There were four permanent members of the South Australian legal community and a senior public servant. In February, the position was advertised. They undertook their work and ultimately provided a report to me as Attorney-General, and their unanimous recommendation was Mr Hinton.

Mr PICTON: Do you have any knowledge of the reason the current acting DPP withdrew her application for the role of the DPP?

The Hon. V.A. CHAPMAN: No.

Mr PICTON: Are you aware that the current acting DPP made admissions of having attended a Liberal Party fundraiser in the past?

The Hon. V.A. CHAPMAN: Not specifically, although I seem to recall there was a question raised about it either by you or one of your colleagues at some stage.

Mr PICTON: Was there any connection between that attendance at the fundraiser and her withdrawal as an applicant for the DPP position?

The Hon. V.A. CHAPMAN: I have no idea, nor do I have any personal knowledge of her attending any fundraiser.

Mr PICTON: Has the Attorney-General received advice that Justice Hinton, when he is appointed the DPP, will not be able to appear as a prosecutor before the court for two years?

The Hon. V.A. CHAPMAN: Yes. The situation is that, under the Legal Practitioners Act, the court has complete responsibility to give leave to anyone who was a former judicial officer in relation

to appearances in those circumstances. It is for the court to make that determination. So, yes, I had received that advice. That is as best I can provide to you as to the usual practice that occurs in those circumstances. Leave is sought in those cases.

Mr PICTON: Does the Attorney stand by her comments when she was asked on *Radio Adelaide* this week whether there were any existing conventions that would stop the DPP appearing in court and she said, 'No, no, no.'

The Hon. V.A. CHAPMAN: I do not have any concern about the rule in relation to appearances in these circumstances. It is a perfectly appropriate rule and it has leave attached to it. As I say, that is entirely a matter for the court. I have no reason to think that that would be any impediment to the person who has been unanimously recommended for that position.

Mr PICTON: Are you aware of comments from the Law Society of South Australia that under the Australian Solicitors' Conduct Rules a former judicial officer cannot appear as a solicitor in the court they presided over for a period of two years?

The Hon. V.A. CHAPMAN: That is what I just read out to you. Yes, I am, and I am aware that she made a statement to the effect that she thought it would be five years, but that is not actually correct on the advice I have received.

Mr PICTON: How long would it be under the advice you have received?

The Hon. V.A. CHAPMAN: Two years.

Mr PICTON: Just two years?

The Hon. V.A. CHAPMAN: Yes.

Mr PICTON: Does Justice Hinton have a right to return to the Supreme Court?

The Hon. V.A. CHAPMAN: I suppose I could go into the process under which someone is appointed to the court, but that is a position of appointment by the Governor. If the question is whether there is some sort of automatic default position or something of that nature, the answer to that is no.

Mr PICTON: There have been no commitments given to Justice Hinton along those lines?

The Hon. V.A. CHAPMAN: He has neither sought it nor been given it.

Mr PICTON: Have there been any discussions or negotiations in regard to remuneration or, in particular, pension arrangements?

The Hon. V.A. CHAPMAN: Yes, and they were made public last week. In short, they make provision for Mr Hinton to continue to receive his benefit under the Judges' Pensions Act 1971. That will enable him to continue to receive a judicial pension which, as the member may be aware, he has some accumulated benefit in for over a decade now as a result of his service as Solicitor-General and then as a judge of the Supreme Court. As we have announced, there is proposed legislation to ensure that he will not lose that benefit by taking up this position.

There is one matter: I indicated a date. I wish to clarify that the appointment of the previous DPP ended on 25 April and not 25 October. I am sorry if I said the wrong date.

The CHAIR: There being no further questions, I declare the examination of the proposed payments for the portfolio of the Attorney-General's Department to be completed. We will reconvene at 3.45. The bells will ring for three minutes prior to that.

Sitting suspended from 15:31 to 15:45.

ELECTORAL COMMISSION OF SOUTH AUSTRALIA, \$5,178,000

ADMINISTERED ITEMS FOR ELECTORAL COMMISSION OF SOUTH AUSTRALIA, \$484,000

ATTORNEY-GENERAL'S DEPARTMENT, \$162,125,000

ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT, \$49,552,000

Minister:

Hon. V.A. Chapman, Deputy Premier, Attorney-General.

Departmental Advisers:

Mr M. Sherry, Electoral Commissioner, Electoral Commission of South Australia.

Mr D. Gully, Deputy Electoral Commissioner, Electoral Commission of South Australia.

Mr A. Swanson, Chief Financial Officer, Electoral Commission of South Australia.

Mr I. Clayfield, Chief Financial Officer, Attorney-General's Department.

Mr S. Froude, Director, State Records.

Ms J. Carney, Chief of Staff.

The CHAIR: Welcome back to the last session of committee A. The portfolio is the Electoral Commission of South Australia and State Records, and the minister appearing is the Attorney-General. I declare the proposed payments open for examination and call on the Attorney to introduce her advisers and make a short statement if she wishes.

The Hon. V.A. CHAPMAN: I am very pleased to introduce to you, Mr Chairman and the committee, Mr Sherry to my right, who is the Electoral Commissioner in South Australia, and Mr David Gully to my left, who is the second most important person in the Electoral Commission.

The CHAIR: Are you happy to take questions, Attorney, or would you like to make a statement?

The Hon. V.A. CHAPMAN: Absolutely I am happy to take questions.

Mr PICTON: I refer to Budget Paper 4, Volume 2, page 12, which references the Electoral Districts Boundaries Commission. Has the Electoral Districts Boundaries Commission been convened and the redistribution process commenced?

The Hon. V.A. CHAPMAN: I think, as I provided to the committee earlier today, late last week Her Honour Justice Trish Kelly was appointed and gazetted as the electoral boundaries commissioner and she will take up that role with, as per the statute, Mr Sherry as the Electoral Commissioner and Mr Barrett as the Surveyor General in South Australia. They form the commission and they will in due course meet and set out a program for the undertaking of that responsibility over the next year or so.

Mr PICTON: So that has not occurred yet?

The Hon. V.A. CHAPMAN: To the best of my knowledge, it has not occurred yet.

Mr PICTON: Are any of your advisers able to confirm whether that has or has not occurred yet?

The Hon. V.A. CHAPMAN: The gazettal was only last Friday.

Mr PICTON: They could have met between then and now.

The Hon. V.A. CHAPMAN: That is possible. As I advised the committee earlier today, once the commission have met and set out a program of the hearings, the submission dates and the like, they will be published. They have a website, and that will be set out for that to occur.

Mr PICTON: Does the Electoral Commissioner have a time frame in which that will occur?

The Hon. V.A. CHAPMAN: It is a matter for the commission to determine that, not just the Electoral Commissioner. The judge would need to meet with both the Electoral Commissioner and Mr Barrett as the Surveyor General. As a three-member commission, they will need to set and approve their program. At this stage, member for Kaurana, I think you will probably appreciate that that is an exercise that takes place over a number of months. It usually involves the collection of

considerable data that is prepared for the commission. They take submissions. They present a draft report, invite further submissions and then complete a final report.

Mr PICTON: Has the Electoral Commissioner prepared any advice for the boundaries commission on the timetable for that work?

The Hon. V.A. CHAPMAN: Not that I am advised at this stage. In any event, that would be a matter for the commission to announce what their program will be ultimately.

Mr PICTON: Do any of your advisers have information about what the Electoral Commissioner has prepared for the commission in terms of a timetable?

The Hon. V.A. CHAPMAN: They may but, as I indicated, that would be a matter for Her Honour Justice Kelly as the electoral boundaries commissioner. When she is ready to do so, she will no doubt make the announcement.

Mr PICTON: When it comes to determining the boundaries, can the Attorney, or with her advice from the commissioner, detail that DPTI will provide population projection data for the 18-plus population at a census collection district level?

The Hon. V.A. CHAPMAN: No, I do not confirm that and I think, again, that is a matter entirely for Her Honour to set the program and make the announcements as to how she is going to conduct her commission.

Mr PICTON: Will the Electoral Commission provide and apply a voter eligibility lens over the data that is prepared for the boundaries commission?

The Hon. V.A. CHAPMAN: Again, I think that is a matter that is appropriately asked ultimately post any announcement of the electoral boundaries commissioner.

Mr PICTON: Who undertook the work to determine the elector to population ratio for the previous boundaries commission?

The Hon. V.A. CHAPMAN: I will make some inquiry on that, although I note that Mr Sherry probably was not in that role at that time, but I will ask.

Mr PICTON: Your other adviser, I think, was.

The Hon. V.A. CHAPMAN: Could we have the question again as to the data?

Mr PICTON: Yes. Who undertook the work to determine the elector to population ratio?

The Hon. V.A. CHAPMAN: For the last boundaries commission?

Mr PICTON: Correct.

The Hon. V.A. CHAPMAN: I am struggling to see where that is in the budget, but I am happy to ask the question. It was work undertaken by the boundaries commission, which at that stage comprised Mr Gully, Justice Vanstone and Mr Burdett.

Mr PICTON: Was there any external advice provided in that?

The Hon. V.A. CHAPMAN: Like what? I am struggling to find what is relevant here to the budget—

Mr PICTON: Were there population advices?

The Hon. V.A. CHAPMAN: —for something that was three years ago.

Mr PICTON: Did the DPTI planning people provide advice? Any number of people could have provided advice on that. What you are suggesting is that those three people just sat down and worked out the numbers themselves.

The Hon. V.A. CHAPMAN: Not at all. I am just simply indicating that the material that was before the previous commission that they informed themselves on is, I suggest, not a matter for the work of this committee. It may well be all available on the website from the previous boundaries commission, but that really is a different commission, a different time and not the subject of any

funding from this budget either last year or this year or the forward estimates because it was three years ago, four years ago.

Mr PICTON: Has the Electoral Commission undertaken any work evaluating or reviewing the ratios between electors and population since the last boundaries commission?

The Hon. V.A. CHAPMAN: Again, I will make that inquiry of the current Electoral Commissioner. No.

Mr PICTON: Will the commissioner review how the population projections are calculated, considering that the final population figures were noticeably different from the projections with a number of seats' populations falling outside of the 10 per cent tolerance under the Constitution Act?

The Hon. V.A. CHAPMAN: I am assuming that that is a question within the context for the purposes of the electoral boundaries commission. Again, I suggest that that is probably not appropriate to be either asked or answered here. That is a matter for Her Honour to determine what information she receives, relies on or otherwise informs the commission on for the purposes of the forthcoming electoral boundaries commission, the redistribution hearings.

Mr PICTON: Has the Department of Planning, Transport and Infrastructure given data to the Electoral Commission in terms of population or population projections following the 2018 election?

The Hon. V.A. CHAPMAN: I will make that inquiry. No.

Mr PICTON: I will move on to the next item.

The Hon. V.A. CHAPMAN: Mercifully.

Mr PICTON: I can go back, if you like. I refer to Budget Paper 4, Volume 2, page 12, regarding objectives encouraging the community to participate with confidence and trust in the democratic process. In that context, does the Attorney-General believe that the 6am Liberal Party push polling instils confidence and trust in the democratic process?

The Hon. V.A. CHAPMAN: I think I have already answered that question.

Mr TEAGUE: Point of order, Chair.

The CHAIR: There is a point of order. Member for Heysen, I take your point of order. The Attorney has chosen to answer it by saying that she has already answered the question, so that is the response. Member for Kaurana.

Mr PICTON: Has the Attorney-General sought advice from the Electoral Commissioner on whether the Liberal Party robocalls broke the law?

The Hon. V.A. CHAPMAN: No.

Mr PICTON: Does the Attorney-General agree that the Liberal Party would have breached the Telecommunications (Telemarketing and Research Calls) Industry Standard with its robocalls?

The Hon. V.A. CHAPMAN: I have already answered that.

Mr PICTON: Is the Attorney-General aware of any prosecution by the Electoral Commissioner of the Liberal Party over the robocalls?

The Hon. V.A. CHAPMAN: No.

Mr PICTON: I refer to Budget Paper 4, Volume 2, page 14, highlights, dot points 1 and 2. Have you decided which of the recommendations from the 2018 state election report you intend to proceed with?

The Hon. V.A. CHAPMAN: I have made some assessment on that and that is under consideration, of course. At this stage, it will go to cabinet and then ultimately be presented to the parliament. That is the usual process.

Mr PICTON: What is the process that you are undertaking internally to determine the recommendations?

The Hon. V.A. CHAPMAN: I have received the report, I have read it and I have received advice on it. The next stage is to identify what can be achieved and what can be recommended. Sometimes recommendations come. If you remember reading the report, there are a number of recommendations, some of which, if implemented, would come at a cost. There is the usual process within government where that sort of information is sourced of other departments—Treasury and the like. They then ultimately go to cabinet to consider and make decisions on what is advanced on behalf of the government.

Mr PICTON: Are you conducting any consultation in terms of those recommendations?

The Hon. V.A. CHAPMAN: Yes, and there will be more if they get past stage 1.

Mr PICTON: Have you conducted any consultation with the Liberal Party of Australia in regard to those recommendations?

The Hon. V.A. CHAPMAN: Not yet, but some of them would be relevant to political parties. Sometimes in those circumstances obviously it is appropriate that we consult, as a government, with interested political parties, and I do not see any different to this course in relation to that particular aspect of reform. They may not all be advanced. For example, we have, from memory, a unique provision in South Australia for the action that can be taken if assessed by the Electoral Commissioner that there is false or misleading material published in the lead-up to an election. That in itself has some challenges.

The Electoral Commissioner has highlighted some of these in his report and recommended some reform in that area. Whether we action them, of course, is yet to be seen, but that is the type of thing I would think political parties generally will be interested in.

Mr PICTON: Have you consulted with, discussed the recommendations with or corresponded about the recommendations with Ms Sascha Meldrum from the Liberal Party of South Australia?

The Hon. V.A. CHAPMAN: I have certainly spoken to her about them. I suppose for anyone else who is interested in these things the recommendations are on the public record. They have been tabled in the parliament. There are some usual suspects, which the member for Kaurana probably knows about, each time we have this type of report or there is an electoral boundaries commission being undertaken.

We have some people who take a really active interest in these things. Sometimes they do not always make a really constructive contribution to the consideration of these matters, but they are the usual suspects. As a general rule, though, in relation to electoral reform, political parties are the biggest group of interested parties and stakeholders for the purposes of that reform. There will also obviously be people, like the Law Society of South Australia, who will no doubt have a view on these matters.

Mr PICTON: Have you discussed the recommendations with the directors of any other political parties?

The Hon. V.A. CHAPMAN: No, other than I did speak to one of the counsel for the Australian Labor Party after the report had been published. This was counsel in previous boundary commissions I happened to see at an event.

Mr PICTON: But not an official—

The Hon. V.A. CHAPMAN: Not on an official basis, no.

Mr PICTON: So the only official you have talked to about these recommendations is the State Director of the Liberal Party?

The Hon. V.A. CHAPMAN: I would not say it is the only person. I just simply make the point—

Mr PICTON: The only official of a political party.

The Hon. V.A. CHAPMAN: The only official of a political party?

Mr PICTON: Correct.

The Hon. V.A. CHAPMAN: I think that is right, although I am not sure whether Mr Parnell is an official in the Greens Party as well as being a member of parliament. I am not sure.

Mr PICTON: Why is it appropriate that only one political party should be consulted with about these recommendations?

The Hon. V.A. CHAPMAN: I just make the point that after the report was published, it became a topic of interest to those people around us, including your and my colleagues here in the parliament who take an interest in these matters, and accordingly there have been conversations about that. Some of them are quite fleeting and I would expect that. I do not see that as part of a formal consultation. I think you started with the question: have you spoken to anyone else about these? I would say yes. I have probably even spoken to you, Mr Chairman, about some of the recommendations of the report.

Not everyone in the parliament reads these reports with interest. I am sorry to tell the Electoral Commissioner that not everyone finds it such an avid and interesting read, but I do and I know the member for Kaurua does. No doubt we will work through his wise recommendations and consider them in the parliament in due course.

Mr PICTON: Will you be conducting consultations with any other political parties before you reach your final decision from the government in terms of the recommendations?

The Hon. V.A. CHAPMAN: I would expect, more than likely.

Mr PICTON: How is the operational review different from the election report?

The Hon. V.A. CHAPMAN: There are a number of reports that come from elections. There is the operational report, in the sense of the outcomes. There is a statistical volume that is published, which was fairly recently published and is available online. There have been two specific reviews. One sets out matters such as pre-polling and recommendations generally arising out of the election, and that is one body of work that I have referred to.

Then there is a report we are expecting to receive in the next couple of days, which is the review of the Electoral Commissioner of the funding and disclosure laws that applied for the first time in South Australia at the last state election. I understand from indications from the previous report that this will be a second body of work that relates to that particular aspect, and we look forward to receiving it here in the parliament. I think I receive it and I think the parliament receives it directly from the Electoral Commissioner; is that right?

Mr SHERRY: It was provided today.

The Hon. V.A. CHAPMAN: It was provided today? There we go.

Mr PICTON: Did the operational review make any different recommendations from the election report?

The Hon. V.A. CHAPMAN: I would have to take on notice any recommendations that were different.

Mr PICTON: Would any of your advisers have that information—perhaps the Electoral Commissioner?

The Hon. V.A. CHAPMAN: I think you need to be a little bit more specific.

Mr PICTON: I do not know how more specific I can be. Did the operational review that you have apparently just received make any different recommendations than the previous election report that has been publicly released?

The Hon. V.A. CHAPMAN: I think we are at cross-purposes. Perhaps I did not make it clear. The first report related to the summary of the election outcomes and set out a number of recommendations, for example, relating to pre-polling and matters I mentioned before about reform. The report that has just been received, which the commissioner has just indicated he has provided today, is specifically a report in relation to the operation of the funding and disclosure obligations

under the legislation that was passed first effective at the last election, so it is a different area of work.

I have not read it yet because I have only just been informed, as the committee has, that he provided a copy of it today. When we have had a chance to look at it, no doubt we will advance any recommendations in it for reform by virtue of having a discussion. I expect you, member for Kaurna, will have some discussion with your people as well when you read it to see whether it is something that can be advanced.

Mr PICTON: The 2018 election turnout was 91.1 per cent, which was down 1 per cent from the previous 2014 election. What does the Electoral Commissioner advise is the reason for this drop and what is being attempted by the Electoral Commissioner to arrest the reduction in turnout?

The Hon. V.A. CHAPMAN: I do not have that data in front of me. Did you infer that from one of the pages in the budget?

Mr PICTON: No, I believe that data is from the election report. Obviously, one of the outcomes of the services provided by the Electoral Commissioner is to ensure the conduct of elections and make sure that they are provided for as many South Australians as possible. I would have thought that this would be a factor that the Electoral Commissioner would be analysing and considering whether any responses were applicable in the delivery of its budget.

The Hon. V.A. CHAPMAN: He may have, but I do not recall that being presented as part of his budget submission for the purposes of suggesting, for example, 'Look, we have had a reduced turnout. There is a population reduction or some other impediment to voting, so I do not need as much money as I had last time. I might need a bit less,' or alternatively, 'These are the flaws of ensuring that everyone comes along to vote who should come along to vote, so I need some more money.'

I do not recall either of those things being presented to us as anything that would suggest there is an out of the ordinary reason people had not voted and therefore action needs to be taken for that to occur. I will ask the Electoral Commissioner whether there is anything else he would like to add.

Mr SHERRY: You are correct in saying there was a 1 per cent drop from the 2014 state election, but that is consistent with participation rates in other jurisdictions as well. It is a matter of focus for us, and we will be ensuring that we will be doing as much as possible to alleviate that in the next state election.

Mr PICTON: What will that focus involve?

Mr SHERRY: As part of our evaluation of the 2018 state election, we did a number of elector surveys and the like, so there will be analysis of those results to try to determine the best way to ensure that (1) people are enrolled and (2) they are aware of their voting options, and also to conduct a formal vote.

Mr PICTON: There was an increase in informal votes as well. Do you know the reason behind that?

Mr SHERRY: No.

The Hon. V.A. CHAPMAN: Perhaps I could just assist the committee to enable us to move on. Page 48 of the document referred to, member for Kaurna, actually suggests the answer to what the expectation was. If you read to the bottom of that paragraph, it says:

In 2018, the growth of the electoral roll as a consequence of the federal direct enrolment program and a surge in enrolments for the 2017 Australian Marriage Law Postal Survey, may to some extent have negatively affected the turnout rate through the addition to the roll of electors who had previously avoided enrolling and did not wish to vote.

Mr PICTON: In 2018—

The CHAIR: Member for Kaurna, can I just interrupt. I am trying to help: just a reminder that State Records are also in this examination. You may or may not want to go there, but it is up to you.

Mr PICTON: No, I will stick with the Electoral Commission. Thank you for your assistance, Chair. In 2018, there were three fewer polling booths compared with 2014. Which polling booths did not open in 2018 that were previously open in 2018?

The Hon. V.A. CHAPMAN: None in my electorate, I can tell you that. I am advised that perhaps there were some in the South-East, but we will take that on notice.

Mr PICTON: Always my focus is the electorate of Bragg, as you can imagine.

The Hon. V.A. CHAPMAN: There was talk some years ago of taking out the Piccadilly box and I thought that was a little unfair, seeing as it was not far from Crafers, but people had an expectation that they would be able to continue to vote there. Uraidla was in the same area, and Summertown. Anyway, I now have an excellent member who has taken over half that area from the seat of Bragg.

Mr PICTON: Uraidla residents are very happy being in Morialta now, I understand. Given that there were three fewer polling booths last election, how do you explain the increase of 159 polling staff in 2018?

The Hon. V.A. CHAPMAN: I think it is fair to say that the complexity in relation to the new laws would have to be a significant factor in the need for the Electoral Commissioner, even before Mr Sherry came on board, to prepare for the new laws in relation to funding and disclosure, without question. This was a major area of law reform.

Whilst the opposition of the day, now the government, had been supportive of the legislation, you would recall, member for Kaurana, the concerns raised about introducing a new funding and disclosure system that was a completely new model from what had been applied at the national level. People were familiar with that, knew how to apply it and were used to it, but your previous government took the view that they were going to have this new, unique model—the Rau model.

Mr PICTON: So the staff were all for the funding and disclosure regime, not for polling booths.

The Hon. V.A. CHAPMAN: For these significant areas of new law, without precedent in the rest of the country, there is understandably a significant body of work to be able to inform themselves how it is going to operate and how they might advise the stakeholder political parties and/or members of the public of their rights and responsibilities. I do not doubt for one minute that it was a legacy left to us by the former member for Enfield to have to work our way through. Otherwise, I cannot assist you further.

Mr PICTON: My question is in relation to Budget Paper 4, Volume 2, page 17, targets, and the APY elections. What is the process for reviewing the APY electorates?

The Hon. V.A. CHAPMAN: They have a regular review of how that operates. I only recently learned myself of a new electronic voting process, which I think was used for the first time at the last state election. I will invite the commissioner to inform the committee how that review operates, but I understand that the new system was successful. He will tell you if there were any glitches.

Mr SHERRY: The next APY Executive Board elections are in 2020. Prior to that, there is a review of the electorates within the APY. That process will commence later this year. The Deputy Electoral Commissioner was present for the previous review of those electorates and could probably provide some more technical details if you require.

Mr PICTON: Do you envisage that there will be much change to the electorates in those reviews?

Mr SHERRY: We have not started the process, so it is inappropriate to comment on that possible outcome.

Mr PICTON: What criteria will be used to determine whether and how the electorates should change?

Mr SHERRY: Again, the process has not started, so it is not appropriate to answer that at this point.

Mr PICTON: Will an information campaign be run on the APY lands and when will that commence?

Mr SHERRY: The answer is yes. As to when it will commence, we have not set that down as yet.

Mr PICTON: Will it be similar to previous years? Will there be an enrolment phase and a voting information phase?

Mr SHERRY: Yes.

Mr PICTON: How much money has been budgeted for that information campaign?

Mr SHERRY: We have a total budget of \$130,000 to incorporate the review of the boundaries as well as the conduct of the APY Executive Board elections. From that, the communications component will be taken.

Mr PICTON: Chair, you will be delighted that I am going to ask a State Records question. I refer to Budget Paper 4, Volume 1, page 43.

The Hon. V.A. CHAPMAN: Before you go ahead, I will ask Mr Froude to come forward.

The CHAIR: I will allow it. I will make sure you have time for that question, member for Kaurna.

Mr PICTON: Excellent, thank you. On Budget Paper 4, Volume 1, page 43, the objective for State Records states that they are to provide advice on records and information management. Has State Records conducted any training sessions with ministers' offices in regard to their obligations under the legislation? Which offices were provided with sessions or information, and did ministers attend those sessions?

The Hon. V.A. CHAPMAN: I will open by saying that I will ask Mr Froude to indicate whether his office had any involvement in the process. To the best of my knowledge, under this government ministers have not attended any instruction or advice in relation to such matters. I cannot account for ministers of the previous government who overlap this time period of application because, of course, this was a guideline that was established under the previous government. As to what their process was, I cannot assist you, but in relation to any agency representatives who may or may not have received any advice about what they were to send on to records for Mr Froude to process and record, I will ask him to provide any further information that he can.

Mr FROUDE: Thank you, Attorney. My staff have provided ad hoc advice to ministerial officers but no formal training sessions.

Mr PICTON: Is State Records aware of any staff or ministers using private emails for government business?

The Hon. V.A. CHAPMAN: Not that I am aware of, but I can take on notice whether there is any aspect of that which can be helpful to the committee. I know that last year there was an occasion when one of the ministerial officers had received information, I think, on a private email and transferred that information for the purposes of being part of the records of the ministerial office.

Probably the challenge for members in this area is that, when there is the receipt of information, whether it is on a private email or whether it is on a telephone as an SMS message, if it is government business obviously it needs to comply with the records act no matter what the forum or medium upon which it was received, electronic or courier pigeon. If it is government business, that is what we try to ensure is kept and recorded for the purposes of the records act.

Mr PICTON: What was the nature of that email that was received by the minister on their private email address and was there any counselling—

The Hon. V.A. CHAPMAN: I think it was something to do with the Department for Health.

Mr PICTON: —given to that minister in terms of how best to process state records?

The Hon. V.A. CHAPMAN: Not that I recall, not by me. I just recall it being an issue publicly raised at the time.

Mr PICTON: Is it something that State Records provided you with advice on?

The Hon. V.A. CHAPMAN: No not that I recall.

The CHAIR: Member for Kurna, we have reached the allotted time—gone past it, in fact. Therefore, I declare the examination of the proposed payments for the Electoral Commission of South Australia and the portfolio of State Records to be completed.

Departmental Advisers:

Mr D. Soulio, Commissioner for Consumer and Business Services.

Ms C. Mealor, Chief Executive, Attorney-General's Department.

Mr A. Swanson, Chief Financial Officer, Consumer and Business Services.

Mr J. Chapman, Small Business Commissioner.

Mr P. Bertram, Director Compliance and Enforcement Operations, Consumer and Business Services.

Ms C. Knight Senior Manager, Reform Regulatory Services, Consumer and Business Services.

Mr S. Bedford, Manager Strategy and Performance, Consumer and Business Services.

Ms J. Carney, Chief of Staff.

The CHAIR: The next portfolio to be examined is that of Consumer and Business Services and the Office of the Small Business Commissioner. The Attorney-General is appearing. I declare the proposed payments for the Attorney-General's Department open for examination. Once your advisers are settled, Attorney, I will ask you to introduce them.

The Hon. V.A. CHAPMAN: Mr Andrew Swanson to my far left is coming and placing his papers. To my immediate left is the commissioner, Dini Soulio, and we have the return of Caroline Mealor, my chief executive. I do not have any other opening statement. I think the Commissioner for Small Business, whom I have recently inherited, is also present, so I am happy to start with Commissioner Soulio's area of responsibility for Consumer and Business Services but indicate that Mr Chapman is here ready to deal with small business matters the committee might want to ask about.

The CHAIR: Thank you, Attorney. I invite questions. The member for Cheltenham.

Mr SZAKACS: Attorney, I refer to Budget Paper 4, Volume 1, page 19, being the objectives. I ask you to clarify some public statements you made in September 2018. You stated publicly that you would be seeking advice from a task force of government agencies on the adequacy of other laws that protect workers from exploitation outside the Labour Hire Licensing Act. Would you advise what this advice concluded?

The Hon. V.A. CHAPMAN: I am trying to find page 19.

The CHAIR: There is a point of order already from the member for Heysen—

Mr SZAKACS: Page 29.

The Hon. V.A. CHAPMAN: Page 29? Sorry.

The CHAIR: Member for Cheltenham, I am going to have to apologise because I missed most of that question. I might ask you to pull your microphone closer. I know I did a lot of tractor hours in a past life, but if you could speak into the microphone that would be better. Could you repeat the question while the Attorney is finding the page, please.

Mr SZAKACS: I refer to Budget Paper 4, Volume 1, page 29, being the objectives, dot point 1 and dot point 2. I ask the Attorney to clarify and provide some further information to estimates regarding public statements she made in September 2018. They were that she would be seeking

advice from a task force of government agencies on the adequacy of the other laws outside labour hire licensing that may protect workers from exploitation. Could you please advise what that advice concluded?

The Hon. V.A. CHAPMAN: The stakeholders had been consulted. There was only one issue of concern raised and that related to the ability to share data, but there had been an indication that the current laws were adequate.

Mr SZAKACS: I beg your pardon, can you please repeat that last sentence? I am sorry, but I could not hear you.

The Hon. V.A. CHAPMAN: They indicated that the current laws were adequate.

Mr SZAKACS: Being the Labour Hire Licensing Act was adequate, or—

The Hon. V.A. CHAPMAN: No, being the individual laws, as you are aware.

Mr SZAKACS: Attorney, who or what agency did this advice come from?

The Hon. V.A. CHAPMAN: The membership of the task force included representatives from Consumer and Business Services, ReturnToWorkSA, SafeWork SA, RevenueSA and the Small Business Commissioner.

Mr SZAKACS: Who convened that task force?

The Hon. V.A. CHAPMAN: I think the convenor was Mr Dini Soulio, who is the Commissioner for Consumer and Business Services.

Mr SZAKACS: Did the commissioner also chair or facilitate the meetings of that task force?

The Hon. V.A. CHAPMAN: To the best of my knowledge, yes.

Mr SZAKACS: Did the advice that you received from Mr Soulio as chair or convenor of that task force inform your decision to seek to repeal the labour hire act?

The Hon. V.A. CHAPMAN: Not specifically because the government had determined and made a statement during the course of the debates on the labour hire bill, as it then was, that there were adequate protections for the ill sought to be cured in this bill and that therefore it was not necessary to have such a law.

Furthermore, as you may not be aware—because as member for Cheltenham you were not here in the parliament at the time but were no doubt following an interest in the matter—I would inform you that there had been a call for a national law to strengthen the protections on a uniform basis across the country. That had been the desired outcome that had been presented. I think it is fair to say that some states—Queensland and Victoria in particular, as I recall—had acted to introduce labour hire laws, followed by this state back in 2016-17, to advance that as a state initiative rather than wait for any federal advance.

Nevertheless, what has happened since then is that the federal government of the day undertook a review. That review recommended that there be labour hire law within a confined area—I think four principal areas of workforce. Subsequently, this year the government of the day announced in its budget nearly \$20 million or thereabouts to advance a national law. My recollection is that at the same time the then leader of the opposition, Mr Bill Shorten, indicated that he would support having a national scheme and that if he were elected to office he would also advance that.

For a lot of reasons, that was at least bringing together an indication by both major parties at the national level that they would advance a national law and all the more reason, we consider, that we should progress with repealing this legislation. Nevertheless, that will be a matter for the parliament when the parliament resumes in September. I do not doubt that we will all be watching with interest what happens at the national level in the meantime.

Mr SZAKACS: Attorney, I would like to go back to an answer you provided to my previous question regarding advice and adequacy in respect of other laws outside labour hire licensing. Did the advice you received indicate specifically which laws were adequate or that broadly speaking the laws outside the Labour Hire Licensing Act were sufficient?

The Hon. V.A. CHAPMAN: I was just informed broadly speaking. There are times when I have been provided with a list of different laws that do apply. I will ask the commissioner if he would like to add anything to that as to the areas of law that were purporting to adequately provide for the protections of those who are vulnerable in this area.

Mr SOULIO: Each of the members of the task force was asked whether there were any areas of their current legislation that they thought should be amended so that they could better enforce or use their powers under their specific laws, as we were looking at the legislation generally. The answer we received was that the members of the task force did not indicate that there were any areas of the legislation they administered that needed to be amended. They did raise some questions around their ability to share data, which is the only thing we have looked at.

Mr SZAKACS: Attorney, did the advice that you received from your task force in respect of the laws outside labour hire licensing provide advice as to what body of law allowed and provided for the sharing of SAPOL criminal intelligence to remove the right of a dodgy provider to operate?

The Hon. V.A. CHAPMAN: I do not recall receiving specific advice on that, but I will inquire of the commissioner and he might be able to assist.

Mr SOULIO: No, no information was provided by SA Police.

Mr SZAKACS: Attorney, did the advice that you received from Mr Soulio or other members of your task force identify which of these other laws you speak of mandated a labour hire operator to report their wage and superannuation compliance?

The Hon. V.A. CHAPMAN: No, I do not recall that. I am mindful that obviously a failure to provide someone with their wage entitlement and/or superannuation obligations by an employer, of course, has some remedy in the South Australian Employment Tribunal, which is a tribunal under my area of responsibility to populate—that is, to appoint the judges. In that regard, obviously we have both laws and a tribunal specialised for the purposes of enforcing people's rights in relation to their entitlements for salary, benefits, superannuation and the like.

Mr SZAKACS: Attorney, my question specifically was: what advice did you receive about the existing law and the positive obligations that that would impose upon an employer to positively report their wage and superannuation compliance?

The Hon. V.A. CHAPMAN: I do not recall receiving any advice on that. I will check with the commissioner whether there was anything in the task force that was raised as a concern and/or reported on.

Mr SOULIO: No. Again, we asked whether there was any requirement for strengthening of laws and the answer was no. As to whether specific reporting requirements for RevenueSA or ReturnToWork are considered not strong enough, that was not raised as part of that consultation, as far as I can recall.

Mr SZAKACS: Attorney, did you receive any advice from your task force in respect of or pertaining to the capacity for any of those agencies to apply a fit and proper test in respect of the granting of a licence for a labour hire operator to operate or undertake business in South Australia?

The Hon. V.A. CHAPMAN: No, I do not recall that being in relation to the task force. From memory, it was a subject raised in the federal government's review—not necessarily an incapacity to do it but who should do it and things of that nature. I do not recall anything in the state task force, but again the commissioner was chairing those meetings and so perhaps he could assist.

Mr SOULIO: I am just trying to follow. Where they have to provide a licence—is that the nature of your question? Are those agencies required to license a labour hire operator? At the moment, labour hire licensing as such would only sit with me; they do not provide a labour hire licensing function.

Mr SZAKACS: My question goes to the heart of the advice the Attorney received. The Attorney provided a response to this committee just a moment ago that the advice came that the existing laws were sufficient. My question relates to the provision of a labour hire act which allows

for a fit and proper test to be applied. Where does that exist in other law, and did you receive advice on that from your task force?

The Hon. V.A. CHAPMAN: I think the member is at cross purposes or perhaps I had not explained it clearly enough. The stakeholders were suggesting that the laws under which they operate away from the labour hire act provided adequate protections in relation to the areas for which they were responsible and for which they made that. The issue of having a fit and proper person test for the purposes of the labour hire act is something under Mr Soulio's responsibility. Therefore, they did not suggest that there was another law which currently makes provision for that process.

They were simply saying the laws under which they currently operate outside of a process of registration, which is really what the labour hire act is all about, requires people to go through a process, pay a fee and be assessed for the purposes of being eligible to be registered and, if you are not registered, then you face severe fines if you purport to operate as a labour hire company. That is the gist of it. In the stakeholders' round table, they were saying as such, that they saw adequate protections under the existing law, that is, away from the labour hire act.

Mr SZAKACS: And that is the line of my questioning, Attorney. It is to establish the nature of that advice and particularly on which parts of the law the task force advised you and how the workers of the state can—

The Hon. V.A. CHAPMAN: Not on that because they were telling us a different story. They were telling us that they did not need to have that and that they were happy with the laws they had.

Mr SZAKACS: I move on to some statements you made in November 2018 in respect of the task force, where you note:

To more effectively tackle the issue, the taskforce will now focus on protecting vulnerable workers by sharing data that would more effectively identify, and potentially prosecute, those unscrupulous operators...

Attorney, does the task force still meet?

The Hon. V.A. CHAPMAN: I will make that inquiry of the commissioner. Yes, it meets every six weeks or so.

Mr SZAKACS: Does the commissioner still convene and chair that task force?

The Hon. V.A. CHAPMAN: Yes.

Mr SZAKACS: Attorney, can you advise which government agencies continue to participate in that task force?

The Hon. V.A. CHAPMAN: The same.

Mr SZAKACS: Attorney, are you aware that in Estimates Committee B last week ReturnToWorkSA Chief Executive, Mr Cordiner, advised that ReturnToWorkSA does not participate in the task force?

The Hon. V.A. CHAPMAN: He may not have known, but they do.

Mr SZAKACS: So your advice is that ReturnToWorkSA does participate in that task force?

The Hon. V.A. CHAPMAN: Correct.

Mr SZAKACS: How does that task force periodically report to you? You mentioned that it meets every six weeks. Is there periodic reporting on the success or otherwise of the stated goals or aims of that task force?

The Hon. V.A. CHAPMAN: Not directly from them. I do, however, meet with the commissioner on a monthly basis and, in addition to that, on an as-required basis, when he reports to me on all current matters within his portfolio, which is pretty extensive, really.

Mr SZAKACS: Has any of the work undertaken by this task force led to charges being laid or prosecutions being successful against any labour hire operators?

The Hon. V.A. CHAPMAN: Not that I am aware of. Just to be clear, this is not some investigative body; this is a task force upon which to give advice.

Mr SZAKACS: To be fair, your public statement says that it would 'effectively identify, and potentially prosecute'.

The Hon. V.A. CHAPMAN: I am just indicating to you—and if I could just finish, please—that it has a principal role obviously in relation to considering the adequacy and effectiveness of the legal structures that it has and to provide advice but, in fairness, as part of being more effective, to meet from time to time and identify if there are particular companies that are showing up on each of their books.

I think the theory that fits with this is similar to agencies that work together to identify perhaps families that are vulnerable. It might be police and welfare agencies and the like meeting and, similarly, the agencies that have a role in this case of protection of workers and provision of their recovery for work, safe workplaces, obviously taxation in the sense of compliance, paying the fees and obligations that they are there to meet, including the PAYG wage taxation now for employees.

The Small Business Commissioner in his mediation or advisory work may come across the companies that are exhibiting some problems. When I say companies, I am talking about this generally as perhaps employers who for whatever reason are showing up as having some deficiency. There may be some indicia as to a company that, if it is not compliant in one area, may not be compliant in another. Getting into financial difficulty starts to show up when people do not pay all the payments they should, do not provide adequate and safe procedures, do not provide enough supervision for safety in the workplace. All these sorts of things can sometimes, as an aggregate, show up someone who may be exhibiting some minor breach or failing but not necessarily enough for a prosecution.

But once they have been identified, and the committee members can go off and perhaps re-examine further in their own areas of responsibility whether the company has shown up in that way, they then can discuss whether there is any process for prosecution. But, as you might appreciate, the prosecution of these matters is not by the task force. It is by the individual areas of inspectorate and responsibility that these agencies have, and that may be Mr Soulio, as the Commissioner for Consumer and Business Services; it may be SafeWork SA, etc.

Mr SZAKACS: Attorney, has the commissioner advised you of any of those red flags or indicia, which you note, giving cause for any agency to take action or—

The Hon. V.A. CHAPMAN: To prosecute, you mean?

Mr SZAKACS: No. You have noted that there have been no prosecutions, but I am interested in whether there have been any red flags or indicia that have given cause for any other types of actions or intervention from the agencies.

The Hon. V.A. CHAPMAN: You mean to suggest that there might be some inspection or visit, to clarify?

Mr SZAKACS: Short of prosecution.

The Hon. V.A. CHAPMAN: Something short of prosecution. I will make some inquiry on that. Can I just say that in the time frame that this task force has been meeting, I am not necessarily suggesting that there have been no prosecutions at all in relation to any of these areas. Each of these agencies may well have taken up action in their area of responsibility in that time.

To the best of our knowledge, there has not been a prosecution by a body within this task force as a result of the task force itself meeting and exchanging information. That is correct. I am also advised that there are other agencies—I have not said who they are, but I think you can probably imagine who they might be—conducting investigations from which prosecutions might result. But in relation to your secondary question, regarding something less than a prosecution as a result of red flags or indicia that show up, I will ask the commissioner if there is anything he can add to that.

Mr SOULIO: I have not had any complaints or concerns raised in relation to individual operators. There are obviously members of that task force who are conducting investigations in relation to activities within this space that would be inappropriate to comment on. One of the ideas of the task force is to bring together those agencies to compare notes where we can, from a data sharing point of view, to determine who should be a lead agency, for example, if there is information

that is appropriate to share where the conduct may overlap with multiple agencies. So there is some work that is yet to be done in relation to that but it has not come to my attention regarding specific operators of concern as a complaint to my office.

Ms BEDFORD: I refer to Budget Paper 4, Volume 1, page 29 under dot point 3:

...provide dispute resolution services for consumers and traders that support a fair, safe, and equitable marketplace in South Australia

What help is available for small business subcontractors when entering into contractual terms at the outset of their venture?

The Hon. V.A. CHAPMAN: That is an important question, but it is actually the responsibility of the Small Business Commissioner, who is sitting behind me.

Ms BEDFORD: I have some questions about petrol pricing, ticket scalping and other things, so perhaps we will wait before we move people around, or I can wait until the end of the session.

The CHAIR: Member for Florey, if I can help here, ask your Consumer and Business Services question first.

Ms BEDFORD: On petrol pricing, has any thought been given to establishing a price watch system similar to that in Western Australia to provide some sort of security and certainty for consumers here in South Australia around petrol?

The Hon. V.A. CHAPMAN: I think it is fair to say that we have just about considered every state. In short, obviously we made an election commitment to investigate the feasibility of introducing a mandatory fuel price disclosure, and pretty much we have been around the country. We undertook a review of the different schemes introduced in Western Australia, as you have mentioned, as well as New South Wales, Queensland and the Northern Territory, to ascertain what would be appropriate to implement a similar scheme here.

In particular, we gave consideration to the Northern Territory's MyFuel scheme, which was introduced in November 2017, and the Queensland model that was being proposed following the Queensland government's announcement of 1 May last year. After we came into government, they then started this trial, which is to be over a period of two years and will conclude in November 2020. Similar to the New South Wales scheme, the NT MyFuel scheme requires the collection and publication of all service station fuel prices, and the data that is collected is recorded and managed internally within government.

In contrast to the schemes operating in New South Wales, the NT and Western Australia, the scheme in Queensland is managed by a third party that has developed the platform for the collection of data. CBS undertook consultation with these jurisdictions to gauge the nature of the costs involved in developing the required IT infrastructure and to better understand some of the operational issues, resource requirements and potential business impacts associated with the implementation. CBS also met with Informed Sources on a number of occasions to discuss fuel price transparency in a broad context on the basis that it would not reduce fuel prices prior to being awarded the contract to manage the Queensland scheme at significant cost to government.

There is quite a lot of other information here, but I think it is fair to say that we are keen on looking at and, if possible, implementing a scheme if it reduces the cost-of-living pressures on South Australians, if it works and if it is cost effective in that space. It seems that, whilst we have looked at a number of other jurisdictions, including the Western Australian model, the best so far is this trial that is happening in Queensland.

You might recall I reported to the parliament that one of the concerns in relation to the project that was introduced some time ago now in New South Wales, of which there was a review then done in Victoria, was that it pushed the prices of fuel up. The last thing we want is to have a scheme that has that negative effect. It is a work in progress. Yes, we have considered that model in Western Australia, and at this stage we have indicated that we will await the review in Queensland.

Ms BEDFORD: Do other states experience the 40¢ jumps that we do?

The Hon. V.A. CHAPMAN: The increased price of petrol is one issue that is always of concern and, where it happens, really the only remedy at present is for the person who is adversely affected or who identifies this to report it to the ACCC, which is the body responsible for dealing with that type of price management.

Ms BEDFORD: So other states do not have a 40¢ jump?

The Hon. V.A. CHAPMAN: I am sure they do, but I do not have the detail of it. I am just saying that the regulatory body to deal with that is the ACCC.

Ms BEDFORD: I have a question about your implementation of ticket scalping measures. Have the ticket scalping prevention measures been successful?

The Hon. V.A. CHAPMAN: I thank the member for the question. There is quite a bit of information here. I am happy to share it with the committee.

Ms BEDFORD: It would just be nice to know if we have actually—

Mr PICTON: Caught anyone.

Ms BEDFORD: Yes, prosecuted anybody. The answer is probably no.

The Hon. V.A. CHAPMAN: Let me identify the stats, if that is what you are really looking for.

Ms BEDFORD: It is a big problem.

The Hon. V.A. CHAPMAN: Thirty-three complaints have been received from members of the public and 16 are currently being assessed. At this stage, there have been no prosecutions for breaches of the act; however, complaints will continue to be assessed as they come in. While it is still early days in terms of assessing the legislative effectiveness, I note that consumers are using these laws. The act requires the legislation to be reviewed within two years, so that is late next year.

I would mention that, as of 18 July 2019, 20 notices have been issued by CBS for the removal of ads selling tickets to events such as Metallica, Hugh Jackman, The Showdown and Michael McIntyre. In addition to cracking down on ticket scalping, the government also took action to protect consumers by legislating a minimum validity period for gift cards. I hope that is of assistance. The commissioner next to me here has obviously been vigilant in this space, issuing notices and dealing with complaints, but to date there have not been any prosecutions.

The CHAIR: Member for Florey, you have a supplementary question—

Ms BEDFORD: I do indeed.

The CHAIR: —and then I will go back to the member for Cheltenham.

Ms BEDFORD: How does that compare with other states? It is the same as petrol in a very roundabout sort of way. We all have the same problems. Is our rate of looking at ticket scalping as effective as in other states? What are we seeing?

The Hon. V.A. CHAPMAN: I could ask the commissioner. The commissioner is not indicating that he has familiarity with that. It is pretty new, let's face it, but I suppose it is something he could raise and I could ask him to raise at his next meeting of CBS. We are meeting at the end of August. Ministers are meeting and of course the commissioners and/or deputy secretaries, or whatever they are called. Anyway, ours is a commissioner, and there were—

Ms BEDFORD: So that is something else we could take a lead in. Our state could take a lead in that.

The Hon. V.A. CHAPMAN: We are meeting at the end of the month and I am happy to take that up at that meeting to see whether there has been any success. Let me just say in relation to ticket scalping that I would not call it the same as fuel. I think we are dealing with a different phenomenon here.

Ms BEDFORD: I did not mean exactly the same as fuel, but a system of some kind.

The Hon. V.A. CHAPMAN: In this instance, I suppose we are trying to protect the potential event attendee from unfair exploitation of their desire to go to an event and from being seduced into paying a price, an extorted amount, that is just unreasonable by the second-hand purchase. There have been various ways of trying to deal with this—for example, by restricting the number of tickets one entity can buy, most of which is done online these days. Importantly, this is a law that says that, over this amount, you cannot onsell this ticket. Unfortunately, people who are desperate to go to a special football game or a particular concert or an important event for them can be vulnerable to pay those funds.

Ms BEDFORD: So we need some undercover ticket buyers, don't we?

The Hon. V.A. CHAPMAN: Well, if that is a job that the member for Florey is looking at in the future, I will bear that in mind.

Ms BEDFORD: You are seeing me off already?

The CHAIR: Member for Florey, you have a question that we will come to later for the Small Business Commissioner.

Ms BEDFORD: I have another one about residential villages, but I will get to that in a minute.

Mr SZAKACS: Attorney, I have a follow-up and a clarification in respect of your previous answer around fuel watch. Is this committee to take from your answer, which was particularly comprehensive, that you will not be pursuing an introduction of fuel watch monitoring?

The Hon. V.A. CHAPMAN: Perhaps you were not listening. I will try to be brief in my follow-up on this. We made a commitment to investigate what options were available. If it turns out that, metered down, the Queensland option is the best so far, that may have promise in this regard—we do not want to have a situation as is purported to occur in New South Wales, where prices go up as a result of having this type of real-time product to supervise the price of fuel—and make that available to the consumer so that they can make wise choices.

Obviously, we are hopeful that if that is the case it may be something that we can immediately progress. It does not conclude as a trial until November next year, and in light of the other models having different areas of weakness, I suppose, we are still hopeful that Queensland might have the answer. If it does, then that is something we can pursue down the track.

Mr SZAKACS: Sir, I have more questions in relation to CBS. Would you like me to continue?

The CHAIR: Yes, we can move to that because I think the member for Florey has a question.

Ms BEDFORD: One thing I want to know before we—

Mr SZAKACS: No, CBS. The current advisers are with the Attorney.

The CHAIR: Okay, you are still going. Yes, that is fine.

Mr SZAKACS: Attorney, can I take you to some questions in respect of the exemptions gazetted on 6 June 2019 regarding the Labour Hire Licensing Act. In particular, I would like to ask you a couple of questions in regard to the exemption for providers where the provision of labour hire services is 'not a core function of the business'. Would you please provide advice on how the 'core function' of a business will be assessed?

The Hon. V.A. CHAPMAN: The commissioner will have the conduct of that application, so I will invite him to advise the committee as to the application of that.

Mr SOULIO: Thank you, Attorney. This arose due to a number of concerns that were raised by industry around the fact that, for example, a medical practice loans a doctor to another medical practice to deal with a particular increase in work. Their core function is a medical practice; it is not a labour hire firm. The idea behind that exemption is that the core function is labour hire rather than an ad hoc one-off provision of labour.

The concern we were receiving was, 'I'm not a labour hire firm. This is not the intention in relation to this, but from time to time I will provide an electrician from my business to BHP,' or, 'I'll provide a doctor to another service to assist them. Am I caught by this?' and that is the idea behind

the exemption. If it is identified that there are gaps or loopholes in that, we can certainly address that through a change to the exemptions or a change to the act. It needs to be fairly fluid.

What we are finding is that the definition created previously probably caught some that we did not anticipate when it was developed, and we are now trying to tidy that up a little bit as we go through this process. It is fluid enough that where outliers arise I think we will deal with it as we need to.

Mr SZAKACS: Attorney, I take it that you or Mr Soulio would have taken advice in respect of these exemptions that were gazetted. Mr Soulio's answer goes to a very specific case of a medical practice, but there are potentially countless examples where Mr Soulio will need to assess the balance by which a business undertakes labour hire services or other business. Based upon the advice that we have seen in previous evidence to parliament or the committee on this stage, dodgy labour hire companies will go to no end to structure their businesses to get around the best part of regulation or law. Will you advise whether the 'core business', as quoted in the exemption, may go to the assessment of the total quanta of payroll?

The Hon. V.A. CHAPMAN: The commissioner may inquire as to that being a feature upon which they might make the assessment of whether it is a core business. That is one factor that could be considered, namely, the percentage of payroll. It might be, say, more than 10 per cent that relates to people who are employed for the purposes of making them available to other agencies, but there could be a number of other features as well. I will quickly give you the exemptions in the *Government Gazette* that exclude providers where the provision of workers is not a core function of their business. I hope this will be helpful.

Mr SZAKACS: Point of order.

The Hon. V.A. CHAPMAN: Where it is not a core function of their business—

The CHAIR: Attorney, before you go on, there is a point of order.

Mr SZAKACS: The Attorney is kindly repeating my question and quoting from the provision on which I am seeking some further advice.

The Hon. V.A. CHAPMAN: No, I was going to give you some other exemptions.

Mr SZAKACS: My question specifically related to the way in which the commissioner will assess what is core business, not the other three or four dot points of the gazetted exemptions.

The Hon. V.A. CHAPMAN: I think it is important from the point of view of identifying—

The CHAIR: The Attorney can answer that question and give it some context, absolutely.

The Hon. V.A. CHAPMAN: Thank you. This is important from the point of view of assessing the percentage of payroll of the subject company (you might say 'dodgy provider') of the inquiry. The other exemptions relate to businesses that provide:

- workers to another business within the same group of companies, for example, a parent company supplying workers to a subsidiary company;
- workers to work in another business where both businesses are part of the same franchise;
- workers to work in other businesses that are not part of a franchise but are collectively operating using the same banner, branding or trade name; and
- a worker to another business where the provider is a body corporate with no more than two directors and the worker is a director.

It may be that in relation to the latter one the question of percentage of payroll would still be a factor, but it seems here that it relates to a small operation, as distinct from the percentage of the payroll. That gives you an example of where it probably will not be effective. When the commissioner is looking at these matters, I think that percentage of payroll would still be a factor that anyone would consider.

Mr SZAKACS: I appreciate that the Attorney has hypothesised about what may be taken into account. I am interested in whether you can today or on notice provide some further information to this committee about what the commissioner will be considering in assessing core business.

The Hon. V.A. CHAPMAN: The commissioner is happy to add to that.

Mr SOULIO: I can provide a little bit of context. The exemption relates to the provision of workers being a core function of the business, not the core function. That is on purpose so that we can assess if one of the arms or a core function of that business is the provision of labour hire. I regulate many industries—builders, real estate agents, car dealers, anyone. There was some talk about regulating brothels.

Where we deal with people who are trying to get around the laws, obviously we have a compliance function to try to assess those. Where there are entities who are trying to circumvent the laws, we will assess that by using structures to deal with it. Certainly, where a function is providing labour hire and that is identified as a core function, then either they get licensed or, if they do not, we will deal with them for unlicensed work.

Mr SZAKACS: The commissioner has responded to my question; thank you for that. Attorney, how does the portion of work that a business undertakes in respect of core or non-core functions in providing labour hire services have anything to do with the objects of the act and what they seek to achieve?

The Hon. V.A. CHAPMAN: The objects of what act?

Mr SZAKACS: The Labour Hire Licensing Act.

The Hon. V.A. CHAPMAN: The objects of the act, I think, are fairly clear in wanting to set up a licensing scheme to provide an obligation to be licensed if you are providing labour hire with a threat of deregistration and penalty if you do not.

Whilst I think that everyone in this committee, and indeed this parliament, wants to ensure that we have a legal structure, whether it is in a labour hire act or anything else, that has the effect of dealing with unscrupulous providers—in this case, of labour hire. In that regard, that is the important thing to achieve.

The commissioner has explained, however, that in the course of someone's business, such as the medical practice example he gave, the fact that one medical practice provides a doctor to someone else is clearly not intended to be caught by the purpose and objective of this legislation. It is not our law that this government endorses. We do understand the reasons for it. We think that as a government this is a law that is adequately covered in other ways. Nevertheless, the commissioner has made clear—

Mr SZAKACS: Cherry-picking objectives of the act.

The CHAIR: Order, member for Cheltenham! The Attorney is answering.

The Hon. V.A. CHAPMAN: —that he is implementing the assessment for the purposes of the application of the act. He is doing that, and in doing that he has identified a number of exemptions, which he is satisfied are clearly outside the objects of the act and should not be incorporated.

I do not think that even the member for Cheltenham would be suggesting that the medical practice in that circumstance, which has loaned a doctor to somebody down the road who desperately needs somebody to go and do the work for three months, should be caught by this. I would be absolutely astounded—

Mr SZAKACS: I suspect the objectives do not care what size the business is and what—

The CHAIR: Order! Member for Cheltenham, you have asked your question.

The Hon. V.A. CHAPMAN: I would be absolutely astounded if the member for Cheltenham is genuinely suggesting that, but in any event—

Mr SZAKACS: Do you have another example apart from the one doctor—

The CHAIR: Order!

Mr SZAKACS: —because you are relying on that one.

The CHAIR: Member for Cheltenham!

The Hon. V.A. CHAPMAN: I have just read out four different examples—

Mr SZAKACS: No, you read out the four other exemptions.

The Hon. V.A. CHAPMAN: —where the commissioner considers where a worker is not a core business of their operation.

The CHAIR: I just remind the committee that we also have open the Office of the Small Business Commissioner. I am happy to take questions on that or not, either way.

Mr PICTON: I have a few other CBS questions, and then we will swap at the end.

The CHAIR: We have 13 minutes. Member for Kaurna.

Mr PICTON: I refer to Budget Paper 4, Volume 1, page 30 and the introduction of revised liquor licensing fees. The 2018-19 budget foreshadowed that revised liquor licensing fees would raise \$3.2 million per annum. Is that figure still accurate, and when does the new licensing regime come into force?

The Hon. V.A. CHAPMAN: The \$3.2 million is accurate, and it is to commence 1 November this year for new licensees and 1 July 2020 for the existing.

Mr PICTON: Have any exemptions to the new fee structure been sought and, if so, have they been granted?

The Hon. V.A. CHAPMAN: I will ask the commissioner to indicate whether there have been any granted

Mr SOULIO: There have been no exemptions to fees granted at this stage.

Mr PICTON: Have any been sought?

Mr SOULIO: Not an exemption to the fees. There have been some concerns raised in relation to individual licence categories or individual businesses that are impacted, and we are looking at those on the basis of whether there are impacts that we need to consider—exemptions or changes—but at this stage that has not been addressed.

Mr PICTON: Why would some people get an exemption from the regime and others would not?

Mr SOULIO: I am not saying they will. I am saying that they have indicated that and we are having a look at it. As we have gone through, this there have been some outliers. As an example, and I do not like to name individual businesses, when the risk model was developed and when you look at trades after 5am in or near Hindley Street—we were approached because the Pancake Kitchen's fees were going to be \$30,000, and they are not considered high risk.

We need to look at outliers that were not picked up in the model. We do not necessarily appreciate every business model, but that was the sort of thing we would look at—outliers as they arise in a particular model when they are developed. At this stage, there are no other exemptions. They did not get an exemption, but there are no other exemptions at this point.

Mr PICTON: Maybe high risk for cholesterol. The 2018-19 budget also foreshadowed \$200,000 per annum from 2019-20 to be provided for a harm minimisation fund. Has that fund been established and what programs will be funded through the fund?

The Hon. V.A. CHAPMAN: I will ask the commissioner to outline that.

Mr SOULIO: That has not been established as yet. We are working through what that would look like and how it can be used to address harm. Part of the recommendations from the Anderson report were that a fund be established for harm minimisation. We have been focusing on getting the new legislation implemented and in place by November, which we are working towards at the moment, and then we will turn our minds to the use of that fund during the 2019-20 financial year. Looking at whether there is an education campaign that would be necessary to address some of the

issues in relation to harm and whether that is a grant system are still things that we are working through at the moment.

Mr PICTON: Who will approve the funding out of that and what will the process be?

Mr SOULIO: Yes, all of those things will be worked through as we come up with the final—

Mr PICTON: You do not know?

Mr SOULIO: No, not yet.

Mr PICTON: I have a question in relation to Budget Paper 5, page 15, Consumer and Business Services, regulatory fees. This measure raises an additional \$1.6 million per annum in fees, including for real estate agents, tradies, security licences, and births, deaths and marriages certificates. Can you outline what the rationale was for increasing those fees by 5 per cent, well above the inflation rate of 1.1 per cent?

The Hon. V.A. CHAPMAN: I think, as per the publication of the Treasurer at the time of the budget, the anticipated significant shortfall in revenue from GST that is forecast for the forthcoming financial year and the need to provide some revenue source to offset that foreshadowed shortfall. Accordingly, some of that is to be met, of course, from this 5 per cent measure.

Mr PICTON: So this was not a proposal from CBS or the Attorney-General's Department: this was a proposal from Treasury?

The Hon. V.A. CHAPMAN: From the point of view of actually providing one of the factors to be taken into account with the shortfall.

Mr PICTON: Have there been any complaints from industry bodies about the fee increases?

The Hon. V.A. CHAPMAN: I have not received them. I will inquire in a moment whether the commissioner has. Notwithstanding complaints that I saw published mainly from your party, member for Kaurua, I have not had anybody—any plumbers or any of these people—ring me or email me to say, 'Listen, I'm going to go broke because I can't afford the registration fee.'

Mr PICTON: Are you happy to talk to industry bodies that have concerns about this measure?

The Hon. V.A. CHAPMAN: Yes, I am happy to speak to any of the industry bodies in relation to any of the proposals that are outlined in our budgets, but I will inquire whether there is any information from the CBS and whether they have received any complaints or people coming in with their tools of trade to say that they are desperate and going broke.

Mr SOULIO: We have not had any notable increase in concerns about fees being increased. People are able to seek extensions if they wish to, but it has not been somewhere we have had a flood of complaints in relation to the new fees at this stage.

Ms BEDFORD: On Budget Paper 4, Volume 1, page 29 again, I am looking at the first dot point under highlights, where it talks about implementing licensing requirements for real estate property managers. Could you explain the difference between that and the problem that arose at residential retirement villages around the use of the common rooms, having happy hours and so forth?

The Hon. V.A. CHAPMAN: I do not know that that has anything to do with the second issue you have raised—

Ms BEDFORD: No, I am asking whether you can explain the difference. What does 'licensing requirements for real estate property managers' actually mean?

The Hon. V.A. CHAPMAN: I am happy to ask the commissioner to outline that, but in relation to your issue of whether a retirement village happy hour is caught or whether they have some capacity to be able to operate—and by operate, I mean have alcohol available to residents over the age of 18 years for a small fee; that is, it is not free—some local residents clubs within these residential facilities have operated these and sought some assurance that they are able to continue to provide this service as a happy hour. I think that has been satisfactorily resolved.

Ms BEDFORD: It actually has not. That is why I am asking—

The Hon. V.A. CHAPMAN: The commissioner is going to tell you how that can be attended to.

Mr SOULIO: Can I clarify? You raise the issue of the property managers' licensing but the question relates to the liquor licence.

Ms BEDFORD: What is the difference, yes.

Mr SOULIO: If retirement villages are uncertain about their obligations, I am happy to assist in relation to that, but the situation is that they do not require a licence to serve alcohol in their venues. They need to make sure that they are served by people who are over 18 and, not surprisingly, that liquor is only consumed by people over 18, but there is no requirement to hold a licence.

Ms BEDFORD: Does the commissioner's office have an interest in the correct application of the use of maintenance fees in these villages as well, or is that somebody else's problem?

The Hon. V.A. CHAPMAN: This is for the fees in relation to retirement villages?

Ms BEDFORD: Yes. I still have real issues in my area.

The Hon. V.A. CHAPMAN: That sits with the Office for Ageing Well, but if they want to have a drink at 5 o'clock the commissioner here is responsible for that and he is saying that they do not need a licence. Just for the purposes of *Hansard*, this has nothing to do with the property managers issue that you have raised. I do not take any issue with it. I just make the point that they are completely unrelated.

Ms BEDFORD: I still do not understand what the real estate property managers stuff is, but we will get to that later. We are running out of time.

The CHAIR: Are there any questions for the Small Business Commissioner? He is here; he is coming to the table. Member for Florey, did you want to go first?

Ms BEDFORD: The member for Kaurana can go first. My issue is longstanding. It is not like it is new.

Mr PICTON: Referring to Budget Paper 4, Volume 1, page 48, why is the Small Business Commissioner now reporting to the Attorney-General instead of to the minister who supposedly has responsibility for small business, minister Pisoni?

The Hon. V.A. CHAPMAN: As the member might recall, it is a matter for government to make a determination on who will be responsible for each unit within government, and the government have determined that the office will transfer to the Attorney-General's Department.

Mr PICTON: Yes, but why?

The Hon. V.A. CHAPMAN: That has occurred. In addition to that, he has retained a role in respect of advice on small business and reports to minister Pisoni.

Mr PICTON: Why is he now reporting to you?

The Hon. V.A. CHAPMAN: I think it is fair to say that the Attorney-General's Department has most of the integrity bodies, other than what might be dedicated, for example, the Health and Community Services Complaints Commissioner, for which we are responsible. The Small Business Commissioner has a role in relation to mediation and enforcement, if I can put it as generally as that. I do not mean to diminish his role. It is quite significant in areas in relation to building contractual arrangements, security of payments type work; farm mediation, debt mediation; and the retail and commercial leases area, to name his three areas of principal responsibility that is in the nature of a commission for the purposes of enforcement, which is consistent with other areas in the Attorney-General's Department.

Mr PICTON: Was it a proposal from the Small Business Commissioner himself to move between minister Pisoni and yourself?

The Hon. V.A. CHAPMAN: I am not sure whether he was consulted at the time. I am just the beneficiary of the transfer.

Mr PICTON: So it was not your idea either?

The Hon. V.A. CHAPMAN: I simply make the point that, as a member of cabinet, obviously I contribute to decisions of this nature. The role of the Small Business Commissioner, which I am sure would be well known to the member, is a commission to undertake both mediation and an enforcement role in relation to those areas of discrete compliance.

Whilst in some ways it is a similar role to the Commissioner for Consumer and Business Services, which has a responsibility, really, for the rest, that role most neatly fits with my office. However, the commissioner also has an advocacy role for small business as part of his charter under the legislation. As we in our government have a small business minister, it is appropriate that in policy development he receives advice from the Small Business Commissioner in that regard and continues to meet with him.

Mr PICTON: How many complaints has the Small Business Commissioner received from small businesses over the past 12 months and have they all led to dispute resolution cases being opened?

The CHAIR: Last question, member for Kaurua.

The Hon. V.A. CHAPMAN: Can I take that on notice because there are several different areas about which he receives material and it will take quite a long time to give you the answer, but I am happy to take that on notice.

The CHAIR: Having reached the allotted time, I declare the examination of the proposed payments to be completed.

At 17:15 the house adjourned until Tuesday 30 July 2019 at 09:00.