

HOUSE OF ASSEMBLY**Tuesday, 21 June 2022****ESTIMATES COMMITTEE A****Chair:**

Hon. A. Piccolo

Members:

Hon. L.W.K. Bignell

Mr D.K.B. Basham

Mr L.K. Odenwalder

Ms R.K. Pearce

Mr V.A. Tarzia

Mr J.B. Teague

*The committee met at 09:00**Estimates Vote***COURTS ADMINISTRATION AUTHORITY, \$93,709,000****Minister:**

Hon. K.J. Maher, Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and Public Sector.

Departmental Advisers:

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

Ms P. Croser, State Courts Administrator, Courts Administration Authority.

Ms L. South, Executive Director, Corporate Services, Courts Administration Authority.

Mr C. Black, Finance Manager, Courts Administration Authority.

The CHAIR: Good morning and welcome to today's hearing of Estimates Committee A. I respectfully acknowledge the traditional owners of this land upon which the committee meets today and the custodians of the sacred lands of our state.

The estimates committees are a relatively informal procedure and, as such, there is no need to stand to ask or answer questions. I understand that the minister and the lead speaker for the opposition have agreed an approximate time for the consideration of proposed payments, which will facilitate a change of departmental advisers as required. Can the minister and lead speaker confirm that is their understanding?

The Hon. K.J. MAHER: Yes, sir.

Mr TEAGUE: Yes.

The CHAIR: Changes to committee membership will be notified as they occur. Members should ensure the Chair is provided with a completed request to be discharged form. If the minister 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 2 September 2022.

I propose to allow both the minister and the lead speaker for the opposition to make opening statements of about 10 minutes, should they wish to do so, but there is no necessity to do so. There will be a flexible approach to giving the call to asking questions. A member who is not a member of the committee may ask a question at my discretion.

All questions are to be directed to the minister, not the minister's advisers, and all questions are to be directed through the Chair. The minister may refer questions to advisers for a response. Questions must be based on lines of expenditure in the budget papers and must be identifiable or referenced.

I remind members that the rules of debate in the house apply to this committee. Consistent with the rules of the house, photography by members from the chamber floor is not permitted while the committee is sitting. Ministers and members may not table documents before the committee; however, documents can be supplied to the Chair for distribution. The incorporation of material in *Hansard* is permitted on the same basis as applies in the house; that is, it is purely statistical and limited to one page in length.

The committee's examinations will be broadcast in the same manner as sittings of the house are broadcast: through the IPTV system within Parliament House, via the webstream link to the internet and the Parliament of South Australia video-on-demand broadcast system, so I would ask everybody to be civil and well behaved.

The portfolio 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-General to make a statement if he wishes to and introduce his advisers. I will then call on the lead speaker to make a statement or ask questions as we go along. Minister, the floor is yours.

The Hon. K.J. MAHER: I indicate that I do not intend to make an opening statement about the portfolio area, but I might make a couple of remarks before we get started on the day's hearing.

Firstly, I would like to join you in acknowledging the Kurna people as the traditional owners of the lands and seas of this area. The Adelaide Plains, the whole state and this whole country always have been and always will be Aboriginal land.

I want to thank the dedicated officers in the Attorney-General's Department in relation to all the areas I am responsible for today. They have put in a huge amount of effort for estimates. I know from my time some 20 years ago, working for a minister and in my second stint as a minister in government, the huge amount of effort that goes into preparing for estimates. We in this parliament only ever get to see a very small fraction of that work. I see some knowing nods from other people who have been ministers and who have had that experience with estimates.

I do not intend to make a statement about the portfolio or have government questions to allow as much time as possible for the opposition to ask questions. The administration of justice is an exceptionally important function in this state. I suspect a lot of it will be dry and technical, but it is critical that we allow as much time as possible for questions.

Before we get to questions, I would like to introduce those joining me today. To my left is the Hon. Chris Kourakis, the Chief Justice in South Australia. On my right is Penny Croser, the State Courts Administrator. Further to my left is Linda South, the Executive Director, Corporate Services and Chief Financial Officer. Behind me is Chris Black, the Finance Manager from the Courts Administration Authority. Sitting closest to us in the gallery are Caroline Mealor, the Chief Executive Officer of the Attorney-General's Department.

Andrew Swanson is the chief financial officer and, if my information is correct, he deserves a special mention. I am told that this year might be the 25th round of estimates he has been involved in, which no human should have to suffer, quite frankly. It is a remarkable achievement.

The CHAIR: Well done, Andrew, or commiserations, whichever way you would like to see it.

The Hon. K.J. MAHER: With that, I am happy to receive questions and answer to the best of my ability. Again, because it is an important and often technical area, if we are not quite sure of

an answer I will take it on notice and bring back a reply. I think it is important that we get the details as correct as we can for this area.

The CHAIR: So you will seek the advice of a QC or an SC to get an answer? The lead speaker for the opposition is the member for Heysen.

Mr TEAGUE: I have no opening statement and will move straight to questions. I refer to Budget Paper 5, page 12, operating efficiencies, at about point 3. The other page that might be convenient to have open for the moment is Budget Paper 4, Volume 1, page 131, program net cost of services summary and the net cost of services for each of the two programs within courts.

We see operating efficiencies for the department set out at page 12 in Budget Paper 5 and what appears to me to be a reduction in the budget in respect of program 1 in the order of \$2.5 million from the 2021-22 budget. Can the minister indicate whether or not that budget reduction is part of the overall operating efficiencies that are set out in Budget Paper 5?

The Hon. K.J. MAHER: So that I understand the question clearly, I assume the member is referring to page 131 of Budget Paper 4, the first table, where the 2021-22 budget refers to over \$89½ million.

Mr TEAGUE: That is it.

The Hon. K.J. MAHER: And the 2022-23 budget refers to just over \$87 million. Are they the two figures that are being clustered?

Mr TEAGUE: Exactly.

The Hon. K.J. MAHER: I can inform the minister that, in relation to the interaction between the operating efficiencies outlined on page 12 of Budget Paper 5 and the table referred to on page 131, the results of those operating efficiencies do not translate into page 131. The operating efficiencies outlined on page 12 are for the rest of the Attorney-General's Department. A decision has been made that the Courts Administration Authority will not have the operating efficiencies referred to in that table.

Mr TEAGUE: Good. That I think was something just to be clear about. The reduction in the budget from 2021-22 to 2022-23 that we see on page 131 is independent of those operating expenses in the department more broadly?

The Hon. K.J. MAHER: That is right. There are a range of things that make up that difference. I am advised that it is things such as the end of projects in terms of ECMS, the electronic court monitoring system, AVL infrastructure and a number of other things that are the end of projects rather than any ongoing reductions in operations.

Mr TEAGUE: So it would not be correct to read that as a \$2.5 million reduction in funding available to the courts insofar as some aspects of that are the end of projects that have been budgeted over time?

The Hon. K.J. MAHER: That is what I am advised. Certainly, as I have said, the operating efficiencies that are required of the department on the whole, on that table you referred to on page 12, do not apply to the Courts Administration Authority.

Mr TEAGUE: Stepping back then, having identified those things, I realise this is not a section 29 context, so I will ask the question through you, minister, but it is really a question for the Chief Justice. In relation to the process for budgeting via the council—and I am concerned with the court's independence here—is the Chief Justice able to identify the extent to which he is satisfied that sections 24 and 25 budgeting and presentation to the minister processes have been completed to his satisfaction and the extent to which, therefore, the budgeting process has followed that contemplated by the act?

The Hon. K.J. MAHER: The advice is that a budget was put in that matches what we see here today.

Mr TEAGUE: When you say that a budget was put in, is there any extent to which the courts have identified how the courts might deploy additional funds, for example, or if the courts were proposing, 'Well, we can do with less; we have come to some landing point'?

The Hon. K.J. MAHER: I am advised that what is requested is put in so that it can match what is available.

Chief Justice KOURAKIS: Can I just explain?

Mr TEAGUE: Please.

Chief Justice KOURAKIS: There was a time a few years ago when, in submitting the budget for approval in accordance with the Courts Administration Act, that the Courts Administration Authority would identify shortfalls and it was not the budget that we wanted. I adopted that approach in the hope of having Attorneys consider, independently of the state budget process, the discretion under the act to approve an expenditure budget. That did not have traction in terms of Attorneys taking that up. We have fallen back now into the practice of simply putting in a budget for the Courts Administration Authority which matches the reality of the state budget, and Attorneys have simply signed that.

Mr TEAGUE: Forgive me for staying with that point for just a moment but, when you say that it matches the reality of the state budget, what is the chicken and what is the egg in that?

Chief Justice KOURAKIS: What I could have done, and what we could do under the act, is put in a budget that actually reflects what all our needs are and put the Attorney to the test of putting a red pencil through them. That is what I tried some years ago. It did not change the reality of the state budget. We now simply submit a letter asking for approval of an expenditure budget which matches the state budget, and that is what we submitted on the last occasion.

Mr TEAGUE: So, in terms of the processes that are contemplated by section 24 and section 25 of the act, it is operating de facto somewhat in reverse or fully formed?

Chief Justice KOURAKIS: Before I started this process nothing was done like that. Now we have it formalised with a document, and the thing I attempted some years ago I have stopped trying.

Mr TEAGUE: When you say before you started, that is before the commencement of your time as Chief Justice?

Chief Justice KOURAKIS: Yes.

Mr TEAGUE: Your predecessor adopted a different process, but it started out, as it were, stepping through section 24 and section 25 front-loaded, and now it has reverted to a kind of fit-for-budget approach?

Chief Justice KOURAKIS: Yes.

Mr TEAGUE: I am just trying to come in to land on what the offer acceptance is, for want of a better word. When you are aware of the budget and then making it fit, is it that you are these days presented with the available funds and you are doing your best to work within what is presented?

Chief Justice KOURAKIS: Yes, and what we are presented represents negotiations and requests.

The CHAIR: I need to remind members that all questions should be through the minister, and the minister then refers to the advisers, please.

Mr TEAGUE: All of which I accept. Thank you, Chair. Minister, not to put too fine a point on it, because the agency obviously sits independently for a reason, you are satisfied, are you, that in relation to the budget process there is no sense in which section 31 has come into play? What steps do you take to avoid section 31 problems if that is the process that has been entered into?

The Hon. K.J. MAHER: I have no advice that any part of the Courts Administration Authority governing legislation is not being complied with in terms of how the budget is progressed. In terms of what makes up a budget, as most people know, that is subject to discussion and negotiation: it is

not published in the budget papers. We do not discuss those things, but I have no advice that anything is not being complied with properly.

Mr TEAGUE: I am not suggesting that there is. In terms of the extent to which you have turned your mind to section 31, or the courts have, vice versa, I take it that you have satisfied yourself that the budget for the courts is such that there is no difficulty in relation to section 31 vis-a-vis funding for the court?

The Hon. K.J. MAHER: As I say, I have no advice that sections are not being complied with at all.

Mr TEAGUE: And you have had no concern raised in that regard?

The Hon. K.J. MAHER: I have had no concern raised in that regard.

Mr TEAGUE: I see that the Chief Justice is shaking his head, so that is good news. It is really more a question for the department in the next session, but there have been news reports at least associating the additional funding for the DPP in respect of Ironside to facilitate the court process. To what extent are additional funds in respect of Ironside directed to the courts, as it were, to facilitate any case load from a court's point of view as opposed to the DPP's point of view?

The Hon. K.J. MAHER: I am sure if I get any of this wrong I will have one of my advisers let me know. It is about \$8.8 million over the next four years in relation to Operation Ironside. To the best of my memory, \$2.8 million of the \$8.8 million is for the Courts Administration Authority for security upgrades, Sheriff's Officers, the things that the courts need to do to facilitate those prosecutions.

In addition to that, there are upgrades, I think, to three courts in the Sir Samuel Way Building. Courtroom 3 was recently refurbished for another matter. Courtrooms 8, 18 and 19 have been identified for modifications to accommodate the large needs of multidefendant cases that will occur in Operation Ironside. Those works will be undertaken in 2022. Those courtroom modifications will enable a security model utilising Sheriff's Officers to increase the number of defendants that will necessarily be in the docks for some of those cases.

To summarise it, it is \$6 million for the DPP for these exceptionally complex prosecutions. I think Ironside sees something like 110 people charged and cases that will involve multiple defendants, eight or so defendants. I think there are some cases involving multiple defendants that might have 80-odd interrelated charges, so it will be very, very complex. So \$6 million of that \$8.8 million is for the DPP and \$2.8 million is for the Courts Administration Authority as necessary.

Mr TEAGUE: Minister, again these are questions that are primarily for the next session in terms of the department, but you just indicated that there is \$6 million for the DPP and \$2.8 million for the courts. I just flag, and I will ask some more questions about this in the department section, there is no money earmarked in that \$8.8 million for the Legal Services Commission. I am conscious the Legal Services Commission has an agreement in relation to those that it would represent that would therefore operate in the usual course.

Insofar as this session is concerned, and I have couched it in terms of section 31, my question is: to what extent is it interesting, for want of a better word, for the courts to be satisfied that that the \$6 million that is applied for the DPP is going to make the prosecution side functional, and to what extent is it interesting for the court to be satisfied that the LSC is appropriately funded to the extent that its burden will be increased as a result of Ironside?

The Hon. K.J. MAHER: I think there might be more that can be said in an hour's time when we have AGD in terms of the Legal Services Commission and the process for cost pressures for the LSC if necessary, but these were identified as cost pressures as part of the budget process, so that is what we have for the DPP and for the Courts Administration Authority for Ironside.

Mr TEAGUE: Staying with that for one moment further, the \$2.8 million applied to the CAA that is couched in terms of Ironside is a bit special, I suppose. But how desirable is it in the course of budget processes year to year and over the medium term to earmark the provision of funds in respect of a particular investigation? This is an unusually large one.

These are court facilities requirements that are presumably desirable in the broad. Is it, as it were, good news for the courts that there is a need and that therefore \$2.8 million is applied so that the court facilities are improved? To what extent is it desirable to earmark that against a particular investigation and an anticipated load for that particular purpose?

The Hon. K.J. MAHER: I think you have earmarked it correctly. It is good news for the courts that there are upgrades that occur. It is also the case that it is good news that court upgrades will not be undone after the Ironside cases, but it is also good news in terms of the funding that has been provided not just for the Courts Administration Authority but also for the DPP. It is good that this will make sure that these trials are efficiently handled, but it is also good in terms of what the court would otherwise be doing without this funding.

There could be a potential impact on the other matters that the courts or the DPP would be running, so it is not just good for this case but, as you have identified, there are benefits in terms of upgrades that will survive beyond this. It is also important that these extra resources and funding are provided so that the other business of the DPP in courts, the regular business if you want to put it that way, can continue as effectively and efficiently as possible.

Mr TEAGUE: At page 133, Budget Paper 4, Volume 1, at about dot point 5 on the page, the first line in the program summary, the estimated result column 2021-22 has an intragovernment transfer of \$1 million. Can the minister just indicate what that is about? Do you see that?

The Hon. K.J. MAHER: Yes. I am advised that that is money coming in to help with looking at options for High Court redevelopments.

Mr TEAGUE: So it is earmarked as opposed to a broader top-up?

The Hon. K.J. MAHER: Yes, that is my advice at this stage.

Mr TEAGUE: I am going to ask some questions about the case load in the various courts and by reference to the criminal and civil courts statistics.

The Hon. K.J. MAHER: Is there a particular page?

Mr TEAGUE: Yes, there is, but I am just flagging the broader topic. Firstly, perhaps it might be convenient to turn to the bottom of page 133 of Budget Paper 4 and Volume 1 still. We see the Sub-program 1.1: Criminal Jurisdiction heading, and then over the page we see the highlights and targets that follow. By the time we get to the bottom of page 134, there is the performance indicator table for the jurisdiction.

The row that I am just concerned with is, in particular, the District Court percentage of lodgements pending completion that are greater than 12 months old and the target in 2021-22 is 10 per cent, which remains the target for 2022-23. The estimated result in 2021-22 is 27 per cent. Is there any particular factor or range of factors that that might be ascribed to? Perhaps rather than rehearsing those questions in respect of the Magistrates Court and the Youth Court in particular, the same questions might apply to those that are at the top of page 135.

The Hon. K.J. MAHER: I have some advice for the District Court target that, as is identified, it is significantly above what is the actual, the estimated. I am informed that these are the targets used by the Report on Government Services (RoGS), published by the Steering Committee for the Review of Government Service Provision. The significant variance, I am informed, is largely due to the effect COVID has had on jury trials in terms of the District Court. I think the member flagged a similar question—I assume from the top of page 135—where there is a similar variance for the Magistrates Court, and I will get some further advice.

Mr TEAGUE: I am quick to note that the Magistrates Court and the Youth Court seem to be held to the greater standard of six months, rather than 12 months. I said they were the same, but they are actually not. The Magistrates Court looks like it is a greater figure, but in fact it is a greater threshold. The comparator is really the second row.

The Hon. K.J. MAHER: I am further advised that the targets we see here are not targets that we set down ourselves; they are the targets that are set down—the RoGS targets, the national targets.

Mr TEAGUE: I am aware of that. You have indicated that COVID is the cause in the District Courts cases. Is that the same for the Magistrates Court and the Youth Court?

The Hon. K.J. MAHER: I am informed that it has had some impact, but the results in those jurisdictions are not hugely at variance with historical levels of the targets that are set down. I know from previous experience—and the honourable member is probably aware of this from his time in government as well—that often with the Report on Government Services there are variations between jurisdictions, so you are not necessarily comparing apples with apples when you set down national targets.

For various reasons, there are differences in the way different courts and different services are provided in a whole range of areas. My advice is that for the Magistrates and Youth Court, yes, there has been some influence of COVID on these figures but that historical figures are much higher in those areas than the RoGS target sets down.

Mr TEAGUE: Are you satisfied with the results, particularly in relation to the Magistrates Court and the Youth Court? Are you anticipating those to improve against the target, burdened as you are with a RoGS set of targets?

The Hon. K.J. MAHER: It is hoped, I am advised, that post COVID they will get slightly better, but I am informed that historically they are higher than the national target that we do not set down.

Mr TEAGUE: Back on page 134, in respect of the District Court do you expect that to resolve itself because that is down to COVID?

The Hon. K.J. MAHER: I am advised that, in part, we would expect that, but the effect on jury trials has meant that that may have been even more pronounced than the historical variance from those national targets.

Mr TEAGUE: I am not sure what is best to refer to more particularly in terms of the budget line item, but maybe page 137 at point 4 on the page. My question is in relation to the provision of associates in the District Court. In terms of the FTEs, is there any provision more directly for additional associates in the District Court? Do you have any sense in which that may contribute to achieving or improving on the achievement of targets?

The Hon. K.J. MAHER: I am advised that Ironside funding—the part that is for the Courts Administration Authority—will be provided for associates in superior courts to help with that.

Mr TEAGUE: So part of that 2.8?

The Hon. K.J. MAHER: In relation to the specific question the member asks, I am advised that part of that \$2.8 million of the Ironside funding is directly related to being able to provide for more District Court associates.

Mr TEAGUE: You talked before about the corollary long-term flow-on benefits of having such particular funding that goes to courts so that they are enhanced for their normal business in the long term. If it is part of that \$2.8 million, can you assure those on your left and your right and in this committee that that will find its way into the budget, beyond the \$2.8 million, once it is required?

The Hon. K.J. MAHER: I can inform the member that the \$2.8 million is provided over the forward estimates over the next three years.

Mr TEAGUE: Yes, and it has this tagline associated with it. Given that—and I am not asking you to indicate what is to happen beyond the forward estimates—is it your expectation that therefore the provision for associates is with respect to a temporary need of the courts and it will just revert back afterwards, or is it your expectation that that is a reform that continues now?

The Hon. K.J. MAHER: Like all the funding for the Ironside case, the total \$8.8 million is provided for the Ironside case. If there are needs identified, they can be considered in future budgets, but the money that is provided for the Ironside case is provided, as I have said before, for the prosecutions of those matters, but also to have the benefit of allowing the other things the courts and the DPP do to keep running efficiently while the Ironside matters run. The funding for the various areas of the \$2.8 million is for the Ironside case, which I think was the member's question.

Mr TEAGUE: Just to be clear, it is not an Ironside case: it is an Ironside investigation that is going to lead to, we are told—

The Hon. K.J. MAHER: Indeed, it is for the effect on the courts and the DPP of the prosecution of what has resulted from what we know as the Ironside investigation. If there are future needs identified, they can be looked at in future budgets.

Mr TEAGUE: So we are clear, I understand that answer to be putting the court on notice: 'Don't count on your associates beyond the Ironside process.'

The Hon. K.J. MAHER: Just to be clear for the member, it is not putting the court on notice not to count on it; this is very clearly a cost pressure in relation to these prosecutions. This is not something where I think there has been any expectation that the \$6 million provided to the DPP for the Ironside prosecution will continue every year after that.

Similarly, the other parts, in terms of Sheriff's Officers or associates who will be required to provide for that will continue afterwards, I do not think it is putting anyone on notice that, 'Hey, this might stop.' It is the case that these are provided specifically as a cost pressure for these purposes. It is a minor point, but I think an important one, that it is not a need to put someone on notice that this is going to stop. It is necessarily a cost pressure for this purpose.

Mr TEAGUE: I would not couch it as a minor one. I presume you are not going to tear down court facilities that have been built to accommodate large cases, but in terms of the ongoing funding to facilitate things you are clearly putting all and sundry on notice: 'Do not count on it.'

The Hon. K.J. MAHER: That is right, and it is probably worth pointing out, too, that the upgrade to the three courtrooms I mentioned are over and above the \$8.8 million I have spoken about. As we talked about earlier—and the member is absolutely right—we are not going to reverse the renovations or change what has happened in those courts, but those things, including funding for staffing and other things associated with these prosecutions, are for these prosecutions.

Mr TEAGUE: I would like to turn from the criminal jurisdiction to the civil jurisdiction, at the top of page 138. Before getting there, perhaps the Supreme Court might have a mention. There is a variance there in relation to the Supreme Court 'greater than 12 months old' list and also in relation to the 24-month list that is at about point 8 on page 137. Is there any particular reason for that variance in the Supreme Court?

The Hon. K.J. MAHER: To double-check, are we referring to the bottom table on page 137?

Mr TEAGUE: Yes, performance indicators, backlog indicators, Supreme Court.

The Hon. K.J. MAHER: In relation to these, my advice is that, with the Supreme Court, it does not have the same effect some of the other courts have had in terms of the effect of COVID, but it would be a similar answer that was given when we looked at the Magistrates Court figures: the RoGS set down the targets; these are not the targets we set down in South Australia.

Because of different court processes and the way things are done and finalised, we are not comparing apples with apples across Australia. A blunt instrument such as this is not always particularly useful, but it is a variance that has historically been varied in South Australia. I am advised it has not been the same effect we have had with these figures for COVID, but this is a variance we have seen for some time.

Chief Justice KOURAKIS: Can just make the point that these figures include matters that go before the masters in the preparatory phase. How long solicitors decide to take to get matters ready and when they eventually tell the court they are ready to be listed vary enormously, and it is something the court does not have a strong control over. It is not just a measure of the court: it is a matter of how practitioners approach those matters.

I will just point out that the 2020-21 actual result, which was in the first year after COVID, was higher. It has come down. For example, possession lists, bank actions to take possession of properties, may well have been delayed in that initial period of COVID as part of the response. That might have led to some matters taking longer to resolve.

Mr TEAGUE: I do note the improvement. Minister, in relation to the Chief Justice's observations, are there matters within the court's control, noting that the RoGS might set out benchmarks that are more or less appropriate? Are there any matters that are within the court's control or that you have given any consideration to? I have in mind, for example, a docket list approach or any other measures that might address those particular procedural matters as matters in the Supreme Court approach trial you have turned your mind to.

The Hon. K.J. MAHER: Thank you for the question. It is not something I have discussed with the Chief Justice, but if there were ways to improve the efficiencies of the court I know that the Chief Justice and the courts in general are constantly looking at ways they can improve their performance and at any ways that access to justice can happen in a more effective and timely manner. I know that it is not a project they think about every now and again: it is something that is constantly considered by the courts.

Mr TEAGUE: There is no particular matter you have turned your mind to, as it were, as a proposal or initiative that may assist the courts?

The Hon. K.J. MAHER: I have not had any particular one put to me. There is not a big project we are about to launch that has been developed. I am not aware of anything.

Mr TEAGUE: And no particular structural change—and I say 'structural', a docket list system might be what I have in mind in terms of structural change. Is there anything about the way in which the pre-trial process works that might benefit from some broader structural reform within the court process?

The Hon. K.J. MAHER: There is not a specific thing that is being considered but, as I have said, it is something that I know the courts are very capable of and that they do turn their minds to regularly in terms of effectiveness and efficiency of the way they operate and their practices and procedures.

Chief Justice KOURAKIS: I might mention that we have a special classification list in the Supreme Court. The masters refer into that list complex matters that would benefit from docket management, and much of the other stuff they do are things like possessions and the like, which they can docket manage effectively themselves. So we have a hybrid system.

Mr TEAGUE: I refer to the top of page 138 now and the District Court figures. Given the RoGS has had a run in relation to other jurisdictions, you can see the same target in relation to lodgements pending completion that are greater than 12 months old are targets 10 per cent and at 24 months the target is zero. Those are the two stand-outs, it seems to me, in terms of challenges for the court. The Youth Court is doing outstandingly well, maybe for reasons to do with the jurisdiction, but the same might be said about the Magistrates Court and the ERD Court to some extent, but I will just focus on the District Court because it is the major trial court of the state. First of all, is there anything in particular that has caused those estimated results for 2021-22?

The Hon. K.J. MAHER: My advice is that the answer is substantially similar to what we have canvassed previously. Our Report on Government Services sets down targets. It is a pretty blunt sort of estimate. Different jurisdictions have different ways of doing things that means it is not an apples with apples comparison, but these figures are not too different from what we have seen historically in South Australia.

Mr TEAGUE: Put it this way then: do you think the target is appropriate? What target would you set if you were setting a target, and is the estimated result for 2021-22 about right, acceptable, needs improvement?

The Hon. K.J. MAHER: As I said, the complex nature of looking at what different jurisdictions do in terms of how their courts work I think probably makes this an extraordinarily difficult thing to set down a target for, trying to take into account the variances that occur right throughout South Australia. So a one-hat-fits-all target, if you were to do it, would be a huge amount of work that probably would not be justified in terms of the amount of work that would go into it.

One way you could do it would be to set down different targets for different states, taking into account the variances that occur between states in terms of their judicial systems. I am not

suggesting that is the best way to do it because of course you have to look at what benefit you get from doing that in terms of the work it would require to do it, but that is one way you could do it. You could not have an Australia-wide target but you could set different targets for different states.

Mr TEAGUE: Let's look at it free from reference to targets for a minute. From that answer, I presume you have not identified a particular target that you would adopt if it was a state-by-state one. It is not a trick question. The 12-month figure is identical from year to year, just over the last couple of years. The 24-month figure has deteriorated just minorly. Is there anything that you have to say, as minister and as Attorney-General, about those figures? Are they about right? Could they be improved? Should they be improved?

The Hon. K.J. MAHER: My advice is that these are very similar figures to what they have been over recent history. You would always like to see improvements not just in the court system but in everything that governments do. In relation to a question the member asked before, I know that the courts do regularly look at how they can do things better and how they can improve what they do, how they can be more efficient and effective and ensure as timely access to justice as possible.

Mr TEAGUE: I have a couple of questions about court facilities and the higher courts, and I think that is a matter of going back to page 131. At the second dot point, about point 4 on the page, there is a key agency output to improve court facilities and, in terms of more particular provision, at the top of page 132 there is the higher courts redevelopment in row 1 and the Sir Samuel Way facade repairs at row 2. Are those two projects in particular on track and does the minister have anything to say more broadly about objectives and targets for improving court facilities generally?

The Hon. K.J. MAHER: I am advised that the 2017-18 state budget provided just over \$30 million to the Courts Administration Authority for the purpose of redeveloping higher courts facilities, including the delivery of five refurbished civil courtrooms, three criminal courtrooms, two mediation suites, judicial chambers and administrative facilities. My advice is that the higher courts redevelopment project was finalised in June 2020, with a final project underspend of just over half a million dollars. I think the member asked about the Sir Samuel Way facade repairs.

Mr TEAGUE: Facade repairs, yes, the second line.

The Hon. K.J. MAHER: I can advise the honourable member that my advice is that in early 2006 evidence of cracking to the Sir Samuel Way building facades were identified. Preliminary investigations identified masonry cracking to columns on all elevations of that building, that several pieces of the building's facade had dislodged and fallen onto the building's verandah and the adjacent roof of the Central Market Arcade and that there was a high risk of pieces of the facade causing damage to property and/or harm to people.

My advice is that since 2006 the Courts Administration Authority has completed various projects to address remedial work. In 2021, funding of \$11.6 million was approved to continue this work. I am advised that the Department for Infrastructure and Transport are assisting the Courts Administration Authority to deliver the main programs of work and that the Department for Infrastructure and Transport have engaged a project team to complete documentation and investigation of the current status of the facade and to complete an initial package of remediation works.

I am informed that, in addition, a separate works package will address the strengthening of the canopy on the southern and eastern elevations of the building to reduce any risk of these elements falling, followed by remedial work of the under-canopy facade.

Mr TEAGUE: Does the minister have anything to add in terms of dot point 2?

The Hon. K.J. MAHER: Which was dot point 2?

Mr TEAGUE: Improving court facilities. Are there any broader plans?

The Hon. K.J. MAHER: I can say that in the times I have spent in court facilities I have been impressed at some of the recent works that have been undertaken, and we will always continue discussions on any further ways to improve our court infrastructure.

Mr TEAGUE: At page 140, program 2, there is a highlight for 2021-22, engaging with the Department for Education to convene education family conferences.

The Hon. K.J. MAHER: That is the first dot point in the highlights?

Mr TEAGUE: That is right. We see as the one and only dot point target immediately under that for 2022-23 is to continue that relationship to convene education family conferences for 2022-23. Bearing in mind that that is a truancy initiative initiated in 2021-22 via that engagement, can the minister indicate how many such conferences have been held? I invite the minister to make any observations about the success or otherwise of those.

The Hon. K.J. MAHER: I do not have advice to hand about numbers. I am happy to take that on notice to provide a response about numbers. While I am doing so, without having any statistical backing, it might be wise to also take on notice and provide any advice about the efficacy of the program when I bring back an answer with the numbers that the member has asked for.

When taking questions on notice, I will provide what I can provide. I do not want to create the false impression that I will have access to things. I do not suspect it is the case here, but there may be things later on that I do not have numbers readily extractable, but I will provide the answers that can be provided.

Mr TEAGUE: So it is a target anyway of 2022-23 to continue those conferences. Do I take it that there is at least a level of success, that it has moved from not only being a highlight of 2021-22 but also a target for 2022-23?

The Hon. K.J. MAHER: Again, without having the numbers to back it up, I am happy to take that on notice and bring back a reply, when I bring back the other answers.

Mr TEAGUE: What, the whole question of the level of success of the conferences?

The Hon. K.J. MAHER: I do not have information on the level of success. I am happy to take that on notice and bring back a reply.

Mr TEAGUE: Are you going to do what the target says?

The Hon. K.J. MAHER: Yes, that is what the intention is and that is why it is in there.

Mr TEAGUE: And, I might say, it is the one and only thing in there. It is not a trick question.

The Hon. K.J. MAHER: My advice is that a change is not anticipated to what was set up in the previous year and how it continues in the next year going forward.

Mr TEAGUE: Is there anything that you would care to say about the conferences?

The Hon. K.J. MAHER: As I said, I do not have figures with me.

Mr TEAGUE: Not just figures.

The Hon. K.J. MAHER: I am happy to take that on notice and bring back a reply for the member in relation to the success or the effect or information about those conferences.

Mr TEAGUE: Perhaps you might like to take this on notice, or not—and I welcome any narrative, whether or not databased: to what extent have families refused to participate in a proposed conference?

The Hon. K.J. MAHER: I am happy to take that on notice. That is one that I will take on notice, and if I can bring back meaningful data or responses to it, I will. I do not know the level to which that sort of data is kept, but if I can I will bring back an answer.

Mr TEAGUE: I understand that. Given, as I understand it anyway—and the minister might correct me—the intent of the process is to avoid the need for prosecution, has there been any prosecution either within the context of a refusal to participate or following participation in a family conference?

The Hon. K.J. MAHER: Again, I do not have that level of data, but that is another one I am happy to take on notice. If an answer can be brought back, I will be happy to do that for the member.

Mr TEAGUE: I just stress that this is something you are continuing and it is the one and only topic of program 2, as far as I read it.

The Hon. K.J. MAHER: I understand the member's question. This is something that is continuing, so there must be some reason for it to be continued. As I understand the member's question, the reasons it is continuing are what the member is getting at. As I said, I am happy to do that, to look at what data is available and how that data has informed the decision to continue it as a target, which I think is a lot of what the honourable member was suggesting. There are a couple of specific areas the honourable member has asked about—the refusal to participate or prosecutions—where I am not certain that there will be readily extractable data, but in the event that there is and I can do it, I will bring back an answer for the member.

The CHAIR: This is the member's last question, so ask wisely.

Mr TEAGUE: Yes, this is the last question. Thank you, Chair. Just to assist the minister in going away and considering that, I presume and would otherwise ask the minister to direct his attention to the activity indicators on page 141, insofar as they provide for results projected for 2022-23—that it is not all heading in one direction, put it that way. Will the minister take on notice an explanation of those activity indicators at page 141?

The Hon. K.J. MAHER: I am happy to do so. That is the very last table on page 141?

Mr TEAGUE: That is the one.

The Hon. K.J. MAHER: I am happy to take it on notice and provide some more detail and explanation around that.

The CHAIR: The allotted time having expired, I declare the examination of the proposed payments for the Courts Administration Authority complete.

ATTORNEY-GENERAL'S DEPARTMENT, \$109,934,000

ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT, \$51,535,000

Minister:

Hon. K.J. Maher, Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and Public Sector.

Departmental Advisers:

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

Mr A. Swanson, Executive Director, Attorney-General's Department.

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

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

The CHAIR: We will move to the Attorney-General's Department, and I declare the proposed payments open for examination. I invite the minister to make an opening statement and also the lead speaker to make an opening statement once the minister has introduced his advisers.

The Hon. K.J. MAHER: I might introduce those I have with me now. On my right is Caroline Mealor, the Chief Executive of the Attorney-General's Department, and on my left is Andrew Swanson. I must correct the record, as I may have inadvertently said something that was not entirely correct. Andrew Swanson celebrates his 24th year of estimates as he joins us today.

The CHAIR: Only 24, so no gold watch.

The Hon. K.J. MAHER: If he survives the estimates process this year and joins us next year, we can happily celebrate his 25th year of estimates. Behind me, I have Adam Kilvert, the Executive Director, Policy and Community, and Darren Corcoran, the Director of Financial Services with the Attorney-General's Department.

With that, as I said before, I do not intend to make an opening statement on policy matters here or take government questions. I am happy to get into questions from the shadow attorney-general.

The CHAIR: Lead speaker, do you wish to make a statement or just go straight into questions?

Mr TEAGUE: Thank you, Chair, I will go straight to questions once again. Good morning, everybody. Perhaps then, conveniently all on page 12 of Budget Paper 5, at about point 3 on the page and the heading 'Operating efficiencies', we see over the forward estimates budget measures for operating expenses to be reduced, starting with a touch over \$4 million in 2022-23 and rising to \$7.2 million in 2025-26. Whereabouts are those operating efficiencies coming from? What is to be cut and how should we best navigate that process over these forward estimate years?

The Hon. K.J. MAHER: I thank the member for his question. As a general comment on savings measures in AGD and right across government departments, I think I mentioned that courts are going to be immune from savings measures. Not just in AGD but right across government departments, savings measures will ensure that the government can deliver on its various election commitments while maintaining budget discipline across the forward estimates.

While any savings can be challenging to any government department, I have absolute confidence that the chief executive and the team have the ability, as departments and their executives in the past, to meet efficiency dividends or savings measures that are required of governments of both persuasions. It is important to note that agencies, including AGD, have the ability to make savings in a whole range of different ways.

For example, I know in the past that Attorney-General's has been able to achieve savings through measures such as accommodation changes. Nonetheless, the government will be offering a range of things to assist, including a centrally funded targeted voluntary separation package, if that is the way it has chosen to meet savings. That is part of it. I am advised that the chief executive has been meeting, and will meet over the coming weeks, with the various business units in Attorney-General's to discuss the implementation of savings and also to discuss budget matters in general.

I think what the honourable member was asking for was each tiny little part of AGD what is going to happen or what will make up each of those. As I have said, the chief executive has started meeting, and will meet over the coming weeks, with the different bits to discuss these savings and how they will be implemented.

Mr TEAGUE: The question was what it was. I suppose two things: in relation to the table, is the minister going to indicate that what are very specific figures in respect of each of the years over the forward estimates—well, they are not round numbers. We see round numbers expressed in a range of areas through the budget measures. These are very specific estimates in respect of each year, and they are rising relatively substantially into the final year of the forward estimates. The answer the Attorney has just given is about as vanilla flavoured an answer as one could give in relation to where those operating efficiencies are coming from.

The Hon. K.J. MAHER: That would be a question best directed to Treasury. Treasury are the ones who allocate savings targets and it is the agencies that implement them. Exactly how they are arrived at and why some end in a zero and others end in the number 8, that would be better directed at Treasury.

Mr TEAGUE: In other words, you have had zero input into the operating efficiency number. That is something you have been landed with.

The Hon. K.J. MAHER: I am not sure if the member in his time in cabinet went through a budget bilateral process, but this was a truncated budget bilateral process. Budget processes necessarily happen over time. There is an opportunity for cost pressures, such as we have seen with the Ironside funding we talked about in our last session, to be ventilated. There are opportunities for the election commitments to be discussed and delivered upon. But ultimately at the end of the day it is something that Treasury finalises, things like this that are required for savings targets.

Mr TEAGUE: So there has been a budget bilateral process, has there?

The Hon. K.J. MAHER: I am not going to go into it because these are part of cabinet deliberations, but the usual processes apply just in a truncated way since the March state election.

The ACTING CHAIR (Hon L.W.K. Bignell): Member for Heysen, this is becoming a bit of a chat. Can I just bring you back to maybe asking questions along budget lines.

Mr TEAGUE: I refer to Budget Paper 5, page 12, point 3 on the page, operating efficiencies and operating expenses 2025-26. Is there any further indication the minister might give in relation to the rise in operating expenses savings in respect of that year in particular?

The Hon. K.J. MAHER: As I have said, these are figures that are decided upon and the exact nature of the figures is probably better asked of Treasury in terms of the reasons for such figures. The department will be looking at it, and the chief executive will be talking to the various business units about how to arrive at the savings that are set down for us there in the forward estimates.

Mr TEAGUE: Nothing in the bilateral process gave rise to that particular outcome, so you are on the receiving end of that one as well?

The Hon. K.J. MAHER: There were a number of areas that were quarantined from these savings. The courts we discussed as one of them, and frontline services such as health I think is another one. I will not go into a list in case I get something wrong, but there are some areas that have been quarantined. I think it is appropriate that courts have been quarantined from these savings, but these are savings in departments right across government that have savings requirements.

It is not just this current government that has savings requirements. Other governments have had requirements, and governments of all stripes have had efficiency dividends or savings requirements to be made. We do have a significant commitment in a whole range of areas in terms of the commitments we took to this election.

In AGD, in the Department of the Premier and Cabinet, in the Department of Treasury and Finance, there are savings that are required to meet what we consider are important—quite frankly, I think that is what the public expects if you go to an election and make a compact about what you are going to do, that you fund these things without doing great damage to the budget of the future, and that is exactly what we have done here.

Mr TEAGUE: I will not ask you to catalogue areas outside your own portfolio responsibilities. Is the DPP one of those quarantined from budget savings measures?

The Hon. K.J. MAHER: No, there is not a quarantine like there is for courts for the DPP but, as I have said, the chief executive will be having those discussions over the coming weeks and months with the business units in AGD, including DPP, about what these savings mean.

Mr TEAGUE: It might be convenient to move to about point 5 on the page, the same page.

The Hon. K.J. MAHER: Page 12?

Mr TEAGUE: Yes, page 12, the heading Operation Ironside. Before we get to the year-by-year provisions, we see the narrative indicates that the initiative provides \$6 million. Do you see that? It is under the table.

The Hon. K.J. MAHER: Yes, I think we ventilated that in the last one, the \$8.8 million. We talked about the \$2.8 million for the Courts Administration Authority on top of the refurbishment of a number of criminal courts in the Samuel Way Building and that there is \$6 million over and above the budget provided in relation to the DPP for the prosecution of Operation Ironside.

Mr TEAGUE: We did, that is right. How are we to understand that in the context of operating efficiencies? You have said that the DPP is not quarantined from operational efficiencies measures, but at the same time it is being provided with these additional funds that are broken down over those four years. Put it this way, and you might like to explain it however you choose, will it be possible on the one hand to identify those funds that are applied to the DPP for the purposes of Operation Ironside, as distinct from those operating efficiencies the DPP might be asked to contribute to over the course of the forward estimates?

The Hon. K.J. MAHER: Yes.

Mr TEAGUE: How are we going to be able to do that?

The Hon. K.J. MAHER: The chief executive will do that—she is very good—in consultation with the DPP.

Mr TEAGUE: In relation to those funds that are provided for more particularly in relation to each of the years of the forward estimates, is the minister able to explain the way in which those Ironside funds will be deployed, reasons for the provision rising as it does over the first three years of the forward estimates and then dropping off marginally in the final year of the forward estimates?

The Hon. K.J. MAHER: I can give a sort of general overview of the Ironside funding—

Mr TEAGUE: That would be great.

The Hon. K.J. MAHER: —and then maybe if the member wishes to drill down into specific parts of that—

Mr TEAGUE: Any kind of information at this stage would be a step forward.

The Hon. K.J. MAHER: My advice is that over 80 people have so far been arrested and charged by SA Police in relation to Operation Ironside. I am advised that in November last year the DPP filed charges in the Supreme Court in relation to three men accused of multiple drugs and firearms offences. That matter is listed for August and November this year and it is expected that that will be the first of the Operation Ironside prosecutions to take place in Australia. My information is that the majority of trials will commence in 2023 and 2024.

As we have said, this year's budget provides \$6 million over four years to assist the Office of the Director of Public Prosecutions in prosecuting matters in relation to Operation Ironside. My advice is that part of this will provide for around an extra 10 FTEs. We have discussed the further \$2.8 million for the Courts Administration Authority to enhance the ability for security and to give evidence.

I am informed that since October 2018 the Australian Federal Police, in conjunction with the United States FBI, have been conducting an investigation known as Operation Ironside in relation to the ANOM platform used by organised crime groups in Australia. This encrypted communications network was pre-installed on mobile telecommunication devices and exclusively distributed by members of organised crime groups, enabling privately encrypted communications between users in an effort to avoid detection by law enforcement agencies.

As part of Operation Ironside, Australian Federal Police identified users of ANOM in South Australia, and on 7 June 2021 the platform was shut down and numerous arrests were made. Some additional arrests have been made since and I am advised that more may follow. It is alleged that the distribution of this encrypted communications network installed on the Android devices of those arrested by SAPOL was predominantly but not exclusively controlled by members and associates of outlaw motorcycle gangs, who themselves used the platform.

As I said, over 80 people have been arrested and charged by SAPOL. The charges laid include conspiracy to murder; conspiracy to cause serious harm; participating in a criminal organisation; money laundering; arson; trafficking in large and commercial quantities of methylamphetamines, fantasy, MDMA, cocaine, heroin and cannabis; manufacturing large commercial quantities of controlled drugs, including methylamphetamine and fantasy; and firearms offences.

These matters are now the subject of ongoing SAPOL investigations and progressing through the courts. Obviously, I will not comment on individual matters. Many of the files involve multiple defendant matters, and some defendants have multiple files before the courts. A number of files have been committed for trial to the District Court. In a handful, I am informed, the accused have pleaded guilty to some or all of the charges and have been sentenced or are awaiting sentencing.

I am advised that in November 2021 the DPP filed charges in the Supreme Court in relation to three men accused of multiple drugs and firearms offences. The trial for that matter is listed for August and November 2022. As I said earlier, it is expected to be the first of the Ironside prosecutions in Australia.

I think that gives a flavour of the volume of this and why there has been a need for special funding. I think that the member asked about the profile of the funding and why it rises in future years. I am advised that the rise over the forward estimates, followed by that drop in the last year of the forward estimates, relates to the best estimate as to when the bulk of the trials will take place in the District Court.

Mr TEAGUE: You mentioned that there are a number of multiple-accused trials in amongst the various serious charges that have either been laid or might be anticipated. An amount of \$6 million is then provisioned for the DPP, as we see in the table, and you have indicated there is a provision of \$2.8 million for the courts in order to facilitate the courts managing the process. With reference to Budget Paper 4, Volume 1, page 64, I have a question about the Legal Services Commission so far as it relates to anticipated burdens of Ironside from its point of view.

The reference is at about point 5 on the page, where we see 'Legal Services Commission—contribution to legal aid'. The estimated result for 2021-22 and the budget for 2022-23 I think is readily explained. It is more or less about the time of payment, but we are talking about a relatively consistent budget for LSC. It is just that there has been a forward payment in 2021-22 and then that tops up LSC such that the payment anticipated in 2022-23 is, on the face of it, \$20 million but reflects a \$40-odd million budget; is that correct?

The Hon. K.J. MAHER: Broadly, yes.

Mr TEAGUE: Against that background, and maybe more particularly directed to your answer just a moment ago, minister, in relation to the challenge of multiple accused there is no particular Ironside provision for the LSC to deal with any more particular Ironside burden that it faces; is that right?

The Hon. K.J. MAHER: I might answer to try to help as much as I can in this matter. My advice is that I need to be very conscious that I cannot speak directly of how many Ironside accused are or are not represented by the Legal Services Commission. My advice is that to do that would risk breaching the Legal Services Commission Act.

What I can say in general that I think might be of some help is that my understanding is that when there are these very big or complicated matters that could—I am not saying 'will' in this case because I am going to avoid doing that—impact on the Legal Services Commission, discussions are held between the Legal Services Commission and the Attorney-General's Department about the Legal Services Commission's budgetary needs for difficult, big or complicated matters that are out of the usual sphere. That has happened in the past and will continue to happen in the future.

As I say, I am very conscious of this. I do not want to talk directly about whether the Legal Services Commission is or is not, or how many Ironside people they would be representing, but where there have been extraordinary and unanticipated pressures on the Legal Services Commission due to the nature of particular matters, that has been the subject of discussion and negotiation between the Legal Services Commission and the Attorney-General's Department. For example—and it is a matter of public record—that is what happened in the Snowtown case.

Mr TEAGUE: Yes, exactly. We will put it in the context of the expensive criminal procedure for LSC. There is an agreement, the minister would be aware, and it is published and provides in broad terms—tell me when you disagree—for a single accused to have the first \$50,000 covered by the LSC. If the LSC were to find itself, according to its charter, having to represent a whole lot of Ironside accused, for example—but couch it in terms of the overall LSC case load for those years of the forward estimates—it is having to come up with at least, without going to the \$100,000 provision for multiple accused, that first \$50,000 out of the budget set out at page 64, which is not changing. Is the minister satisfied that the expensive criminal process and the agreement are the appropriate continuing baseline for the LSC to navigate this unusual territory?

The Hon. K.J. MAHER: It is difficult to talk in theoretical and hypothetical terms, but—

Mr TEAGUE: We are talking about budget line items—page 64, point 5 on the page.

The Hon. K.J. MAHER: There is a budget for expensive criminal cases already provided but, as has happened in the past, if there are matters like—and it is a matter of public record—the

Snowtown cases that are not able to be fitted within that budget, there will be discussions that occur in relation to the funding needed.

Mr TEAGUE: So it is forward looking. It is a good example; the minister has identified Snowtown as an example of an expensive criminal case, and it is one stand-out, extraordinary case. The difference with Ironside, as the minister has set out at some length, is that it is this ranging police investigation that is resulting in—I will not repeat the minister's catalogue of different charges and number of accused.

It is not a Snowtown, one-off, big case: it is what the forward estimates tell us, both in respect of the Ironside DPP provision and the Ironside courts provision, is an extended period of case load anticipation. Put it this way: if the LSC has to cover the first \$50,000 on representing who knows how many—it could find itself with an additional, let's say, \$5 million, a multiple of that, that it has to cover, on the face of it—has the minister provided for that, in terms of the LSC budget at page 64?

The Hon. K.J. MAHER: I understand the member's question. The difference here, as opposed to funding for the DPP, is that we know the DPP is going to be prosecuting these cases. We do not know how many of these the Legal Services Commission may be involved with, which makes it a really different thing. Budgets rely on what we know, but, as I have said, there are processes in place that have occurred in the past where there are extraordinary needs on the Legal Services Commission.

Mr TEAGUE: Fair enough; you do not know in advance exactly how many accused will be represented by the LSC, that is true. However (1) you agree that there is zero provided in advance and (2) you are indicating that you are satisfied that the process of engagement, such as that will be, is, for the moment anyway, satisfactory, because we do not see it expressed in the budget.

The Hon. K.J. MAHER: I am confident of that, and I am advised it is satisfactory at the moment. Let's say that the Legal Services Commission does represent people in relation to defending Ironside prosecutions. It might be that defences may come within already provided budget provisions. We just do not know what the Legal Services Commission involvement is going to be.

Mr TEAGUE: It is a fair enough point in relation to not knowing exactly. You might say exactly the same thing about the DPP, except for the fact that you know the DPP will be—

The Hon. K.J. MAHER: We know how many charges there are, we know how many individuals there are and we know that the DPP is going to be prosecuting them.

Mr TEAGUE: You have indicated that the DPP is going to be on the receiving end of 10 additional FTEs as a result of its funding; is that right?

The Hon. K.J. MAHER: I am advised that is a notional number. It will be partly about employing staff within the DPP and partly about briefing out others to help undertake what will be a significant volume of prosecutions.

Mr TEAGUE: So that contemplates possibly briefing out some and possibly engaging others?

The Hon. K.J. MAHER: Given the complexity and the sheer volume, my advice is it will almost certainly result in some being briefed out, as happens from time to time. Alternatively, other matters the DPP would otherwise have run might be briefed out so that DPP prosecutors can concentrate on Ironside. Given the complexity and the volume of the prosecutions that are going to come up, my advice is that there will almost certainly need to be some element of briefing out, as I said, whether that is briefing out the prosecutions that result from Ironside or briefing out the prosecutions that are still there while prosecutors work on Ironside.

Mr TEAGUE: Coming back to page 12 and the operating efficiencies, all the while there is the possibility that, like ships in the night, the DPP might be participating in the TVSPs, having some people heading out the door while others might be coming in and/or briefing out. You have nothing more in particular to add about that?

The Hon. K.J. MAHER: Yes, and that is the nature of government everywhere.

Mr TEAGUE: Staying on the LSC—

The Hon. K.J. MAHER: Still on page 64 of Budget Paper 4?

Mr TEAGUE: Yes, I think that is probably still a convenient reference. Is the minister aware of what has been one component of LSC income, being interest on the Law Society fund which, because it is linked to interest rates, has been ebbing somewhat over this period of low interest rates? That is the first question.

The Hon. K.J. MAHER: As the member identifies, there is an element of the funding for the Legal Services Commission where, like many areas of what a lot of governments and NGOs do, it is subject to interest rate fluctuations. I think it predates my tenure as Attorney-General, but the Legal Services Commission has probably been having discussions in relation to what effect interest rates may have on what they do.

Mr TEAGUE: To put it into some context, in the context of the budget line item, does the minister agree that an amount in the order of \$2 million or so per annum that is lost as a result of sustained low interest rates is a relatively significant amount vis-a-vis the overall budget?

The Hon. K.J. MAHER: I will have to check that. I do not have that information in front of me. If there is significant variance to the amount that has been suggested of about \$2 million per annum, I will bring back an answer. I will need to check that figure.

Mr TEAGUE: Is there any particular plan to address it in any way at all?

The Hon. K.J. MAHER: I am advised that, with the help of Treasury and the Legal Services Commission, we will continue to monitor not only what effect interest rates have but also the possibility of a higher interest rate environment, as we are starting to see shifts now globally to a higher interest rate environment, and what effect that may have to ameliorate the effect of a recent low interest rate environment.

Mr TEAGUE: We have addressed what, on the face of the budget line item at page 64, looks like a stark disparity. I think the minister has agreed that that is simply a matter of Treasury paying up-front in respect of 2021-22.

The Hon. K.J. MAHER: That is what I am informed, yes.

Mr TEAGUE: Staying for a moment on the Legal Services Commission, I give the minister the opportunity to respond to any extent he might be able in relation to care and protection. The significant part of the Legal Services Commission's overall workload relating to care and protection is significant and growing and there is not, as it were, an Ironside equivalent specifically identified as additional to core funding for the LSC to deal with its care and protection obligations.

Is there anything the minister has in the planning in relation to the LSC's work in that area, or is the minister satisfied that the Legal Services Commission can undertake that work satisfactorily within the bounds of its ordinary budget provision at page 64, point 5 on the page?

The Hon. K.J. MAHER: I thank the member for his question. It is not something that has been raised with me to date from the Legal Services Commission. While we are on this topic, I pay tribute to the commission. In my experience, in the short period of time not only as Attorney-General but as shadow attorney-general and since being in parliament, I have very much come to appreciate the work the Legal Services Commission do, vital as it is to South Australia, with its dedicated legal and other staff in the commission and those who have served on its board. That particular area has not been raised with me to date by the Legal Services Commission.

I note the mix of what many organisations do, non-government organisations, ebbs and flows and changes over time. I am not specifically talking about the Legal Services Commission now, but generally organisations will see a rise in one area of what they do and sometimes a fall in other areas of what they do.

Mr TEAGUE: Or in some cases a rise in all areas of what they do and no significant change in the budget provision for them.

The Hon. K.J. MAHER: I will take that as a comment.

Mr TEAGUE: Turning to Budget Paper 4, Volume 1, page 31, Program 8: Forensic Science. Forensic Science continues over to page 32, concluding with activity indicators and performance

indicators; heading up that is 'Program summary—income, expenses and FTEs'. I note at the top of page 32, performance indicators, the performance of forensic science is at or exceeding targets in all areas, with the possible exception of the final line item, which appears to stand out. I ask if the minister has any explanation as to the final line item; otherwise, the observation is to identify the extraordinary good work of Forensic Science.

The Hon. K.J. MAHER: Forensic Science do extraordinary work in the service of the justice system in South Australia. I have a little bit of information in relation to that target. As the member pointed out, when you look through those targets you see exceptionally high expectations that are met and exceeded in a lot of these cases.

Mr TEAGUE: Quite so.

The Hon. K.J. MAHER: It really stands out, and then you look down at the last one and it does stand out on the page. I am informed that, despite an approximate 35 per cent decrease in the number of illicit drug cases submitted for analysis, an existing case backlog, and in particular the impact of COVID-19 workflow, resulted in the turnaround target not being met for the year. The advice I have is that process improvement initiatives have been implemented into workflow, including the reporting of preliminary results to SA Police to assist with timely charges and the movement through cases.

The information I have is that, even though there was a decrease in the number of cases submitted for analysis, a combination of a backlog and the impact of COVID has resulted in a turnaround target not being met for the year.

Mr TEAGUE: If we are after a particular line item, we might go to the description/objective at the top of page 31. What provision is contained, and what update can the Attorney give in relation to capital works and facilities improvement for Forensic Science SA?

The Hon. K.J. MAHER: I can inform the member that a strategic business case for Forensic Science SA and SAPOL's Forensic Services Branch for future accommodation has recently been completed. In April 2022, as part of the government's project assurance framework, an Infrastructure SA gate 1 review of the strategic business case was undertaken. Infrastructure SA's gate 1 review highlighted that successful project delivery appears feasible and made sure risks are identified appropriately and mitigation measures provided.

AGD in conjunction with SAPOL are currently undertaking a procurement process to engage a consultant to complete a final business case that will further develop the preferred options by reviewing and updating the investment needed, including demand; developing a joint agency service and operating model; undertaking to the extent necessary site selection process; to the extent necessary, developing a design and associated capital and operating costs for project options; undertaking analysis of project options, including financial, economic and integrated assessments; developing a delivery strategy for a preferred option; and developing an implementation planning strategy, including risk considerations.

Following the completion of a final business case, I am advised the process is that a further review by Infrastructure Australia will be undertaken (which I am told is referred to as a gate 2 review) ahead of any further decision. The member is probably somewhat familiar with the fact that Forensic Science have served South Australia very well for a long period of time. They currently occupy six floors located at 21 Divett Place, Adelaide. The SAPOL Forensic Services Branch occupies the balance of that building, another three floors, together with one floor on 60 Wakefield Street and, I am informed, some space at Thebarton Barracks.

The current 12-year lease of 21 Divett Place expires in March 2027, which is why it is a good time to look at future needs. I hope that has been enough information on that for the member.

Mr TEAGUE: Well, sort of. Is there a commitment to funding those future needs that is identified?

The Hon. K.J. MAHER: There is a commitment to the business case.

Mr TEAGUE: Does that have time line objectives consistent with the end of the lease in 2027?

The Hon. K.J. MAHER: The business case will be done over the next financial year. I think that was the reason for outlining when the lease is up. There will have to be consideration given as to what will the need be at the end of that lease period.

Mr TEAGUE: And no funding commitments otherwise in the forward estimates have been identified?

The Hon. K.J. MAHER: For the business case—funding for the business case.

Mr TEAGUE: Funding for the business case only?

The Hon. K.J. MAHER: Yes.

Mr TEAGUE: Just to understand that then, perhaps one more—

The Hon. K.J. MAHER: It would perhaps be odd to fund something that you have not done a business case for in relation to something like this. These are particularly pretty technical and specific needs.

Mr TEAGUE: Sure. You would anticipate that is going to need to find voice fairly shortly in light of the lease expiring in 2027?

The Hon. K.J. MAHER: The lease expiry date will help inform what comes next after the business case is completed.

Mr TEAGUE: Turning back a page—

The Hon. K.J. MAHER: Page 30?

Mr TEAGUE: Page 29, turning the page, flipping it over, program 7 is Legislative and Policy Services at page 29. I note that, in relation to highlights, the penultimate dot point and the last dash point under the penultimate dot point identifies as a highlight of 2021-22, the legislation to:

...implement recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse relating to civil justice and criminal justice.

Is there anything else to be done with respect to the relevant legislation? Is commencement imminent, and does the minister have any kind of indication as to time on that?

The Hon. K.J. MAHER: My advice is that one piece of legislation has already commenced and that the other piece in relation to the limitation of actions is being consulted with agencies and there is an intention to commence later this year.

Mr TEAGUE: Consultation and intent to commence later this year. There is nothing more specific than that?

The Hon. K.J. MAHER: For example, agencies that this touches upon are developing their own processes, their own information and education programs, so the intention is to commence later this year. If it is helpful for the member, if there is something—and I am not sure there is—that can be more specific in terms of a month or what part of this year, given that we are almost halfway through the year, I am happy to go away and see whether anything further can be brought back. My advice is that the intention is later this year.

However, as I say, if I can be more specific I am happy to take that on notice. In fact, I have further advice. The aim is that we are looking to do that by October, if we can, but if there is anything further that I can update I certainly will bring back an answer.

Mr TEAGUE: While we are at it and without drawing attention to it overly, it is described as a highlight of 2021-22. In terms of the rubber hitting the road, it might find its way into being a target for 2022-23. It is not going to be done anyway in the next nine days.

The Hon. K.J. MAHER: I think the dot points says 'Passage through parliament of'. This is really important and means real things to real people's lives, so I am not going to get into a semantic argument. These were changes that were made in a bipartisan manner because of the importance, but it might be that their passage through parliament in that year is a highlight and that their implementation partly in that year is a highlight and, as I have said, aim for implementation later this year. It is too important, I think, to argue over what a word means on this bit of paper.

Mr TEAGUE: In terms of targets then in the second half of the page, there is a target to introduce a whole range of legislation. Is there any particular priority in respect of each of those? You might accept it as a given that they are all important.

The Hon. K.J. MAHER: Yes, they are all important. They are all priorities. What probably informs them more than their all being important and all priorities is work to be done to implement them. Some will require significantly more work than others.

Mr TEAGUE: Which ones, perhaps?

The Hon. K.J. MAHER: I will not go into each, but, for example, the formal legislation to recognise the operation of the Nunga Courts in South Australia, where there has been significant consultation. I have been personally involved in some of those consultations in the legal system to do with the operations of the Nunga Court and some of the elements of legislation. I expect that is not too far away.

Mr TEAGUE: Is that an example of one where there is a lot of work to be done and there is a lot of work that has been done?

The Hon. K.J. MAHER: And is not far away from implementation. At the start, if you look down at the last one, 'legislation to ban political donations for future state election campaigns', work certainly is progressing, but in areas where there are constitutional issues and other things to consider, although it is very important, there may be more detailed work that needs to be done in how any such legislation will work in practice. I guess the summary is that they are all important. We want to do them all as quickly as we reasonably can but recognising there are elements—I am sure as the member experienced—that mean that you need to necessarily do more work, receive more advice and make sure what you want to do does what you want.

Mr TEAGUE: There is nothing more particular that you—

The Hon. K.J. MAHER: I think everything there falls into those sorts of tensions, of very important and wanting to do quickly and making sure that you do it properly.

Mr TEAGUE: I turn to program 4. We are just a few pages way—working backwards, so page 23, the Crown Solicitor's Office, the fourth dot point. I am interested in the second and the third dot points and flag the CSO's participation in those matters, but I want to focus on the fourth dot point. On the workload in relation to advice and representation in those proceedings directed at keeping children safe that are brought under the 2017 act, what is the nature of the—

The Hon. K.J. MAHER: Are we referring to the fourth or fifth dot point? Sorry, so targets rather than highlights?

Mr TEAGUE: Exactly. Trying to look to the future, trying to focus on the future, minister.

The Hon. K.J. MAHER: I have been looking at completely the wrong thing and completely not understanding where you are going with this. Are you able to start again from where you were?

Mr TEAGUE: We are in targets 2022-23 and I have just moved on from dot points 2 and 3 to focus for a moment on dot point 4. It is one of the targets. I understand that there is a workload involved in the provision of representation in those proceedings. Can the minister indicate the nature of the workload to the Crown Solicitor's Office in respect of that work?

The Hon. K.J. MAHER: I am happy to do so and I thank the member for his question. The Crown Solicitor's Office continues, as the target suggests, to provide representation in child protection matters involving children at risk during the period that involved COVID-19 workplace limitations, including undertaking multiple hearings with parties in multiple locations. The Youth Court managed the hearing list as per normal, with the parties being able to attend directions and pre-trial conference via video links or telephone links.

The trials themselves have continued to take place in person during COVID-19 affected times and the Youth Court returned predominantly to in-person hearings from 21 February this year. I can inform the member that in the period from 1 July 2021 up until 13 May 2022, which is a period for which I have figures, the Crown Solicitor's Office has appeared in approximately 793 care and protection matters on instructions from the chief executive of the department.

I am informed that this relates to applications for new care and protection applications, applications to transfer an existing guardianship order from the chief executive to another person—I am advised that is normally the child's current foster carer—and applications to revoke existing guardianship or custody orders. During this period, the period from 1 July 2021 to 13 May 2022, I am advised that approximately 2,957 related court attendances were undertaken. I hope that provides some detail.

Mr TEAGUE: Thank you, that does provide some detail. Am I right then to say that, in relation to those attendances, those are CSO attendances and so that is a workload within the office, is it?

The Hon. K.J. MAHER: My advice is that the court attendances are all Crown Solicitor's Office. Again, I will double-check that and if there is any deviation from that I will bring back an answer, but my advice here today is yes—

Mr TEAGUE: I am not holding you to something technical on that.

The Hon. K.J. MAHER: —all that application work is Crown Solicitor's Office.

Mr TEAGUE: There is no burden to the Department for Child Protection for those? That is borne by the CSO?

The Hon. A. PICCOLO: The next one is his last question.

The Hon. K.J. MAHER: I might be able to just finish off. As I am sure the member is aware from his previous stint before the election, there are cross-charging arrangements through government, so it is the CSO who attends, but my advice is that it is charged to the Department for Child Protection. Again, I will double-check that and if there is any difference I will bring back an answer. As is common, there is that charging arrangement.

Mr TEAGUE: Might the minister take on notice the extent of those cross charges?

The Hon. K.J. MAHER: I am happy to take that on notice.

Mr TEAGUE: Thank you. I have a final question. I realise that I have neglected State Records, so I might be content for the minister to take this question on notice as well. On page 39, program 12, I note the targets for 2022-23 at the second dot point.

The Hon. K.J. MAHER: The State Records Strategic Plan?

Mr TEAGUE: That is the one, the release of it.

The Hon. K.J. MAHER: What is the question?

Mr TEAGUE: I am getting to that. You have the dot point?

The Hon. K.J. MAHER: I can see it.

Mr TEAGUE: Can the Attorney give an update on when that might occur and what areas of strategic importance exist for State Records in the years ahead?

The Hon. K.J. MAHER: I can inform the member that, as the member knows, State Records supports state and local government agencies in the management of information through the administration of the acts. State Records' current strategic plan ends in 2022, I am informed. My advice is that the strategic plan 2023-26 is currently under development and will set the direction for State Records for the next four years by establishing a set of goals and strategies for the organisation to meet its vision and purpose.

It will outline goal-supporting strategies that focus on how State Records will partner with the government and community; reimagine the archive, including its role and relationship with Aboriginal people; increase awareness of the value and accessibility of the collection; and support agents in their information management programs.

Broad community consultation on the strategic plan for State Records 2023-26 will occur to allow stakeholders, customers and the community the opportunity to provide input into the future

direction. The strategic plan 2023-26, I am informed, is intended to be published by the end of the 2022 calendar year.

The CHAIR: The allotted time having expired, I declare the examination of the Attorney-General's Department complete. The proposed payments for the Attorney-General's portfolio will continue after lunch.

ELECTORAL COMMISSION OF SOUTH AUSTRALIA, \$6,195,000

ADMINISTERED ITEMS FOR ELECTORAL COMMISSION OF SOUTH AUSTRALIA, \$583,000

Membership:

Ms Andrews substituted for Mrs Pearce.

Minister:

Hon. K.J. Maher, Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and Public Sector.

Departmental Advisers:

Mr M. Sherry, Electoral Commissioner.

Mr W. Harlock, Acting Deputy Electoral Commissioner.

Mr I. Clayfield, Chief Financial Officer, Electoral Commission of South Australia.

The CHAIR: We now come to the portfolio for the Electoral Commission of SA, and the minister appearing is the Attorney-General. Minister, would you like to introduce your advisers and make an opening statement, if you wish to do so.

The Hon. K.J. MAHER: I am very happy to introduce my advisers. On my right—and known, I am sure, to nearly everyone who is involved in parliament and politics—is Mick Sherry, the Electoral Commissioner. On my left is Wayne Harlock, the Acting Deputy Electoral Commissioner, and behind me is Mr Ian Clayfield, the chief financial officer. I am very pleased to say that sitting in the gallery we still have Andrew Swanson in his 24th year of estimates.

The CHAIR: Does the lead opposition speaker wish to make any statement?

Mr TEAGUE: Just two things, Chair, if I may, and thank you for the opportunity. Firstly, I indicate that the committee might excuse me, as I will need to go next door in about five minutes and I will be pleased to hand over my colleague Mr Tarzia to continue.

The Hon. K.J. MAHER: We will miss you. Will you return this afternoon, though?

Mr TEAGUE: Thank you, minister.

The CHAIR: What is so important next door?

Mr TEAGUE: An excellent point, Chair. I can only ask your indulgence for my participation next door; otherwise, it is a point very well made.

The CHAIR: That is actually the B committee; this is the A committee.

Mr TEAGUE: Noted, Chair. The second point I want to note is my appreciation of the service to the Electoral Commission of South Australia by David Gully over an extended period of time. I indicate that and wish him very well for the future. Otherwise, it is questions, Chair, if I may. I hope I have not jumped the gun in that respect?

Mr SHERRY: No, it is all public.

Mr TEAGUE: Good. If I may—questions, Chair?

The CHAIR: Of course. We are waiting.

Mr TEAGUE: We have recently—

The Hon. K.J. MAHER: Do you have a budget line you are referencing?

Mr TEAGUE: Budget Paper 4, Volume 2, page 48, might be a convenient starting point.

The Hon. K.J. MAHER: That is a blank page. I can talk about the number 48 at the bottom of the page in reference to a question.

Mr TEAGUE: We are not going to go there for the moment, much as it might be appropriate.

The CHAIR: What is the reference you are going to give us?

Mr TEAGUE: We could go to page 8 as well, but I am very conscious that it might be more appropriate that the minister considers actually to start with the blank page, but we will not do that. We will go to page 9.

The Hon. K.J. MAHER: Of Budget Paper 4, Volume 2?

Mr TEAGUE: Yes, that is the Electoral Commission of South Australia, which is where we are.

The CHAIR: Did you say page 9?

Mr TEAGUE: Page 9, yes.

The CHAIR: That is a blank page.

Mr TEAGUE: No, it is not.

The Hon. K.J. MAHER: It has a title.

The CHAIR: Apart from asking the Attorney-General his name perhaps, what else can you ask him?

Mr TEAGUE: I am directing the Attorney to the commencement of the agency provision. That is it there, and we progress from there.

The CHAIR: So whereabouts are you going to ask questions from?

Mr TEAGUE: I will start at page 12. Just earlier this year, we had a—

The CHAIR: Whereabouts on page 12?

Mr TEAGUE: On page 12, at about point 6 on the page, where we see a table headed 'Workforce summary'.

The CHAIR: Thank you. Proceed.

Mr TEAGUE: While we are at it, on page 13 we see a table, headed 'Program net cost of services summary', and a program called Electoral Services. There is a budget associated with that for 2021-22 and an estimated result for 2021-22, and then there is a budget for 2022-23. I will be addressing that line item in particular towards the top of page 13 in due course.

Just earlier this year, we had a state election, which has obviously been cause for the budget for the Electoral Services Commission to be significant for 2021-22. I note the variance from the 2021-22 budget to the estimated result. Will the minister provide any information that might have led to that variance and otherwise indicate, more particularly, the cost of the March 2022 state election?

The Hon. K.J. MAHER: I am happy to talk about the cost of services, particularly in an election year. Regarding the budgeted operating costs of the state election over four years—I think that is what the member is getting to, the cost of an election, and of course the cost an election is not borne in just the year of the election; there are costs before that—I am advised that the budgeted operating cost for the election over the four years 2020-21, 2021-22, 2022-23 and 2023-24 was a total of \$23 million, excluding the subsequent impacts of COVID.

In addition, I am informed there was a budgeted investing expenditure for the 2022 state election of approximately \$3 million, mainly for equipment for electronic roll marking off and software development. I am informed that the development of that budget was based on the costs of the 2018 state election plus a provision for inflation and changes in volumes over four years, plus known changes in activities and infrastructure required for the conduct of the election in 2022.

My advice is that in 2020-21 additional funding of \$1.8 million was provided from the COVID-19 Support Fund for measures required to mitigate the effects of the pandemic on the conduct of the election. I am advised that expenditure had been required to combat the impacts of COVID, including having to replace staff who were no longer available to participate, printing extra postal voting materials, purchasing rapid antigen test kits to protect the temporary election workforce, and implementing a workforce that allowed electors impacted by COVID-19 the opportunity to collect ballot papers prior to the close of voting from COVID-19 testing and collection sites.

I am informed that election staff worked additional hours on polling day to cope with the unusually long queues, managing social distancing and keeping staff and electors safe throughout the day.

Mr TARZIA: I might move to the omnibus questions for the committee and then resume the other questions:

1. For each department and agency reporting to the minister, what is the total cost of machinery of government changes incurred between 22 March 2022 and 30 June 2022?

2. For each department and agency reporting to the minister, which administrative units were created, abolished or transferred to another department or agency between 22 March 2022 and 30 June 2022 and what was the cost or saving in each case?

3. For each department and agency reporting to the minister, how many executive appointments have been made since 22 March 2022 and what is the annual salary and total employment cost for each position?

4. For each department and agency reporting to the minister, how many executive positions have been abolished since 22 March 2022 and what was the annual salary and total employment cost for each position?

5. For each department and agency reporting to the minister, what has been the total cost of executive position terminations since 22 March 2022?

6. For each department and agency reporting to the minister, will the minister provide a breakdown of expenditure on consultants and contractors with a total estimated cost above \$10,000 engaged between 22 March 2022 and 30 June 2022, listing the name of the consultant, contractor or service supplier, the method of appointment, the reason for the engagement and the estimated total cost of the work?

7. For each department and agency reporting to the minister, will the minister provide an estimate of the total cost to be incurred in 2022-23 for consultants and contractors, and for each case in which a consultant or contractor has already been engaged at a total estimated cost above \$10,000, the name of the consultant or contractor, the method of appointment, the reason for the engagement and the total estimated cost?

8. For each department and agency reporting to the minister, will the minister advise whether it will be subject to the 1.7 per cent efficiency dividend for 2022-23 to which the government has committed and, if so, the budgeted dollar amount to be contributed in each case and how the saving will be achieved?

9. For each department or agency reporting to the minister, how many surplus employees were there at 30 June 2022, and for each surplus employee, what is the title or classification of the position and the total annual employment cost?

10. For each department and agency reporting to the minister, what is the number of executive staff to be cut to meet the government's commitment to reduce spending on the

employment of executive staff by \$41.5 million over four years and, for each position to be cut, its classification, total remuneration cost and the date by which the position will be cut?

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

- What savings targets have been set for 2022-23 and each year of the forward estimates;
- What is the estimated FTE impact of these measures?

12. For each department and agency reporting to the minister, will the minister advise what share it will receive of the \$1.5 billion the government proposes to use over four years of uncommitted capital reserves held in the budget at the time it took office and the purpose for which this funding will be used in each case?

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

- What was the actual FTE count at 30 June 2022 and what is the projected actual FTE count for the end of each year of the forward estimates;
- What is the budgeted total employment cost for each year of the forward estimates; and
- How many targeted voluntary separation packages are estimated to be required to meet budget targets over the forward estimates and what is their estimated cost?

14. For each department and agency reporting to the minister, how much is budgeted to be spent on goods and services for 2022-23 and for each year of the forward estimates?

15. For each department and agency reporting to the minister, how many FTEs are budgeted to provide communication and promotion activities in 2022-23 and each year of the forward estimates and what is their estimated employment cost?

16. For each department and agency reporting to the minister, what is the total budgeted cost of government-paid advertising, including campaigns, across all mediums in 2022-23?

17. For each department and agency reporting to the minister, please provide for each individual investing expenditure project administered, the name, total estimated expenditure, actual expenditure incurred to 30 June 2022 and budgeted expenditure for 2022-23, 2023-24, 2024-25 and 2025-26.

18. For each grant program or fund the minister is responsible for, please provide the following information for the 2022-23, 2023-24, 2024-25 and 2025-26 financial years:

- Name of the program or fund;
- The purpose of the program or fund;
- Budgeted payments into the program or fund;
- Budgeted expenditure from the program or fund; and
- Details, including the value and beneficiary, or any commitments already made to be funded from the program or fund.

Moving on to Budget Paper 4, Volume 2, page 12, it talks about stated objectives and responsibilities, and you have the workplace summary there.

The Hon. K.J. MAHER: The table at the bottom of the page is what you are referring to?

Mr TARZIA: Yes. Clearly, the objective of the Electoral Commission of SA is:

To provide services which enable the fair and independent election of government and governing bodies which helps and encourages the community to participate with confidence and trust in the democratic processes...

And that is very important. A recent news article on 18 March confirms that the commissioner found that the Labor Party election advertising at the time about ambulance ramping in the recent state

election campaign was inaccurate and misleading. There was an order that the Labor Party remove the ramping commercial and, wherever the statement was distributed, it was ordered to publish corrections saying that the claim was not true. Did the Labor Party follow the commissioner's directions and remove the ads?

The CHAIR: Before the minister responds, can I clarify which dot point you are using?

Mr TARZIA: I am talking about the objectives under Electoral Commission. I am talking about—

The Hon. K.J. MAHER: The vibe.

Mr TARZIA: —people who are employed by the Electoral Commission and certain people who were involved in these findings, and there was an order by the commission. I am asking whether the Labor Party followed the commissioner's directions and removed the ad?

The Hon. K.J. MAHER: As Attorney-General and having responsibility for the Electoral Act, that is not a question that comes under my purview. I might suggest that the member write to the Labor Party. I am happy to provide the member with an address. I think it is 141 Gilles Street, Adelaide.

Mr TARZIA: You have been there before.

The Hon. K.J. MAHER: I have been there a couple of times before, which I think is the address of the ALP head office. I am sure correspondence to the Labor Party from the member for Hartley would be warmly received.

Mr TARZIA: Excellent.

The Hon. K.J. MAHER: If the Labor Party choose to do so, they can provide a response to the member's question.

Mr TARZIA: We will move on to Budget Paper 4, Volume 2, page 17, in relation to various elections. Council elections are obviously coming up and the commission does an exceptional job in administering those elections. Do you have a cost of what the November council elections are expected to be?

The Hon. K.J. MAHER: I can find a bit of information generally about council elections. As the member has pointed out, the council elections are conducted by the South Australian Electoral Commission. I am advised that planning for the 2022 periodic council elections is well underway. There are changes and innovations implemented that are in progress to date that include a periodic election program management being implemented, using the same project management system and governance framework as for the state election.

Software developments for the local council elections are being progressed, including the development of an online portal for candidate nominations, including profiles, photos and lodgement of candidate returns. There are improvements to the local government election management system to support the candidate nomination portal and development of an election results platform on display.

However, the main challenge relating to the 2022 periodic elections is still conducting the statewide activity in the same calendar year as state parliamentary elections. In the past, parliament has decided that state elections will be in March of a particular year and that later in that same year, in November, pursuant to statute, council elections will occur. Furthermore, I am informed this challenge is expected to be amplified in this particular year as a federal election has also been held. One of the concerns foreshadowed is the possibility that voter fatigue may adversely impact on the participation rates in the voluntary local government elections.

The member specifically asked about a provision in the budget for the cost of local council elections. My advice is that local council elections are essentially on a fee-for-service basis conducted by the South Australian Electoral Commission, so there is not a budget laid out in the budget papers for local council elections. The South Australian Electoral Commission effectively invoices local councils for the conduct of an election and then is paid for the conduct of that election.

Mr TARZIA: Do you have a ballpark figure, a range?

The Hon. K.J. MAHER: My advice is that in 2018, for the November local council elections, the cost was approximately \$6.57 million. There is a rough estimate and we do not know yet what the exact cost will be, but it might be in the order of \$9 million for this election. I am informed there are 67 local councils and, judging from the last election, somewhere in the order of 1,500 individual candidates, 700 possible positions to be elected and over 200 individual elections, when you take into account wards and other things. It is a pretty big undertaking. As I have said, the cost was estimated at about \$6½ million in 2018 with an estimate of somewhere in the order of \$9 million for 2022.

Mr TARZIA: Moving on to page 15, parliamentary electoral services, expenses and associated reports. It is always followed closely in this chamber, and I know members love reading it, so when is the Electoral Commissioner's report on the 2022 state election due to be published?

The Hon. K.J. MAHER: I will get you some information on that. As the member points out, the report of each state election is eagerly awaited and anticipated by many in the South Australian community, not least the members of parliament.

Mr TARZIA: And former members too.

The Hon. K.J. MAHER: A thorough operational review and evaluation of the conduct of the 2022 state election will help provide that guidance for future major electoral events, particularly state elections.

It is important to complete the review evaluation and the election report thoroughly, and as soon as it is practicable, to provide parliament sufficient time to review any potential recommendations and to give the Electoral Commission time to implement any outcomes. I am advised that the Electoral Commission is targeting completion of the operational review and evaluation of the state election in 2022, and the aim is to publish the formal state election report by the first quarter of 2023.

As I said, that will allow time for analysis and implementation of any operational changes and the possibility of completion of legislative change for any recommendations that flow out of that. As members are aware, legislative changes to the way elections work are not always done quickly and easily, so allowing sufficient time for those will be an important matter. I am also informed that a report on the Bragg by-election, which is due soon, will be prepared for inclusion in the state election report.

Mr TARZIA: I have a supplementary question arising out of those comments. In relation to the recommendations, can the minister confirm that he and his government will enact all recommendations in the Electoral Commission state election report, including around telephone-assisted voting?

The Hon. K.J. MAHER: I am sure the minister would not reasonably expect any government to commit to something they have not seen, but I can inform the member that the government will properly consider all recommendations from the report.

Mr TARZIA: Excellent. I will move on to page 14, electoral services. Obviously, there is always a challenge to do more to increase youth voter participation. I am interested in what the commission will do to increase youth voter participation.

The Hon. K.J. MAHER: In the last election, a number of initiatives were undertaken by the Electoral Commission to make sure that all those eligible to participate in democratic processes did participate, and of course young people are a key element of that. I am informed that the Electoral Commissioner wrote to young people who had just come onto the roll before the election to remind them about the need to vote and the alternatives—if they are having trouble on polling day, what is available.

I am also informed that there was interaction with community groups that younger people may be involved in. Importantly, I have teenage boys at home, so probably the one that seems to be the most effective for them is interaction with the Electoral Commission on social media, paid

advertising on social media to reach young people and activity on social media to outline the importance of voting, what is involved and how one can engage.

Mr TARZIA: I have one last question, Mr Chair. I refer to Budget Paper 4, Volume 2, page 16, performance indicators. There is comment on research activities. Is the Attorney able to provide some explanation of the five anticipated research activities into electoral matters that are identified in the performance indicators 2022-23. What are they?

The Hon. K.J. MAHER: I am advised that the five research activities that are proposed for the next financial year include:

- research publication series;
- trends and issues;
- briefing papers and electoral backgrounds;
- internal Electoral Commission South Australia research to support operational improvements;
- major research projects, as set out in the Electoral Commissioner's research framework;
- participate in externally initiated research seminars and workshops undertaken by external organisations, such as the Electoral Research and Regulation Network; and
- the conduct of things such as by-election surveys—conducting surveys of elected staff and stakeholders.

The CHAIR: The allotted time having expired, I declare the examination of the proposed payments for the Electoral Commission of South Australia and the Administered Items for the Electoral Commission of South Australia complete. I thank the minister, I thank his advisers and I thank members of the committee. We will reconvene at 11.45am.

Sitting suspended from 11:31 to 11:45.

ATTORNEY-GENERAL'S DEPARTMENT, \$109,934,000

ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT \$51,535,00

Membership:

Hon. S.S. Marshall substituted for Mr Teague.

Ms Thompson substituted for Mr Odenwalder.

Mr Cowdrey substituted for Mr Tarzia.

Minister:

Hon. K.J. Maher, Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and Public Sector.

Departmental Advisers:

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

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

Ms N. Saunders, Executive Director, Aboriginal Affairs and Reconciliation, Department of the Premier and Cabinet.

Ms K. Parker, Director, Aboriginal Affairs and Reconciliation, Department of the Premier and Cabinet.

The CHAIR: I open the portfolio for Aboriginal Affairs and Reconciliation. The minister appearing is the Minister for Aboriginal Affairs. I advise that the proposed payments for the Attorney-General's Department remain open for examination. I now call on the minister to make some opening comments and to introduce his advisers. I will then invite the lead speaker for the opposition to make an opening statement and ask questions as well.

The Hon. K.J. MAHER: As I indicated earlier this morning, I do not intend to make opening portfolio statements. I am keen to have as much time as possible for questions. I will introduce the new crew we have with us now. On my right is Ms Nerida Saunders, the Executive Director of Aboriginal Affairs and Reconciliation. On my left is Ms Kirstie Parker, the Director at Aboriginal Affairs, and on my far left remaining with us is Ms Caroline Mealor, the Chief Executive of the Attorney-General's Department. Behind us as always is Andrew Swanson from the Attorney-General's Department.

The CHAIR: I need to leave the chamber for a few moments, and the member for Mawson will be the Acting Chair for a few moments.

The Hon. S.S. MARSHALL: I will just make my introductory remarks. First of all, can I acknowledge this morning that we are meeting on the traditional lands of the Kurna people. We acknowledge their ongoing spiritual relationship with this land.

It is wonderful to be in this chamber, especially because we have both the Aboriginal and Torres Strait Islander flags here in this chamber. That was done without any controversy in the South Australian parliament, unlike in other parliaments. It was actually at the instigation of the previous Speaker, who is now the shadow attorney-general and the shadow minister for Aboriginal affairs, Josh Teague, who unfortunately cannot be here because for some reason they have scheduled other portfolios he has at exactly the same time, so you are stuck with me.

I also would like to offer my congratulations to the Hon. Kyam Maher, the Minister for Aboriginal Affairs and Reconciliation in South Australia. This is the second time he has held this portfolio, which is quite unusual. Often in the South Australian parliament, this is a role that has been one that is a stepping stone to other roles. It has traditionally been given to a reasonably junior member of the cabinet, so now to have the Attorney-General in that role I think is a positive move for us. I have a series of pretty straightforward questions. Would you like me to begin now?

The ACTING CHAIR (Hon L.W.K. Bignell): Yes, thank you, member for Dunstan.

The Hon. S.S. MARSHALL: All my questions relate to the statements you are going to have in front of you, Agency Statement Volume 1, pages 14, 15 and 16, which relate to all the things you could imagine.

The Hon. K.J. MAHER: That is Budget Paper 4, Volume 1?

The Hon. S.S. MARSHALL: That is right, I presume.

The Hon. K.J. MAHER: And page numbers in particular?

The Hon. S.S. MARSHALL: Pages 14, 15, 16, 17 and 18. It is just a series of papers. It is nothing in particular. There is no specific reference, over and above that you have mentioned in those papers that you are going to be consulting with Aboriginal people about the Voice to the South Australian parliament. Can you provide some overview on that? In particular, when will that consultation begin, who will lead that consultation and when is it likely to be concluded?

The Hon. K.J. MAHER: I thank the member for this question. We have started work already. There have been discussions and work that have commenced already in terms of different models in different areas of Australia and indeed other jurisdictions in relation to Indigenous peoples' participation in democracy and how that might inform a Voice.

There have been discussions held with those who have been involved, particularly federally, in the dialogues that have led up to the Uluru Statement and in the development of work since. We

anticipate there will be in the not too distant future, and certainly within the next couple of months, an outline of a process in terms of consultations for Voice. We anticipate having something to develop further sometime next year.

The Hon. S.S. MARSHALL: But specifically when will the consultation begin? Do you have a time frame?

The Hon. K.J. MAHER: We would anticipate in the next few months.

The Hon. S.S. MARSHALL: In the next few months to begin, and when would it conclude?

The Hon. K.J. MAHER: As I have said, we would hope that we will have consultations conducted and something concluded sometime next year. If we can do it in a manner that brings it forward, we will try to do that. As I know the member is keenly aware, there is a balancing act in relation to not only moving quickly on something but also allowing sufficient time for proper consultation.

The Hon. S.S. MARSHALL: For clarity, it is going to start in the coming months and conclude next year, the consultation?

The Hon. K.J. MAHER: We would hope to have something finalised sometime next year. That is what we are aiming for.

The Hon. S.S. MARSHALL: Also, who will lead that consultation?

The Hon. K.J. MAHER: That will be announced in the coming months.

The Hon. S.S. MARSHALL: Is it likely that the Commissioner for Aboriginal Engagement would conduct that consultation?

The Hon. K.J. MAHER: As I say, that will be announced in the not too distant future, in the coming months.

The Hon. S.S. MARSHALL: In terms of the Commissioner for Aboriginal Engagement, when does the current term of that commissioner conclude?

The Hon. K.J. MAHER: I understand that concludes at the end of this financial year, so discussions are being held about that role at the moment.

The Hon. S.S. MARSHALL: So the current commissioner could be extended or a new commissioner appointed; that is yet to be determined?

The Hon. K.J. MAHER: Those discussions are being held at the moment.

The Hon. S.S. MARSHALL: You are aware that legislation was introduced into the parliament in October last year, following more than two years' consultation on a Voice to Parliament. My understanding is that the shadow minister will introduce that as a private member's bill, or maybe already has introduced it as a private member's bill, but is it the government's position that it would not support that, waiting for the further consultation?

The Hon. K.J. MAHER: No, we will do our own work on this.

The Hon. S.S. MARSHALL: But you do appreciate that that means there will be a further very significant hiatus in the establishment of that Voice?

The Hon. K.J. MAHER: One thing we do appreciate, which I think has been outlined, is that on the actual legislation there was a total of nine days' consultation on the previous legislation. We will do our own work. There has been a fair bit of commentary on the previous legislation that I think was regarded more as a voice to a committee of parliament, rather than a Voice to Parliament.

We will certainly be doing our own work, but I do acknowledge that there has been work done on this and I do acknowledge not just the member for Dunstan but other members of his team who broadly support not all tenets of the Uluru Statement but at least the Voice part of it, so the work that has been done will be taken into account in what we are doing.

The Hon. S.S. MARSHALL: But just to be clear, your Voice to Parliament would be an instrument of the parliament, so it would require legislation?

The Hon. K.J. MAHER: That is the expectation I think that most people have, yes.

The Hon. S.S. MARSHALL: But the likelihood is that this would not be introduced this year; it would have to be next year because you are not concluding the consultation until next year.

The Hon. K.J. MAHER: We would hope the process will be concluded sometime next year. Depending on how the consultation goes this year, we will see what date we will look at once that concludes and once the plan is conducted. One thing I am not going to do is to commit to a very specific month when something will or will not be done. As I think is proper to do, we will look at the balance between moving effectively and efficiently and making sure people are consulted and brought along with this.

The Hon. S.S. MARSHALL: Obviously, the previous legislation introduced in October last year did not get to the Legislative Council; it was only in this chamber. The then opposition spokesperson said that the major criticism of the Voice in that document was the lack of consultation on the legislation itself. Is there anything specific that the now government has as a failure of that original model that had been put forward?

The Hon. K.J. MAHER: I do not have a copy with me, so I will not go into detail. One of the concerns that had been raised was a model where it is an appointed model, so it starts out as a model, an Aboriginal voice, but is appointed by the government of the day. Other concerns were raised about how it interacts with parliament. Concerns were raised that it appeared that it interacted with a committee of parliament and then that committee interacted with parliament. So, whilst we will look to see what parts of it may be appropriate going forward, I think these were some of the concerns that were originally raised with the previous model.

The Hon. S.S. MARSHALL: Will you continue the practice of the Commissioner for Aboriginal Engagement presenting his annual report on the floor of the house?

The Hon. K.J. MAHER: I note the initiative of the former government for the commissioner to report to parliament. That will all be taken into consideration with how any new body, as part of the Voice model, interacts with parliament.

The Hon. S.S. MARSHALL: If your Voice is not interacting with a committee, do you envisage that there would be members who became voting members of this chamber?

The Hon. K.J. MAHER: That is not something that we have contemplated, and I am not aware that that is a contemplation of those who are looking at the Uluru Statement, but regarding the mechanism of how a voice provides to parliament, I think that most of the discussion and commentary and thinking around this so far have been an advisory voice to parliament.

The Hon. S.S. MARSHALL: Will you keep the South Australian Aboriginal Advisory Council?

The Hon. K.J. MAHER: Again, that will depend on the model that we eventually come up with.

The Hon. S.S. MARSHALL: No, in the interim. Will the existing South Australian—

The Hon. K.J. MAHER: We have no intention to alter the South Australian Aboriginal Advisory Council. I can remember that it was set up when I first started working in Aboriginal affairs and that was when ATSIC was dissolved 15 or 20 years ago in South Australia. The South Australian Aboriginal Advisory Council was an initiative of the Mike Rann Labor government to have a voice for Aboriginal people for the government of South Australia.

Of course, ATSIC was formed under commonwealth legislation and provided significant commonwealth functions. It was a useful voice and a useful way to interact and understand the views for governments at all levels. I am not going to say Aboriginal people as a whole because of course any sort of elected or representative body cannot ever purport to represent the views of everybody as a whole, but it was certainly a view of Aboriginal people within South Australia.

The South Australian Aboriginal Advisory Council has had a long history since ATSIC—I am guessing about 15 years—and going forward we will have to look at whatever mechanism we have

in terms of what a voice provides and its interaction or otherwise with an advisory council, but we have no intentions of changing that while we are continuing towards a voice.

The Hon. S.S. MARSHALL: As you would appreciate, the tenure of the existing members was extended and extended, and I think it was extended again under the previous government simply because of the delays in bringing the legislation to parliament. Is it your intention to continue to extend it or to appoint a new South Australian Aboriginal Advisory Council?

The Hon. K.J. MAHER: I will have to take advice and turn my mind to that.

The Hon. S.S. MARSHALL: I think that term is also coming to an end reasonably soon. Is it the intention of the government that the South Australian Aboriginal Advisory Council will continue to meet with cabinet on a twice-yearly basis?

The Hon. K.J. MAHER: That is something we will look at and make a decision on. I know my colleagues have spoken of how we are now in a fortunate position where we do not just have a group that comes to cabinet a couple of times a year but, as an Aboriginal person and as Minister for Aboriginal Affairs and Attorney-General, we have an Aboriginal person around the cabinet table every time a cabinet decision is made.

I think there were some good initiatives that the former government had taken. Aboriginal affairs is, in my view, why I got into parliament. It was the driving area that gave me an interest in representative democracy. There are ideas that come forward from all sides of politics, not just Labor and Liberal but the Greens and otherwise, that are worthy, so that is something that we will look at.

The Hon. S.S. MARSHALL: I would like to move on to Treaty and truth telling, which is also referenced in your budget papers. In fact, one of your targets for 2022-23 is to explore mechanisms to underpin a Treaty process and a truth-telling process. Is it your view that the Voice to Parliament will precede the Treaty process?

The Hon. K.J. MAHER: In terms of sequencing, that is something that there has been quite a bit of discussion and thought about. I think it is fair to say that most of those who were involved in the dialogues leading up to the Uluru Statement and since have thought that the most logical and beneficial way of sequencing is Voice first, followed by the other two. Of course, Voice can help inform other things that you do. There is a fair bit of logical sense to that.

Our intention is to get started initially along those lines with Voice, but that does not mean that we will not be looking at the other aspects of the two other tenets of the Uluru Statement, the Treaty and Truth components, as we are doing that. Certainly what the government is prioritising at the moment is the Voice element.

Just more broadly—it is probably a question you are going to ask in terms of Treaty—something we are looking is how we recommence the Treaty process. Of course, under the former Labor government, as the member for Dunstan pointed out, I had the honour of serving in the role four years ago. We started a Treaty process in South Australia that, at the time was an Australian first.

We started the Treaty process in discussions and negotiations with Aboriginal nations. In the intervening four years, other jurisdictions around Australia have made movement, and some very significant movement, in relation to this area. I think it is fair to say Victoria now well and truly leads the nation in terms of where they are up to in many areas—and they started before the Uluru Statement was handed down—that the Uluru Statement touches upon, including Treaty.

There are now Treaty processes underway in I think both Queensland and the Northern Territory. In New South Wales now, certainly the Labor opposition has an ambition towards Treaty. One of the elements that we are seeing is increasing bipartisan support. Only in recent weeks the Victorian opposition in the Victorian parliament has had a change in policy position to support what the Victorian government is doing. As I said, it started before the Uluru Statement, but in terms of the Voice and Treaty and the truth-telling process, it is already underway in Victoria.

Whilst superficially it might seem attractive to start Treaty where we left off four years ago, not only have circumstances changed in South Australia but a lot more work has been done around Australia that requires some pretty close examination of where we go from here with this.

The Hon. S.S. MARSHALL: In those jurisdictions that you just referenced, they are actually starting with Treaty, not with Voice, but here in South Australia you will be starting with Voice and moving to Treaty.

The Hon. K.J. MAHER: Victoria has legislated the First Peoples' Assembly, a partly elected, partly representative groups model. I think the ACT has for some time had their own version of Voice. Jurisdictions are doing it differently, that is true, but certainly, as I understand it—and I am happy to go back and double-check that I have understood it correctly—Victoria started with that First Peoples' Assembly before moving on to the Truth and Treaty parts.

The Hon. S.S. MARSHALL: When you were last in government, the Treaty process model was for individual treaties with individual nations, starting with the Narungga nation and the Buthera Agreement. Will that be the approach?

The Hon. K.J. MAHER: As I outlined in my answer to the last question, a lot has changed since then, not only in terms of the South Australian landscape but in terms of where Treaty thoughts and discussions are up to around the rest of Australia. As I said in my answer, I think, two questions ago, superficially it might seem that we just take up exactly where we left off four years ago, but I do not think (a) it is as easy as that or (b) that that is a sensible starting point to look at.

Certainly the experience from four years ago, with the consultation undertaken—I think it was the largest consultation the state government had ever undertaken with Aboriginal people in South Australia—was that for a South Australian model, the way forward that was suggested as a result of the consultation was looking at those agreements and discussions with individual nations as a starting point. I do not think there was ever a contemplation that would necessarily be the end point.

I think Victoria are starting with a broader agreement—it gets complicated and difficult, as this area of public policy always is—and broader discussions in relation to a statewide agreement with Aboriginal Victorians. That was something that had been contemplated before, not only a state to Aboriginal nations discussion and negotiated agreement but also whether there is something that overlays that as well. That is certainly something we will be looking at as we move forward with this.

The Hon. S.S. MARSHALL: Whilst you say this is something you are going to look at, do you think it is likely that there will be a whole-of-state Treaty or a continuation of the individual nation treaties, or is it just too early to say?

The Hon. K.J. MAHER: It is too early to say, but I do not think it is necessarily a binary choice, as in it will only be one or it will only be the other. Some suggestions that have come forward as this has developed around Australia include a model where there are agreements with individual nations, either a set of principles or another guiding framework generally, with Aboriginal people of that jurisdiction.

The Hon. S.S. MARSHALL: How many nations are there in South Australia?

The Hon. K.J. MAHER: Somewhere in the 20s are currently recognised as nations in South Australia is my advice.

The Hon. S.S. MARSHALL: I was once told off by somebody who suggested there were 47. I did not ask them what all the 47 were, but you are suggesting it is more in the 20s?

The Hon. K.J. MAHER: That is the advice I have. The classification of nations is a construct we put on Aboriginal people and groups. There are groups within groups, and our idea of nations is not necessarily Aboriginal people's idea of nations, or even the same notion of nation that Aboriginal people from different parts of South Australia—and indeed of Australia—would have. I think it is a colonial construct to say that there are this many groups, this is how many there are, just as we have seen in some of the early and developing maps of Aboriginal groups and nations.

As we like to do, as people in government and as legislators, and also as those who colonised this nation like to do, we try to put definitive boundaries on and the same constructs on, but it does not always work and it is not necessarily always helpful. I think that, as the member is alluding to, to put that this is a definitive number, and that is how it is and everyone needs to understand it, is not necessarily particularly helpful.

The Hon. S.S. MARSHALL: In reality there could be dozens and dozens of agreements plus potentially an overarching treaty to be negotiated by a group yet to be determined, following the Voice consultations.

The Hon. K.J. MAHER: There could be many agreements. One thing that became very apparent in the work that was done before the 2018 state election was that while there are some things that different nations have in common, in terms of their wishes from government and how they interact with government, there are certainly differences in those. South Australia, in particular, is a very diverse sort of place: you go from Port MacDonnell to Pipalyatjara, between the two corners, and all points in between and otherwise. It is a very, very diverse state.

The Hon. S.S. MARSHALL: What is the budget for the treaty process over the forward estimates?

The Hon. K.J. MAHER: The initial budget to start the administration of this project I think is half a million dollars a year.

The Hon. S.S. MARSHALL: How will that be spent?

The Hon. K.J. MAHER: That is being determined at the moment as we determine the way forward with the initial consultation.

The Hon. S.S. MARSHALL: But that is for personnel to restart the process rather than payments to individual nations?

The Hon. K.J. MAHER: Again, I cannot imagine a full and final treaty process occurring in this term of government necessarily. In other areas around the world where there have been attempts—and some have worked very well—to retrofit what should have happened a couple of hundred years ago, it has taken years. I think in British Columbia it took more than a decade for some of this work.

When in opposition, the former Treasurer (Hon. Rob Lucas) would ask a series of questions about how much compensation and what would be paid. During negotiations last time, that was not a high-order matter. There were a lot of other things that were more important than a sum of money for compensation. Again, this is a particularly complex area of public policy and one that is very difficult, but in my mind it shows why it is so important.

The Hon. S.S. MARSHALL: Can you imagine people's scepticism, though, because in the last term of government the Buthera Agreement was really negotiated in an extraordinarily short time frame? In fact, the previous government received advice from the commissioner for treaty in July 2017 that really Voice should precede the negotiation. The government of the day said, 'No, we would like to begin the negotiations for the Buthera Agreement by the end of 2017.' In fact, the Buthera Agreement was signed before the March 2018 election, so this was an agreement that was signed in a matter of months.

You are now telling this committee here today that first of all we are going to continue consultation on Voice starting in the next couple of months and hopefully concluding next year, that we will then introduce legislation and that body will be auspiced with conducting future negotiations, whether it be with individual nations or collectively, and that over the forward estimates there is only half a million a year. It does not provide much hope for many nations that the treaty process is going to have a deliverable outcome for them even over a four-year process when the Buthera Agreement was done in a matter of just a few months.

The CHAIR: I am not clear what the question was.

The Hon. K.J. MAHER: I can attempt to answer it.

The Hon. S.S. MARSHALL: It was at the very beginning. I said, 'Do you appreciate the scepticism?' and then I went on to provide the background.

The CHAIR: So you are asking for the minister's opinion.

The Hon. K.J. MAHER: No, I do not because large parts of that question were a complete mischaracterisation of things I have said. I think the member has attempted to mischaracterise it as

a definitive statement, that whatever body is set up as a voice will necessarily be the one conducting, and only the one conducting, any further negotiation on anything like Treaty. One of the reasons I do not accept it is because of the mischaracterisations the member has engaged in in relation to his explanation to the question.

Also, in relation to the past history of these discussions, if my memory serves me correctly I think it was the end of 2016 that the then Weatherill government outlined an ambition to start Treaty discussions, which of course preceded the Uluru Statement in May 2017. The idea that there was some sort of sequencing that was misapplied I think either deliberately or accidentally misunderstands where we were at that time. As I said, the ambition for Treaty started in 2016 and the Uluru Statement was in May 2017.

In relation to discussions and negotiations that took place after an expression of interest process with three Aboriginal nations at the time, the one that got furthest along the process was with the Narungga nation with the Buthera Agreement. That was not and never was purported to be a full and final settlement of Treaty issues, but it was the first stage in Treaty discussions. I think at the time it was the first time any sort of agreement along the process of Treaty had been signed. I do not accept that people will be sceptical, partly because I do not think the facts in the question were stated correctly.

I think we are now seeing, right around Australia and federally, a move towards agreement-making, as was outlined in the Uluru Statement. That ambition of Treaty will be understood differently by different people in different parts of Australia. I think it is a reasonable one. I think one of the great benefits of the statement from Uluru, that gift that was provided by Aboriginal Australia to the nation, is the simplicity and the gentleness of what was suggested.

Even the word 'treaty' was not used in the statement; it was 'agreement-making'. For us, as policymakers, to ignore that and refuse to abide by the generosity and gentleness of what has been suggested I think would be a grave mistake.

The Hon. S.S. MARSHALL: Could you provide some hope for nations with regard to Treaty in terms of the ultimate time frame for negotiation and settlement?

The Hon. K.J. MAHER: Again, I think that would be a rather foolish thing to do—to tell all nations in South Australia, 'By this date, you will have full and final settlement of Treaty.' One of the things that I think was also clear was that this may be a process, and will likely be a process, where things can develop over time. If the member is suggesting we should set down a hard date, by a certain time in a certain year, and that is it—everything has to be signed and nothing will ever be changed—I think that would be a great disappointment to Aboriginal people in South Australia.

The Hon. S.S. MARSHALL: I am certainly not suggesting that, but there is nothing in the forward estimates talking about financial moneys to individual nations; it is more the admin to set it up. As I was saying before, the Buthera Agreement was signed in pretty quick order and millions of dollars flowed to the Narungga nation. You said there were two other nations that bid for that. There are at least dozens of other nations that are saying, 'When is our turn?'

I just wonder whether there can be not full and final—but do you have any sort of time frame that would provide hope to those nations, many of whom have been waiting for some time? Of course, the government has now made this commitment to Treaty.

The Hon. K.J. MAHER: I can tell you what I can provide hope for—that we will engage in Treaty discussions. I tell you what does not provide hope: when a government changes and says that Treaty is a cruel hoax. That does not provide hope. We are committed to Treaty.

The Hon. S.S. MARSHALL: The Buthera Agreement has been extended by the previous government. I think there are a further 12 months remaining.

The Hon. K.J. MAHER: The terms of the agreement? All terms of the agreement or funding for the agreement or the department's interactions with parts of the agreement? I am just trying to understand the question from the member. Is it his contention that the whole agreement was to come to an end?

The Hon. S.S. MARSHALL: No. The previous Weatherill Labor government signed the agreement I think in March 2018. It was a three-year agreement. It was extended but at a lower dollar value per year for a shorter period of time—I think two years, so that would be coming up now. Is it the expectation or the intention of the new government to further extend the Buthera Agreement?

The Hon. K.J. MAHER: We will look for that. I will double-check and look for an answer. I think what the member is referring to is some of the funding for the agreement. There were many other elements of the agreement that relate to how departments interact with the Narungga nation. There is scheduled funding for the agreement, I am advised, that occurs over the next two financial years.

The Hon. S.S. MARSHALL: Can you tell me when that funding runs out?

The Hon. K.J. MAHER: My advice currently is that there is a forward provision for funding at this stage until the end of the 2023-24 financial year.

The Hon. S.S. MARSHALL: So until June 2024, the Buthera Agreement?

The Hon. K.J. MAHER: That is my advice. That is funding for administration. I will double-check, but I do not think that means every tenet of the agreement falls over at that date.

The Hon. S.S. MARSHALL: No. Is it the intention, or is it too early to say, that continued financial support for the Buthera Agreement—

The Hon. K.J. MAHER: We will have to have a look at all elements of what we do. One of the other things that was discontinued, with the previous change in government in 2018, is the regional authorities policy that provided, I think, very good and in some ways world-leading development for nations' governance. There are a whole range of elements we will be looking at, and one of those we will necessarily look at is how nations can be involved in agreements. It should be pointed out that Narungga have well-placed ambition for income sources.

Since becoming minister a few months ago, I have been fortunate to visit, as I have many times, Yorke Peninsula, the Point Pearce community and other areas of the Yorke Peninsula. I have to say that I am impressed with some of the work that has already been undertaken, and some of it has been the result of the Buthera Agreement.

I will criticise when I think it is warranted, but I will congratulate when I think it is warranted as well. I have criticised the stopping of the treaty process, but credit is warranted to the former government for abiding by the terms of the agreement that was already signed. I think some of the terms of the agreement that was already signed have helped with the anticipation of future income sources for Narungga.

The Hon. S.S. MARSHALL: Yes, I think that they have done an extraordinary job over there, especially Wardang Island and some of the work they have done with the fisheries agreement with PIRSA. Just to be very clear, I would say that the previous Liberal government and the current Labor government are almost in sync with our views with regard to Treaty because you have now acknowledged that Voice should precede Treaty. I think that is exactly the position the former Liberal government had.

The Hon. K.J. MAHER: No, I want to be clear, to put this on record. The former Liberal government thought—without anything else, without qualifying anything else—and I will quote, that Treaty was a 'cruel hoax'. This government does not.

The Hon. S.S. MARSHALL: I do not think there is—

The Hon. K.J. MAHER: There is a very, very big difference.

The Hon. S.S. MARSHALL: I do not think there is, if I can be very clear—

The Hon. K.J. MAHER: If the member—

The Hon. S.S. MARSHALL: —and I will just finish the sentence. I do not think they were taken in context. We pushed ahead very significantly, the previous government, with Voice, and it seems to me that is exactly the position. You are not going back to the old model of individual negotiations with individual nations.

The Hon. K.J. MAHER: If the member is outlining a change in policy of the Liberal Party of South Australia, which he seems to be, that the Liberal Party of South Australia now is fully supportive of Treaty in South Australia, I thank him for that.

The Hon. S.S. MARSHALL: Well, no, I just do not think—

The CHAIR: Can I just—

The Hon. K.J. MAHER: I think it is a welcome development from the Liberal Party.

The CHAIR: I just remind—

The Hon. K.J. MAHER: Like the Liberal opposition have in Victoria, they have changed their mind. They did not support Treaty and they now do, and I thank the member for Dunstan for announcing the change in policy on behalf of the parliamentary Liberal Party to now support Treaty.

The Hon. S.S. MARSHALL: It is pretty juvenile to be making those comments

The CHAIR: I would just remind members—

The Hon. S.S. MARSHALL: It was all going so well until that really juvenile comment.

The CHAIR: Member for Dunstan, I have the floor. I just remind members this is a question and answer session, not a debate. I ask that the process be respected and that questions to the minister come through me, and responses equally. Member for Dunstan, do you have a question?

The Hon. S.S. MARSHALL: Yes, I hope people were listening in on that exchange. Can we move to Budget Paper 4, Volume 1, pages 18 and 19 on Aboriginal monuments. Who will lead the consultation to identify those to be commemorated?

The Hon. K.J. MAHER: I thank the member for his question. That is something the department and I are having discussions about at the moment, about how that process is led. There is some work to do here, not just in terms of who are commemorated in those monuments, because of course that will require some significant input from the Aboriginal community in South Australia, but also how that is done, where monuments are placed and how we best celebrate Aboriginal achievement in South Australia.

It is something that has been a great stain on us as a country and as a state, that we celebrate so much of the last 200 years of our history in those monuments we see around South Australia and so very little of the tens of thousands of years of history before that and also so very little of the significant Aboriginal contributions that have happened during the time we have erected a whole lot of the other monuments.

The Hon. S.S. MARSHALL: Who will lead that consultation? The department—

The Hon. K.J. MAHER: As I say, we are working through that with the department now about how that will work.

The Hon. S.S. MARSHALL: Is it the government's intention to honour the early negotiations of the previous government with regard to Dr Lowitja O'Donoghue?

The Hon. K.J. MAHER: We are working through our future policy and how any commitments that have been made in the past might inform that.

The Hon. S.S. MARSHALL: Is the money that is included in the budget over the next two years—\$1 million over two years—for the consultation, the design and the erection of monuments, or just the consultation?

The Hon. K.J. MAHER: No, it is a starting point for all those processes, as I think the policy outlines. We are looking to collaborate, firstly, with local councils and, secondly, with philanthropic individuals, organisations or companies to make sure that we are doing as well as possible and that we use the funds that we have as effectively, efficiently and to a wider audience as we possibly can.

One thing that impressed me very recently was the opening of a monument and memorial on the banks of Lake Bonney in Barmera for Aunty Ruby Hunter and Uncle Archie Roach. It was

quite a remarkable story. It was wholly funded by the Blundstone corporation of Tasmania. The chief executive of Blundstone of Tasmania was there at the opening—as was I—a couple of months ago.

This executive had been listening to a national radio program when someone from the Barmera community was talking about wanting to have this recognition and they were looking to raise funds. The executive from Blundstone then went to his board and said, 'I think we should do this.' There was no connection between a manufacturer of footwear in Tasmania and Barmera in South Australia, but the executive heard this, thought it was the right thing to do, wanted to get behind it and this monument was funded by Blundstone of Tasmania.

I think that there is an appetite and a desire for corporate Australia to start sharing the load in reconciliation and being a part of these things. That is something that we will be looking at as well. That story from my attendance for the unveiling at Barmera has really given me cause for optimism about what we might be able to do with this policy into the future.

The Hon. S.S. MARSHALL: You are committed to spending the \$1 million for the design and delivery of the monuments. They will mark six Aboriginal leaders from South Australia, and the consultation will be determined over the coming months?

The Hon. K.J. MAHER: Indeed.

The Hon. S.S. MARSHALL: Can we move on to discussing Tauondi college. In the lead-up to the election the previous government committed to transferring ownership of the land and all the buildings of Tauondi college at Port Adelaide. Can you provide this committee with an updated schedule of progress on that project?

The Hon. K.J. MAHER: Prior to the state election, there had been discussions both with Tauondi and other organisations, including the Indigenous Land and Sea Corporation, about the possibility of transferring ownership. I know that discussions have occurred in the months since the election for the possible transfer and also other needs for Tauondi college. Tauondi college had received block funding from the government to provide educational services and, quite frankly, a community hub for the Aboriginal community in South Australia.

Tauondi college was established in 1973, which is the same year, I think, the ALRM became incorporated. I remember these things only because that was the same year I was born. Tauondi was born the same year I was and is one of only a couple of institutions in Australia of its type to have matured and developed over that age.

Unfortunately, that block funding for Tauondi college was removed. I know that a lot of work is going on—at a departmental level particularly—about how we can assist Tauondi to survive into the future, and certainly one of those elements has been discussions about leveraging land ownership. I do not have the figure, but some millions of dollars is the value placed on the building and land at Tauondi. Certainly, what we are investigating is the possibility of that transfer to Aboriginal ownership and control and if that can leverage further funds.

Organisations like the Indigenous Land and Sea Corporation have a very proud and strong history of not just being involved in the purchase of assets but then being able to help with the ongoing running of certain ventures. Some of the obvious ones are many of the tourism ventures that we see around Australia that the ILSC have been involved in. We are continuing to explore what possibilities there are for Tauondi college, which, as I say, is frighteningly close to celebrating their 50th birthday.

The Hon. S.S. MARSHALL: Just to be clear, though, prior to the election the government did say that they would transfer this property at a value of \$4 million. That probably would not happen through your department anyway. I presume it is another department that owns the building, but what you are saying is you are not aware of any progress to date, but it might be wrapped up in a larger negotiation.

The Hon. K.J. MAHER: I understand, but I will go away and check if I need to provide any further information. I understand that there has been consideration work done on this. I think there are discussions that involve that but, further than that, about what different departments do in relation to the work Tauondi college does.

The Hon. S.S. MARSHALL: Is it possible that you would take on notice when the transfer is likely to occur and what the value is going to be?

The Hon. K.J. MAHER: If those are able to be answered, if there is some sort of date being worked towards or as firm as it can be, I am happy to take those on notice and bring back a reply.

The Hon. S.S. MARSHALL: Also, you mentioned in your previous answer about the block funding being removed. Is it the intention of the government to put that block funding back in place?

The Hon. K.J. MAHER: I have been involved in a couple of conversations with Tauondi. These are things Tauondi has put to the government. I am not aware that a decision has been made in relation to—

The Hon. S.S. MARSHALL: —the restoration of the block funding.

The Hon. K.J. MAHER: Yes, but again I will double-check and if there is an answer I can bring it back.

The Hon. S.S. MARSHALL: Also, the previous government suggested that the advice we had received from Treasury is that in fact the value of that asset transfer would be in excess of \$8 million, so could you just take that on board.

The Hon. K.J. MAHER: I am happy to take that on notice. Governments tend to have better and more updated information than oppositions, so I think—

The Hon. S.S. MARSHALL: Well, we provided it to the opposition at the time.

The Hon. K.J. MAHER: I think the member is right. I think there was a suggestion of \$4 million, but I am happy to go and check to see whether there is a further and better, now in government, estimate of that.

The Hon. S.S. MARSHALL: When the transfer is made, is it going to come with an annual further allocation? At the moment that property is owned by the government and of course the depreciation is borne by the government; the maintenance, rates, taxes, everything is borne by the government. Once the transfer is effected, there would be hundreds of thousands of dollars worth of expenses that would go to Tauondi each year. So will there be a further transfer of an annual grant to meet those costs, in addition to the property transfer circa \$8 million?

The Hon. K.J. MAHER: I am happy to take those questions on notice and bring back a reply, and also the interaction of those things with an organisation like the Indigenous Land and Sea Corporation.

The Hon. S.S. MARSHALL: With regard to APY matters mentioned in Budget Paper 4, Volume 4, pages 18 and 19, obviously, as you would be more than aware, it is the APY's responsibility, the executive board's responsibility, to appoint the general manager, but obviously the conditions of the appointment are approved by the minister. Has the minister had discussions with the current general manager, Mr King, since coming to office?

The Hon. K.J. MAHER: My recollection is I have had one meeting with representatives of APY that has included Mr King since coming to office.

The Hon. S.S. MARSHALL: When does Mr King's term expire?

The Hon. K.J. MAHER: I will give you how I understand it, and if there are significant differences, I am happy to bring it back. My understanding is that the three-year term that he was appointed—and I presume the member would have approved the terms and conditions the last time—

The Hon. S.S. MARSHALL: Correct.

The Hon. K.J. MAHER: —as I think I did the first time, so there was an involvement from both of us on this. My understanding is that the three-year term has expired. The resolution as it stands, as I understand, with the APY Executive is for, in effect, an extension of that appointment for a six-month period while a review is undertaken. My understanding is that there has been a

consultant out of Western Australia who has been hired to undertake the review of the general manager position and performance.

I can give you some further and better information, rather than just go from memory. On 9 April 2022, the employment contract for Mr Richard King expired. The APY Executive Board, I am informed, has reappointed Mr King for a six-month period while the review of his performance is undertaken.

The Hon. S.S. MARSHALL: The former government developed an Aboriginal action plan and published two of those. Is it the intention of the new government to continue with the existing action plan, and does the government have any plans to continue with a further action plan once this one is completed?

The Hon. K.J. MAHER: As a government, we intend that departments will continue to undertake the work they do in Aboriginal affairs. I think in the former action plan—and I will check if things are correct—about two-thirds of the action items in the original action plan and most in the second action plan were things that government had been doing as a matter of course, brought together and collated in the one document.

We will consider whether we think it is necessary to bring stuff government is doing as a matter of course, and it was only some things government were doing. There is much more that government does in Aboriginal affairs that is not in the action plan. We will consider whether continuing to bring it all together in a document and having events around the document is our priority or whether we, in some other way, allow government departments to do what they do and how it is monitored.

In a sense, the new framework that includes, as the member would be aware, much more state buy-in in relation to the Closing the Gap Implementation Plan probably takes any plan the state government might do to another level and is probably a more significant way to measure the state government's progress in these things.

The Hon. S.S. MARSHALL: The reason for the establishment of the whole-of-government action plan is that often it was very difficult for an individual minister to have effect, with your very small budget for Aboriginal affairs and reconciliation, over very complex areas affecting Aboriginal South Australians. That was the reason for trying to bring it together and have all of cabinet working in a consolidated way; whereas Closing the Gap is a refresh, which is strongly supported by South Australia. It deals with a pretty finite set of objectives. Is it the intention of the new government to continue with the comprehensive Aboriginal trainee program by placing 100 Aboriginal jobseekers into traineeships by the end of June next year?

The Hon. K.J. MAHER: I will double-check that. As the member probably experienced himself and I think as he alluded to in the statement he made, many of the levers for effecting change do not sit within your department—

The Hon. S.S. MARSHALL: Correct.

The Hon. K.J. MAHER: —even as Premier or Attorney-General. Many of the levers do not sit within your department or direct control.

The Hon. S.S. MARSHALL: That is why the action plan is quite helpful.

The Hon. K.J. MAHER: In terms of traineeships, I am happy to check on that and bring back a reply.

The Hon. S.S. MARSHALL: I would also be pleased if you could check on the progress of what proportion of Aboriginal people are working within SAPOL. It was a goal to get that to 2 per cent and I am just wondering whether that will remain as a goal of the new government.

The Hon. K.J. MAHER: I am happy to check on the elements of where it is at the moment, in terms of the percentage of employment and also the status of the ambition of it as well.

The Hon. S.S. MARSHALL: With regard to Aboriginal heritage, funding was provided in the 2021-22 budget—I appreciate that was before you came to government—to increase the capacity to undertake heritage assessments to support key projects that contribute to South Australia's overall

economic growth. How many such assessments are now awaiting a decision by you, subject to section 23 of the Aboriginal Heritage Act?

The Hon. K.J. MAHER: In relation to funding that was provided for projects, I do not have that information in front of me, but I am happy to take that on notice and bring back a reply.

The Hon. S.S. MARSHALL: But do you have decisions regarding section 23 of the act awaiting a decision from your office at the moment?

The Hon. K.J. MAHER: I am not aware of any. I will check, but I cannot think of any off the top of my head that are with my office awaiting a decision at the moment. Certainly, I am aware that there are a number of consultations governed by section 12 of the 1988 Aboriginal Heritage Act that then inform decisions taken in relation to section 23 of the act that are ongoing at the moment. I am not aware that any are before me at the moment, but again I will double-check to see if that is correct. I know that a number are currently ongoing and in the consultation process that precedes a decision pursuant to section 23 of the act.

The Hon. S.S. MARSHALL: Can you commit to undertaking to provide detail of the recipients of grants and subsidies under your portfolio? That is one of your largest items, so it would be good to get a list.

The Hon. K.J. MAHER: Is this page—

The Hon. S.S. MARSHALL: This is on Budget Paper 4, Volume 1, pages 18 and 19.

The Hon. K.J. MAHER: Is this page 19?

The Hon. S.S. MARSHALL: Yes, page 19. It just has a consolidated number there.

The Hon. K.J. MAHER: I am happy to do that and provide a breakdown. Off the top of my head, I think a number of those are not like a discretionary fund. They are grants that have been and continue to be provided in certain areas.

The Hon. S.S. MARSHALL: ALRM and—

The Hon. K.J. MAHER: I think that the APY task force might be one of those.

The Hon. S.S. MARSHALL: That is a separate—

The Hon. K.J. MAHER: It is the ALRM, ALT and other things, but I am happy to go back and provide a breakdown because, as I said, I do not think many of those, if any, are actually some sort of discretionary grant funding. Unfortunately, it tends to be premiers who have those sorts of discretionary funds, not mere ministers.

The Hon. S.S. MARSHALL: Yes, it is good to be the Premier sometimes, when you can put money into it, which leads me to my next question: will the government be continuing its funding for the repatriation of Aboriginal remains?

The Hon. K.J. MAHER: Again, I will take that on notice and have a look. I suspect that, if it continues on from the previous question, that may have been one that was a Premier's discretionary—

The Hon. S.S. MARSHALL: It is funded out of the central agency. Is AARD remaining in the central agency?

The Hon. K.J. MAHER: In machinery of government changes, AARD will come over to the Attorney-General's Department, where the rest of my portfolio sits.

The Hon. S.S. MARSHALL: Let's hope you have a large contingency as well.

The Hon. K.J. MAHER: In relation to that, I will have to take that on notice and check. I will double-check, but my understanding is that there was a one-off payment for that project. There was not a continuing budget line, but I will check what the intention for that is in the future.

The Hon. S.S. MARSHALL: Certainly the previous government did commit to that ongoing process, realising that the costliest consultation was the first one to establish the protocols.

The Hon. K.J. MAHER: Again, I am happy to go away to check what ongoing provision had been made in the previous budget for that. Another thing you learn, not being the Treasurer, is that you do not see all the ongoing budget lines, but I am happy to check what ongoing budget provision had been made in the forward estimates for that.

The Hon. S.S. MARSHALL: To be clear, I do not think there were any further applications for the funding for that, but what you are saying is that, if applications came in for repatriation, they would be considered by the new government.

The Hon. K.J. MAHER: As I understood what the member was saying, this was not a one-off payment and there were ongoing funds scheduled for this. We were talking about similar things. I am happy to go away and see where in the budget papers previously this has appeared and what ongoing funding there had been provision for.

The Hon. S.S. MARSHALL: To be clear, though, it was ad hoc, based upon applications at a time, rather than a funding line because it was envisaged this would be over a period of a decade.

The Hon. K.J. MAHER: I can go and check. This will be helpful too: is it the member's understanding that there was a provision made in future years, or was this a one-off payment with an idea that there may be further applications—so no actual money for it, but we will consider it if it comes in?

The Hon. S.S. MARSHALL: All previous applications for money had been met, but there were none pending. It is very difficult because some nations, now that the protocols have been established, have very low costs but still have consultation to do, and it could be several years until a further application comes. But just be hopeful to continue with that repatriation process. On a similar line—

The CHAIR: The allotted time for this examination has now expired. I declare the examination of the Aboriginal Affairs and Reconciliation portfolio complete.

Sitting suspended from 12:45 to 13:45.

Membership:

Mr Pederick substituted for Hon. S.S. Marshall.

Mr McBride substituted for Mr Basham.

Departmental Advisers:

Ms E. Ranieri, Commissioner for Public Sector Employment, Office of the Commissioner for Public Sector Employment.

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

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

Mr E. Brooks, Executive Director, IR and Policy, Department of Treasury and Finance.

Ms S. Willsmore, Chief Human Resources Officer, Office of the Commissioner for Public Sector Employment.

The CHAIR: I open up the examination of the office for the public sector. The minister appearing is the Minister for Industrial Relations and Public Sector and the estimate of payments is through the Attorney-General's Department. I advise that the proposed payments for the Attorney-General's Department remain open for examination. I invite the minister to make an opening statement and introduce his advisers. I will then invite the lead speaker for the opposition, the member for Colton, to do the same. Minister, the floor is yours.

The Hon. K.J. MAHER: Thank you, sir. I will introduce the officers I have with me at the moment. To the right of me is Erma Ranieri, the Commissioner for Public Sector Employment. To

my left is Elbert Brooks, Executive Director, Industrial Relations and Policy. Immediately behind me, joining us once again, are Caroline Mealor, Chief Executive of the Attorney-General's Department, and Andrew Swanson, powering his way through his 24th set of estimates. We also have Shelley Willsmore from the Office of the Commissioner for Public Sector Employment.

As with the estimates from earlier in the day, I will not make any opening policy statement and I am happy to take questions.

Mr COWDREY: There is no opening statement from me. Perhaps I can start by drawing the minister's attention to Budget Paper 4, Volume 1, page 64. There are very few references to the office, given it is an administered item. I will provide you with some forewarning that questions will be on this budget line, given that it is effectively the only one.

The Hon. K.J. MAHER: Which budget line is it in particular?

Mr COWDREY: The Office of the Commissioner for Public Sector Employment. As I said, as an administered item there are very few references to the office, so all questions will be directed to this budget line.

I will give some background to the question. The table on page 64, providing additional information for Administered Items for the Attorney-General's Department, indicates a budgeted cut of close to \$1 million in the financial year 2022-23 to the Office of the Commissioner for Public Sector Employment compared with the estimated result for this financial year. Through the minister, can I ask the commissioner to explain how this cut will affect the functioning of her office?

The Hon. K.J. MAHER: I can advise the member that the COVID mobilisation budget has been stopped, so the COVID mobilisation project budget has been cut, and that accounts for what we see in terms of the reduction in the financial year. I am advised that is the major reason for that.

Mr COWDREY: That accounts for the whole reduction?

The Hon. K.J. MAHER: I am informed that part of it is the COVID mobilisation service project and part of it is not having an I Work for SA—Your Voice Survey in that particular year. That accounts for the vast majority of what we see in terms of the reduction from the previous year.

Mr COWDREY: Has there been a savings task attributed to the office?

The Hon. K.J. MAHER: As we go through the machinery of government changes, all agencies—and there are exceptions, and one of them that came up this morning was the Courts Administration Authority. That is in my portfolio and that does not have a savings target. I can also confirm that the Office of the Commissioner for Public Sector Employment does not have a savings target either.

Mr COWDREY: It is quarantined as well?

The Hon. K.J. MAHER: There is no savings target for that office.

Mr COWDREY: So it has been quarantined, the same as the Courts Administration Authority?

The Hon. K.J. MAHER: It was not one of the quarantined areas, such as courts, Health and others that were quarantined, but it does not have a savings target attributed to it. Areas were announced as quarantined from the government but other areas, such as agencies in which smaller offices sit, will attribute savings targets. It is up to each agency to decide how those savings targets are met. For the Office of the Commissioner for Public Sector Employment, there is not a savings target attributed to it so any reduction there has nothing to do with the savings target, which I think is the question the member was getting to before.

Mr COWDREY: So the minister has made decisions in regard to what agencies or offices within his department are not going to be assigned a savings task, but in earlier questioning he refused to answer questions in regard to where savings tasks would be attributed. Is that not inconsistent?

The Hon. K.J. MAHER: I can confirm that as machinery of government changes were made the Office of the Commissioner for Public Sector Employment, when savings targets were allocated,

did not sit within AGD: they sat within another department and were allocated savings targets from that department. Upon coming to AGD, it did not have a savings target associated with it.

Mr COWDREY: The Office of the Commissioner for Public Sector Employment—correct me if I am wrong—was moved from Premier and Cabinet?

The Hon. K.J. MAHER: I believe it was from within Treasury and Finance and then it came over to here.

Mr COWDREY: The commissioner's 2021 State of the Sector report indicated some encouraging trends. Can I perhaps ask the commissioner if she can advise of any updates on the following: the first is in regard to workplace bullying and harassment. Last year, the commissioner indicated that the number of employees witnessing workplace bullying and harassment had fallen 8 per cent since 2018. Are you able to provide an update on where these statistics now sit?

The Hon. K.J. MAHER: I understand that the specifics of what the member is referring to would likely have been from the I Work for SA—Your Voice public sector survey. I do not have details of any changes since that survey but, if there are changes that are able to be reported on, I am happy to take that on notice and see if there is a response that can be brought back.

Mr COWDREY: I will run through these. I imagine the results will be similar, but if they could be taken on notice I think that would be helpful. The report also advised that the number of employees experiencing workplace bullying and harassment in the previous 12 months had fallen 4 per cent since 2018 to 17 per cent. Are you able to advise if that trend continued or if there are updated numbers?

The Hon. K.J. MAHER: I am happy to take that on notice, but I understand that it is publicly available information.

Mr COWDREY: Yes, but the publication obviously has not occurred for this financial year.

The Hon. K.J. MAHER: We will provide whatever answers are collatable and able to be provided in the time that we have to get back for responses.

Mr COWDREY: There will be two more along the same line.

The Hon. K.J. MAHER: Maybe if you wish to read them, I can give you the assurance I will do that again.

Mr COWDREY: Yes, take them on notice. The commissioner's report also indicated that the public sector continued to employ a record number of Aboriginal South Australians, with 2,317 employees self-identifying as Aboriginal or Torres Strait Islander people as of 30 June 2021. Does she have any update to that figure?

The Hon. K.J. MAHER: I can take that on notice. The figures are not yet available is my information, but if they become available and are able to be publicly released before we have to get back with these responses—I am not sure yet, but I will find that information—I am happy to bring it back if I can.

Mr COWDREY: Are you able to confirm the time line for publication for this year?

The Hon. K.J. MAHER: I think it is September when the publications happen, so I do not imagine I would be able to have the figures before then. Chair, I think it is said at the start of the session the date that responses to questions are—

The CHAIR: It is 22 September, from memory.

The Hon. K.J. MAHER: If those times happily coincide, the publication is before then, and we are able to do it in the time frames, I am happy to bring those back.

Mr COWDREY: One can only hope. In the last report, the number of women taking up women's executive roles within the public sector was put at just over 57 per cent.

The CHAIR: I just need to correct the date: it is 2 September.

The Hon. K.J. MAHER: That is going to be more difficult, but we will see what we can do. What was the question about women in executive roles, to see whether we have any information?

Mr COWDREY: The current percentage of women in the executive positions within the public sector?

The Hon. K.J. MAHER: I am informed that the gender split of executives within the public sector as at the last report in 2001 was 57 per cent female and 43 per cent male.

Mr COWDREY: There has been no update on that number as yet?

The Hon. K.J. MAHER: No.

Ms RANIERI: There will be in September.

Mr COWDREY: Shifting to another topic, was the Office of the Commissioner for Public Sector Employment involved in the recent recruitment of the Chief Executive of DPC, the Chief Executive of the Premier's Delivery Unit or the Chief Executive of the Office of Hydrogen Power South Australia and, if so, what role did the office play?

The Hon. K.J. MAHER: I can inform the member that my advice is that the Office of the Commissioner for Public Sector Employment was involved in some way in all the ones that he has mentioned.

Mr COWDREY: Are you able to outline what role they played in those recruitments?

The Hon. K.J. MAHER: There was involvement from the Office of the Commissioner for Public Sector Employment in all of them, but these really are questions in relation to things that have been hired for DPC. I am happy to refer those to the Premier to give a more complete way that they were involved because they cross over in relation to what DPC does.

Mr COWDREY: I am not necessarily interested in the view of DPC though. The question is in regard to the role—

The Hon. K.J. MAHER: I understand that. But given that it intersected and interacted with the Department of the Premier and Cabinet, I am happy to take those on notice and get further information about the role and bring back a reply for the member.

Mr COWDREY: For clarity, the function and operation of the commissioner is not subject to this examination?

The Hon. K.J. MAHER: Yes. I have said that there has been involvement in all of those, but for further and better information I am happy to bring back a reply in conjunction with information from DPC.

Mr COWDREY: Did these recruitment processes involve private sector recruitment consultants?

The Hon. K.J. MAHER: I am happy to bring back an answer after consultation with DPC.

Mr COWDREY: Was the recruitment conducted by the office?

The Hon. K.J. MAHER: I am happy to bring back an answer after consultation with DPC in relation to the member's very important question.

Mr COWDREY: If the recruitment was not conducted by DPC and the recruitment was conducted by the Office of the Commissioner for Public Sector Employment, is it not therefore a question to be asked through you to the Office of the Commissioner for Public Sector Employment what her role was in these processes?

The Hon. K.J. MAHER: Yes, it is. It is quite rightly a question that you properly ask of me and it is quite rightly an answer I will properly give after consultation with DPC.

The CHAIR: I remind members that questions are to be directed to ministers. It is up to the minister whether or not they choose their adviser to respond on their behalf. It is not up to members to ask the minister to ask their advisers to respond on their behalf.

Mr COWDREY: I do not believe I directed a question to the commissioner, but—

The CHAIR: I am just making sure there is no misunderstanding.

Mr COWDREY: Were the consultants that were used through the recruitment process appointed by tender and, if not, who were they engaged by and how were they engaged?

The Hon. K.J. MAHER: That is probably one that is almost wholly within DPC, so I will definitely refer that one to DPC and see if there is an answer to bring back.

Mr COWDREY: Is it not standard practice for the procurement of recruitment services to be undertaken by the Office of the Commissioner for Public Sector Employment?

The Hon. K.J. MAHER: I think in many cases the office will have some role in that. As I said, I understand the office did have some role in that, but as to the details of the answer I will consult with DPC and bring back an informed answer for the member.

Mr COWDREY: Can you take on notice the private consultant involved in each of these processes and the fee payable for their involvement?

The Hon. K.J. MAHER: I can take that on notice, certainly.

Mr COWDREY: The recently appointed Chief Executive of the Department of the Premier and Cabinet has a total annual remuneration package valued at \$697,000, almost 12 per cent or \$74,000 higher than the previous incumbent appointed only a year earlier. Who determined the salary package?

The Hon. K.J. MAHER: I understand that the Premier answered some if not all of these questions, that I suspect are going to be asked after this, yesterday. But to the extent that the questions were not answered by the Premier, I am happy to refer them to him.

Mr COWDREY: Did the Commissioner for Public Sector Employment have any role in determining the salary package?

The Hon. K.J. MAHER: Again, the intersection of the Office of the Commissioner for Public Sector Employment with DPC on these matters—I am happy to make sure I am bringing a clear and correct answer back, and I will take that on notice.

Mr COWDREY: With all due respect, minister, the office for public sector employment has an interaction with every other department when hiring executives. Are you refusing to answer all questions in relation to executive hiring?

The Hon. K.J. MAHER: No, I am happy to take questions on notice because, as you said, if it is to do with another department there will be an intersection and interaction with that other department. I think it is appropriate that I bring back as complete an answer as I can for the member.

Mr COWDREY: The newly created position of chief executive within the Premier's Delivery Unit has a total annual remuneration package valued at \$354,145. Who determined that this position was to be classified as a chief executive or within the CE band and what involvement, if any, did the Premier have in this decision?

The Hon. K.J. MAHER: I think the member is asking what my knowledge is of the Premier's knowledge about something else, and I suspect these questions were asked of the Premier as well. To the extent that they were not and there is something there, I will refer that to the Premier.

Mr COWDREY: If the Premier did not determine them, who did?

The CHAIR: The minister's immediate response was not that. I will rule that question—

Mr COWDREY: I believe the minister's response was that.

The CHAIR: No, not at all. I am happy to have the *Hansard* record of what he said. I think it is important that members also listen to the minister's response. Even though they do not like them or disagree with them, they should listen to the response. Next question.

Mr COWDREY: Did the office or the Commissioner for Public Sector Employment provide any advice with regard to the salary for the positions of Chief Executive of DPC, Chief Executive of the Premier's Delivery Unit or the Chief Executive of the Office of Hydrogen Power South Australia?

The Hon. K.J. MAHER: I am happy to bring back a reply to that after having reference to DPC and their involvement and what involvement the Office of the Commissioner for Public Sector Employment had.

Mr COWDREY: She is sitting right next to you; you could ask her.

The Hon. K.J. MAHER: As I have said before in relation to these questions—we can keep going on this because we do not have long, if that is how the member wants to approach it—it intersects with another department, so I want to bring back an accurate reply for the member.

Mr COWDREY: The newly created position of Chief Executive of the Office of Hydrogen Power South Australia has a total annual remuneration package valued at \$550,000. This is the second highest package paid to a public servant chief executive in South Australia. Did the minister have any involvement in this negotiation?

The Hon. K.J. MAHER: Is the question: did I, as Minister for Industrial Relations, have involvement in this negotiation?

Mr COWDREY: Yes.

The Hon. K.J. MAHER: Personally, I did not have a direct involvement in this negotiation.

Mr COWDREY: What was your indirect involvement, minister?

The Hon. K.J. MAHER: I did not say I had an indirect involvement.

An honourable member interjecting:

The Hon. K.J. MAHER: I didn't say I had a direct involvement at all.

Mr COWDREY: Perhaps I will ask one further question in regard to the previous line of questioning. Did the Commissioner for Public Sector Employment provide any advice to the minister or others in regard to the processes that should be undertaken in terms of recruitment of the three positions of the Chief Executive of DPC, the Chief Executive of the Premier's Delivery Unit or the Chief Executive of the Office of Hydrogen Power South Australia?

The Hon. K.J. MAHER: I do not recall any advice that was provided directly to me.

Mr COWDREY: In the time remaining, perhaps I will direct some questions to the minister in regard to the impact of COVID on the public sector. During COVID, the Office of the Commissioner for Public Sector Employment had the important role of providing leadership and resources to assist the public sector to continue delivering services safely, implement COVID-19 safe transition of employees back to the workplaces and transform service delivery and workforce management following the disruption caused by COVID.

Are there any key lessons the commissioner could share with the committee in terms of how the public sector has performed during the transition from the pandemic and any initiatives in terms of reforms that she sees as necessary moving forward?

The Hon. K.J. MAHER: I thank the member for his question, and he is right: since March 2020, the Office of the Commissioner for Public Sector Employment has played a key role in the support of the public sector to manage staff impacts from COVID-19 and to mobilise a surge workforce to continue critical services being delivered safely.

In March 2020, the Commissioner for Public Sector Employment issued Commissioner's Determination 3.1, Supplementary Provisions for COVID-19, which set out COVID-19 management provisions for public sector staff. This is continually reviewed and updated in light of public health advice. At that time and subsequently, I am advised that the officers provided significant guidance on how agencies could enable people to work from home productively and manage their wellbeing.

Leave provisions introduced by the commissioner included special leave with pay for COVID-19 purposes. Since the reopening of South Australia's borders in November 2021, and before

opening and closing the borders, special leave with pay was granted and taken by public sector employees, including and excluding agencies that manage their own payroll systems, such as education and SAPOL.

I know that, as we have changed throughout the pandemic, the Office of the Commissioner for Public Sector Employment has had a role in providing updates, and public sector chief executives were reminded in February 2022 that staff can return to workplaces, provided health advice was followed. With the recent cessation of the emergency declaration under the Emergency Management Act, consultation is underway on the ongoing management of the impacts of the pandemic on the workforce generally.

This is probably the most important part, I am advised, in relation to the member's question—that is, what lessons have been learnt, what has been done well and how things might be conducted in the future. Importantly, during the pandemic the commissioner coordinated the mobilisation of 491 public sector staff to respond to surge workforce capacity needs. A further 253 have been trained to assist if necessary.

A large part of the mobilisation work conducted by the commission will conclude in June unless there are further significant outbreaks warranted by any changes to the COVID-19 situation. In relation to particular lessons, the mobilisation of the public sector workforce to meet the needs and demands, I am advised, is one of the big lessons to be learnt from how the pandemic has been managed in relation to the public sector.

Mr COWDREY: Minister, what projects will the office be undertaking in financial year 2022-23?

The Hon. K.J. MAHER: Some of the areas for the upcoming financial year include:

- continue the leadership and advice to the public sector in relation to COVID-19 to deliver us safely and to continue to transform service delivery as a result of COVID-19 and beyond;
- look at developing a new strategy that can continue to create an inclusive and diverse public sector workplace;
- set new and consistent standards across the public sector;
- define the attributes, skills and behaviours expected of public sector leaders and realign development programs to embed these;
- update and simplify public sector standards for employee integrity; and
- lead the implementation of the human resources strategy and public sector workforce transformation reform initiatives through enhanced human resource management policy, systems and capability development.

Mr McBRIDE: In regard to the public sector and wage rises in the next 12 months of this budget period, what public sector wage rise is there across the whole sector as an average?

The Hon. K.J. MAHER: I am advised that there is not an average I can give you. I am not sure if there is one. I am not aware of an annualised figure worked out across all the components of the public sector but, if there is one that can readily be worked out without diverting too many of the resources of the good folk in this area, I will see if that can be brought back.

Mr McBRIDE: These questions are very general. If the wage rise across the public sector is not consistent across all sectors, what are the differences in that wage rise, bearing in mind that the current inflation rate in Australia is 7 per cent this year?

The Hon. K.J. MAHER: I thank the honourable member for his question. I think wage rises across the public sector are subject to enterprise bargaining, just as they are in the private sector. Certainly, a percentage per year pay increase is just one of the elements that make up enterprise bargaining outcomes not just in the public sector but right across the private sector. There are necessarily differences to cater for different circumstances. Length of agreements sometimes influences that as well, as well as the many other conditions that happen as part of enterprise

bargaining negotiations. To reiterate, it would be impossible to give an average for the future, given those parameters.

The CHAIR: This will be the last question.

Mr COWDREY: Just to finish, can you confirm the budgeted FTE for this financial year, the budgeted FTE for the previous financial year and estimated result?

The Hon. K.J. MAHER: For the Office of the Commissioner for Public Sector Employment?

Mr COWDREY: Correct, and the total number of executive positions, if that is okay, too.

The Hon. K.J. MAHER: I am advised that the 2022-23 budget anticipates 34.5 FTEs and included in those are two executives, including the commissioner.

Mr COWDREY: How does that compare with the previous financial year?

The Hon. K.J. MAHER: I am advised that there were three executives in the previous financial year, the financial year we are just completing at the moment.

The CHAIR: The allotted time having expired, I declare the examination of the office of the public sector complete.

Departmental Advisers:

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

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

Mr M. Francis, Chief Executive Officer, ReturnToWorkSA.

Mr D. Quirk, Chief Financial Officer, ReturnToWorkSA.

Mr M. Campbell, Executive Director, SafeWork SA.

Ms P. Osborne, Director, Workplace Education and Business Services, SafeWork SA.

Mr S. Johnson, Manager Government Relations, ReturnToWorkSA.

The CHAIR: We now move on to ReturnToWorkSA, SafeWork SA. The minister appearing is the Minister for Industrial Relations and Public Sector. Minister, do you wish to invite your advisers?

The Hon. K.J. MAHER: Thank you, sir, I will introduce the people we now have with us. We have on my right Martyn Campbell, from SafeWork SA and, on my left, Michael Francis and Des Quirk from ReturnToWorkSA. We also have Prema Osborne from SafeWork SA, Steven Johnson from ReturnToWorkSA and Caroline Mealor and, who can forget, Andrew Swanson from such things as—

The CHAIR: 24 years' experience.

The Hon. K.J. MAHER: —all the estimates today and all the estimates for the last 24 years.

The CHAIR: He is waiting for his gold-plated watch next time. It will not be a Cartier, sorry. Minister, you do not have an opening statement?

The Hon. K.J. MAHER: I do not have an opening and I am happy to launch into questions.

Mr COWDREY: Can I begin with Budget Paper 5, page 9, the table around budget initiatives, operating efficiencies. It is just the general departmental operating efficiencies. I think you should easily be able to confirm that there are \$20 million worth of cuts that have been allocated to your department.

The Hon. K.J. MAHER: Whereabouts on the table are we looking?

Mr COWDREY: Within the table, operating efficiencies.

The Hon. K.J. MAHER: If the member can refer me to the part of the table. Is that two-thirds of the way down, just above administered items; is that what he is referring to?

Mr COWDREY: Operating efficiencies, operating savings, just sitting above administered items in the headline, \$20 million worth of cuts across the next four financial years?

The Hon. K.J. MAHER: Yes. Is that a question?

Mr COWDREY: That was a question.

The Hon. K.J. MAHER: What is the question?

Mr COWDREY: Can you confirm this?

The Hon. K.J. MAHER: I can confirm that there are operating savings in 2022-23 of \$4.050 million, in 2023-24 of \$4.282 million, in 2024-25 of \$4.559 million and in 2025-26 of \$7.248 million.

Mr COWDREY: Have cuts been allocated to SAET, SafeWork SA or ReturnToWorkSA?

The Hon. K.J. MAHER: I was asked about the savings that are part of the operating savings of the Attorney-General's Department earlier by your colleague the member for Heysen, the shadow attorney-general. I can confirm that, over the coming weeks, the team in AGD, led by Caroline Mealor, will be discussing with the different parts of the Attorney-General's Department how those savings will be met.

Mr COWDREY: So you are not able to give an indication, as you did earlier, in terms of any of those areas being absent of a savings task?

The Hon. K.J. MAHER: I am happy to take that on notice. I was able to do that with that one coming in, but in terms of other areas I know that there is discussion over the coming weeks about different areas and how those will be allocated. I am happy to take that on notice and bring back a reply.

Mr COWDREY: When were you made aware that Treasury had made a determination in terms of what areas or branches of Treasury were to be allocated or not allocated savings tasks?

The Hon. K.J. MAHER: What areas of Treasury were to be allocated—

Mr COWDREY: You responded earlier that you were able to say conclusively that the office for public sector employment was not going to be open to a savings task because decisions had already been made in terms of Treasury on who had been allocated operational savings. When were you made aware by Treasury that they had made determinations already, in terms of areas or branches of the department to be absented from savings tasks?

The Hon. K.J. MAHER: I will have to go back and check when I was made aware. I will have to go back and check. I do not have a date, certainly in terms of the question asked earlier about the Office of the Commissioner for Public Sector Employment. As to when I was first aware, I am not sure, but I am sure I can go and find the information as to when the department was made aware.

Mr COWDREY: If you could take that on notice, it would be appreciated.

The Hon. K.J. MAHER: I am happy to take that on notice.

Mr COWDREY: Again, this is probably an overlap between the two, so I apologise in terms of where it is positioned. Can you outline the cost, or take on notice the cost, of the machinery of government changes to the department?

The Hon. K.J. MAHER: I do not have that information available, but to the extent that there are costs, and costs that are able to be identifiable—just so I am clear in what the member is asking, are they for a—

Mr COWDREY: All machinery of government changes.

The Hon. K.J. MAHER: Changes for Attorney-General globally, I understand.

Mr COWDREY: If you could break those down by separate instance, that would be appreciated.

The Hon. K.J. MAHER: If they can be broken down, I am happy to do that, and if they can only be supplied globally, I will endeavour to do that as well.

Mr COWDREY: I take the minister to Budget Paper 4, Volume 1, page 44, SafeWork SA objectives. What is the status of the Mansfield review into SafeWork SA's handling of the Gayle Woodford matter?

The Hon. K.J. MAHER: John Mansfield QC, former Federal Court judge, was commissioned with conducting a review specifically—if I am remembering correctly and I will double-check this—into the investigation conducted by SafeWork SA and in relation to keeping the family of Gayle Woodford informed in relation to the investigation. They were the two areas in particular that former Justice Mansfield was asked to review.

I understand that that review has started in earnest and is continuing. I think, off the top of my head, that it is sometime in July that it is due to report back. If that is not right, I will correct that, but I believe it is sometime in July that Justice Mansfield's review is due to finish. I expect it will be sometime soon after that that there is a report.

Mr COWDREY: Has SafeWork to this point complied with all requests for information and documents from the reviewer?

The Hon. K.J. MAHER: My advice is yes, SafeWork has fully cooperated and replied to the inquiries made by former Justice Mansfield.

Mr COWDREY: How much will the review cost, minister?

The Hon. K.J. MAHER: I do not have that figure with me. I am happy to take that on notice and provide a response to how much that review will cost. I think it is an important review. There was a significant amount of interest and, certainly, it was tragic circumstances for the Woodford family. Looking at how parts of government conduct what they do is important for a few reasons: to make sure the public in general have confidence in what government does and also to look for areas that can be improved upon. In relation to the cost, I am happy to take that on notice, but I think it is a particularly important piece of work.

Mr COWDREY: I completely agree. Minister, in your opinion, is it being appropriately resourced?

The Hon. K.J. MAHER: I do not have any information to suggest that it is not being appropriately resourced and, in my experience, people like former Federal Court judges tend to make their views known if they think that they need anything more to do what they are engaged to do.

Mr COWDREY: Minister, can you confirm which agency is funding the review?

The Hon. K.J. MAHER: I am happy to take that on notice. I am pretty sure it will be somewhere from within the Attorney-General's Department, which is my department and where SafeWork SA now sits. If there is more particularity needed, I am happy to see if something can be righted. Again, if I am mistaken I will correct the record, but it would be from within the Attorney-General's Department is my understanding.

Mr COWDREY: Can you confirm if this is being funded from contingency or if there has been an allocation made in the budget?

The Hon. K.J. MAHER: I am happy to take that on notice and see what is brought back.

Mr COWDREY: You mentioned that you expect former Justice Mansfield to conclude his report in July. Are you happy to take on notice when you expect the report to be provided?

The Hon. K.J. MAHER: Yes, I am happy to take that on notice, but I would expect that it would be very soon after that.

Mr COWDREY: Could you, in that case—July is a obviously four weeks in length—take on notice and give us greater clarity as to when you expect the report to be provided to you?

The Hon. K.J. MAHER: My advice is that it is mid-July when it is expected to be concluded.

Mr COWDREY: Minister, do you commit to making the full report and findings public within seven days of receipt to provide the family and the South Australian public with closure?

The Hon. K.J. MAHER: I think I have already publicly committed to making the report public.

Mr COWDREY: Will you do so within seven days?

The Hon. K.J. MAHER: As I have said, I expect it will be released pretty soon after being received.

Mr COWDREY: I refer you to Budget Paper 4, Volume 1, page 44, the same reference. The Labor Party committed to a root-and-branch review of the practices and processes of SafeWork SA, as spelled out in the Labor Party IR election commitments document. Was a budget allocation made in the budget for the review to be undertaken?

The Hon. K.J. MAHER: There was a budget allocation for a number of things that could possibly include that review. I do not have that in front of me, but I think it was \$1.5 million. I will seek to find exactly where that was and bring back a reply. I think it was \$1.5 million for a range of things in the IR area. In relation to this one, I will check whether or not that was included as part of that and bring back a reply. In the coming months, we would hope that that work would start. I anticipate that the findings from former Justice Mansfield's work will help inform part of that review as well.

Mr COWDREY: Are you able to provide greater clarity in terms of when you expect the review to be undertaken?

The Hon. K.J. MAHER: I do not have exact information in front of me now, but I am happy to take that on notice and bring back a reply in relation to that question.

Mr COWDREY: Who will undertake the review?

The Hon. K.J. MAHER: That is still to be determined—someone with experience in this area who can undertake that review. I have just received further information in relation to the previous line of questioning. The Justice Mansfield review in relation to the Gayle Woodford investigation, I am informed, is due 15 July. I think I initially said July and then refined it to mid-July; I am happy to further refine it to right in the middle of July, on the 15th.

Mr COWDREY: Just to confirm, is that when the report is being received or when you expect the investigation to conclude?

The Hon. K.J. MAHER: I am informed that is when we expect the report to be received.

Mr COWDREY: You have mentioned an allocation of \$1.5 million to cover a broad range of commitments in the IR space. What is the expected cost of the review by itself?

The Hon. K.J. MAHER: I do not have that information before me. Until the exact details, scope and personnel for the review are finalised I will not have that. If that happens between now and when questions are due to be tabled, I am happy to see if we can bring back a reply for that.

Mr COWDREY: I presume, given that you have made an election commitment, you have some thoughts regarding the terms of the review. Are you able to provide greater detail?

The Hon. K.J. MAHER: We are working on that as we speak.

Mr COWDREY: I refer to Budget Paper 3, page 81. I am sure you will appreciate that, similar to the Office of the Commissioner for Public Sector Employment, there are very few references to ReturnToWorkSA in the budget papers, given the fact that they are a financial public corporation. The only two mentions are their FTEs and also their dividend return to government, which is struck out. Seeing as they are here, I assume you are happy to answer questions in regard to them in a similar vein as you did.

The Hon. K.J. MAHER: Page 81 of the Budget Statement, Budget Paper 3?

Mr COWDREY: Yes. A number of ReturnToWorkSA FTEs participated in the preparation of the original Return to Work Act reform bill introduced into the other place and then removed by the

minister. I will not ask questions relating to the new bill, as I understand it is before the parliament and therefore not allowed. Minister, did ReturnToWorkSA actuary Finity prepare advice for the corporation on the original bill and the impact of the original bill?

The Hon. K.J. MAHER: I can inform the member that the scheme's actuarial consultants, Finity, which I understand have been actuaries for the scheme for some 14 years, are not engaged at a certain point in time to provide only a certain amount of advice: they are essentially continually engaged to provide advice on a whole range of areas to do with return to work.

In relation to the impact of the Summerfield Supreme Court decision, I am advised that Finity had done work in providing estimates of what that meant financially for the scheme and what that could potentially mean financially for the viability of the scheme, including what rates might need to be to cover the impacts of any decision which necessarily went to a bill that was formerly before this parliament.

Mr COWDREY: Was this work that you have just alluded to supported by an independent third-party review undertaken by PwC?

The Hon. K.J. MAHER: I understand that to be the case. Yes, that is my understanding.

Mr COWDREY: When did the minister first meet with the unions with regard to the original bill?

The Hon. K.J. MAHER: I do not have a date about when the first meeting was. There have been many, many meetings with unions, collectively and individual unions, and employer groups over the last few weeks. I do not have an exact date as to when a first meeting occurred, but there have been many, many meetings, discussions and phone calls over the last few weeks about the scheme in general and any potential changes to the scheme.

Mr COWDREY: Is the minister happy to take that question on notice?

The Hon. K.J. MAHER: I am happy to take it on notice to see what useful information could be provided.

Mr COWDREY: Does the minister believe that the work undertaken by ReturnToWork FTEs in preparing a bill with a full evidence base and actuarial advice should have been presented to the parliament with no notice on budget day?

The Hon. K.J. MAHER: The question does not make much sense. Notice was given the day before it was introduced, so the idea that there was no notice is false, as notice would have been given the day before the introduction of a bill. There was notice given of the introduction of the bill the day before it was introduced.

Mr COWDREY: Can the minister confirm that the bill to address the Summerfield issue was done so based on a recommendation of the ReturnToWork board?

The Hon. K.J. MAHER: I can say that ReturnToWork provide a range of advice that then informs decision-makers about what is put forward. It is up to governments to then make the decision about what is put forward and then up to parliament to make the decision about what passes parliament.

Mr COWDREY: What was the scheme funding ratio at the end of May 2022?

The Hon. K.J. MAHER: I can inform the member that I do not have May 2022. What I have is a figure for March 2022, when the scheme's funding ratio was 86.9 per cent, I am informed.

Mr COWDREY: That was inclusive of the \$580 million liability applied due to the Summerfield understanding?

The Hon. K.J. MAHER: Yes.

Mr COWDREY: Do you have a scheme funding ratio should the current bill have passed or the original bill had passed?

The Hon. K.J. MAHER: Had the original bill passed? I do not have that available now, but I am happy to see if that can be found and brought back.

Mr COWDREY: In a similar vein, what was the forecast scheme funding ratio had the original bill passed the parliament for end of June 2022?

The Hon. K.J. MAHER: Again, I am happy to see if those figures are available and bring back a reply for the member.

Mr COWDREY: To the minister and perhaps to the chief executive, who I anticipate may be able to provide a more fulsome answer to this question, did he anticipate that the original bill, should it have passed, would have held premiums below 1.8 per cent in the longer term?

The Hon. K.J. MAHER: As we traversed a bit earlier, I know that much work had been done and continued to be done in relation to what effect bills might have had on premiums. I think it is estimated that premiums might have been at 1.8 per cent had the original bill passed. I might also note that this is some 12 months on from when the Full Court of the Supreme Court handed down their decision in Summerfield. I will check if there is an answer because it is a pretty good question the member has asked.

I will see if there is an answer that, if the former government had done anything about the Summerfield decision in the three years since it was originally handed down but specifically in the 12 months before the Full Court decision of the Supreme Court was handed down, could that have put even further downward pressure on premiums. I will go away and find that answer as well because it might be that the former government's failure to act has contributed to where we are now in terms of premium. It is a very good question that the member asks.

Mr COWDREY: Was the corporation relying on silk advice in terms of its movements in regard to reacting to the Summerfield decision?

The Hon. K.J. MAHER: Was the corporation relying on?

Mr COWDREY: Silk advice, in terms of how it progressed with addressing the Summerfield decision.

The Hon. K.J. MAHER: Advice from Senior Counsel?

Mr COWDREY: Yes.

The Hon. K.J. MAHER: I am informed that the commission bases decisions on legal advice that they seek. Clearly, I am not going to. It is not my advice, but I am sure that the corporation is not going to go into what any such advice is. As the member would be aware—

Mr COWDREY: I was not—

The Hon. K.J. MAHER: I am anticipating possible questions. Disclosing the nature of any advice might tend to waive legal professional privilege. It is not something, I think, I or the corporation will do, but I am informed that the corporation does take advice in making its decisions.

Mr COWDREY: To be clear, I was not about to ask you to disclose any of that advice. I was just perhaps providing you with an answer to the question you posed to me. Minister, do you think it was a productive use of ReturnToWork FTE time to brief the opposition on a bill that was pulled two hours later?

The Hon. K.J. MAHER: I think it is always a good use of time to have people as informed as they can be on matters.

Mr COWDREY: Referring to Budget Paper 3, page 63, public financial corporations, ReturnToWork, can the minister provide to the committee the current composition of the ReturnToWork board and when the terms of those members expire?

The Hon. K.J. MAHER: My advice is that the current board is constituted of the chair, Mr Greg McCarthy, whose term expires in February 2025. I am informed Mr McCarthy is a former director of the Motor Accident Commission, a former CEO of ReturnToWorkSA and a former chair of the New South Wales WorkCover Authority.

I am advised that also on the board is the Hon. John Rau SC, a barrister, former Deputy Premier of South Australia, whose term expires on 31 October 2024. I am informed that also

on the board is Ms Elizabeth Perry, a former chair of the RAA, a lawyer with board experience across public, commercial and not-for-profit sectors, whose term expires in February 2025.

I am informed that also on the board is Associate Professor Bill Griggs, formerly from the Royal Adelaide Hospital, whose term expires in October 2022. I am informed that Mr Chris Latham, an insurance actuary, is also on the board and his term expires in October 2022. I am informed that Narelle Borda is on the board, a member of Macro Group Australia, whose term expires in October 2024, and Yvonne Sneddon, a professional non-executive director whose term expires in October 2022.

Mr COWDREY: Can you confirm the remuneration of those board members for the financial year 2022-23?

The Hon. K.J. MAHER: My advice is each of the board members is remunerated at a rate of \$55,000 per annum and the chair of the board is remunerated at a rate of \$100,000 per annum.

Mr COWDREY: That will remain for the coming financial year?

The Hon. K.J. MAHER: There is no intention to change. There has certainly been no discussion that anyone has had with me.

Mr COWDREY: Does the minister anticipate making any changes to the composition of the board when terms expire later this financial year?

The Hon. K.J. MAHER: I think governments always look at what the best options are for all the boards and committees that help inform government and do work for government. I think all ministers probably say that in relation to any boards or committees they will always look to see what needs are best served.

Mr COWDREY: I will take that as a yes.

The Hon. K.J. MAHER: We will always look to see how the needs are best served. I think it would probably be irresponsible for a minister to say they would never have any intention of changing anyone on any of their boards, so I am certainly not going to do that.

Mr COWDREY: Can the minister provide an update in regard to ReturnToWork COVID-19 related claims and also Crown self-insured COVID-19 claims?

The Hon. K.J. MAHER: I can. I am informed that, as of 2 June 2022, 111 COVID-19 claims have been accepted—

Mr COWDREY: To be clear, is this ReturnToWork or self-insured?

The Hon. K.J. MAHER: That is the Return to Work scheme. Thirteen claims have been rejected and five claims have been withdrawn in the registered employer scheme, the Return to Work scheme. The figures I have are not quite as up to date. As at end of March 2022, information provided to ReturnToWorkSA by self-insured employers, including Crown employers, shows that 23 COVID-19 claims have been accepted, eight rejected and three withdrawn.

Mr COWDREY: How many of those 23 relate to the Crown?

The Hon. K.J. MAHER: I do not have those figures. If I can break them down, I am happy to take that away and do so.

Mr COWDREY: Are you able to provide the estimated cost to the scheme of just the ReturnToWork numbers or are these still in train?

The Hon. K.J. MAHER: The estimated cost of the scheme of the 111 COVID-19 claims?

Mr COWDREY: Yes.

The Hon. K.J. MAHER: I am not sure we have those figures with us, but if they are easily extracted I am happy to take that on notice and bring back a reply. Give me a moment.

Mr COWDREY: Yes, and perhaps an average cost per head, if it is available. For the lack of a better term, the cost per claim is perhaps more appropriate.

The Hon. K.J. MAHER: I am assuming the dates that I am giving, these two, line up with the dates that I have reported. I cannot see a date here, but I am assuming they are the same dates.

Mr COWDREY: Perhaps you can confirm on notice.

The Hon. K.J. MAHER: I can confirm a total claims cost for COVID-19 of \$290,923, with an average claim cost of \$1,914 for the Return to Work scheme.

Mr COWDREY: This should be a relatively easy one. I am 100 per cent confirming—

The Hon. K.J. MAHER: Famous last words.

Mr COWDREY: —yes—tax equivalent payment in financial year 2021-22 and the projection for 2022-23? I assume that is going to be more complex, based on the bill before the house.

The Hon. K.J. MAHER: To provide some useful context, sections 29(2)(a) and (3) of the Public Corporations Act require public corporations to make a payment to the Treasurer or equivalent to the income tax and other taxes or imposts it would be liable to pay under the law of the commonwealth, otherwise known as the tax equivalent payment.

Section 27A(1) of the Return to Work Corporation of South Australia Act confirms the applications of the Public Corporations Act in relation to that tax equivalent payment. Pursuant to Treasurer's Instruction 22, this tax equivalent payment is calculated by applying the company income tax to ReturnToWorkSA's audited accounting profit. ReturnToWorkSA's audited accounting profit is the net profit as a result of ordinary operating activities.

Pursuant to section 27A of the Return to Work Act, Return to Work is only required to make a tax equivalent payment if it achieves a funding level of at least 100 per cent at a probability of sufficiency of 75 per cent and it achieves a profit from its insurance operations. It is not expected that these criteria will be met for 2021-22. That is a full way of setting it out.

Mr COWDREY: I am not sure the preamble was necessary, but thank you.

The Hon. K.J. MAHER: The short way is that, given where the scheme is right now, there will not be a tax equivalent payment—so zero.

Mr COWDREY: Thank you.

The Hon. K.J. MAHER: You are welcome.

Mr COWDREY: Minister, can you provide detail or confirm the total expenditure through legal provider contracts for the financial year 2021-22 and what is projected for 2022-23?

The Hon. K.J. MAHER: I do not have those figures available. If that is a figure that can be extracted, I am happy to go away and see whether an answer can be brought back.

Mr COWDREY: You will take it on notice?

The Hon. K.J. MAHER: I will take it on notice, but I suspect that there will be some areas where figures are not easily extractable, or there are reasons that they are not published. However, I will look to see whether that can be done. I will take it on notice with those provisos.

Mr COWDREY: This is a fairly standard question, but can the minister provide the updated return to work results for the financial year 2021-22 on the 13, 26 and 52-week performance percentage?

The Hon. K.J. MAHER: Can I just check? What specifically is the member requesting?

Mr COWDREY: The return to work statistics, the number of workers who returned to work on the usual horizons—13, 26 and 52 weeks.

The Hon. K.J. MAHER: Yes, I can. For context, I can go back over the last five years so there can be an appreciation of those, or just this current financial year?

Mr COWDREY: Just this financial year is fine.

The Hon. K.J. MAHER: For the 2021-22 part of year ending in March, my advice is that the 13-week rate is 83 per cent, the 26-week rate at 88 per cent and the 52-week rate at 92 per cent.

Mr COWDREY: Do you broadly expect those to be the end-of-year outcomes?

The Hon. K.J. MAHER: My advice is, yes, it is broadly expected they will be close to what was known at the end of March. They are not terribly inconsistent with the last five years.

Mr COWDREY: With respect to benefit fraud referrals, is the minister able to outline the number of referrals received and the number that have been investigated by ReturnToWork for the past financial year, or is that too much for the statistics you have available?

The Hon. K.J. MAHER: We do not have those figures here. After some discussion, we will see whether we have those figures that can be reported, and, if so, I am happy to take that on notice and bring back an answer.

Mr COWDREY: Perhaps we will quickly duck back to SafeWork and then I just have a couple of questions on SAET. Perhaps given the confusion around where I ask that, if you are happy to take a couple of high-level policy ones and the rest on notice—

The Hon. K.J. MAHER: There may be some I can answer without officials, and then if there are any that require greater specificity I am happy to take them on notice.

Mr COWDREY: We will have to get greater clarity where the programs sit for next year. Just in terms of SafeWork, so going back to Budget Paper 4, Volume 1, page 44, could you outline the general reform programs or projects that are being undertaken by SafeWork SA for the coming financial year?

The Hon. K.J. MAHER: I thank the member for his question. There are a number of aims over the next year for SafeWork SA. They include continuing to contribute to the work injury reduction trend in South Australia in relation to the fair enforcement of the safe work laws, continuing to provide consistent practical services to support businesses and workers to improve work health and safety noncompliance and, importantly, introducing a new explosives bill into the Parliament of South Australia.

Mr COWDREY: Sorry, I am after reform projects, as opposed to the objectives of the—

The Hon. K.J. MAHER: Is there anything in particular that the member—

Mr COWDREY: I am just after a review of allocation towards new projects to reform or improve SafeWork SA's performance.

The Hon. K.J. MAHER: Rather than try to list some off, I am happy to take on notice the continuous improvement projects in particular that SafeWork are engaging in. It might be more useful, rather than trying to be told a couple and then repeat a few, to take that on notice to provide a much more thorough answer.

Mr COWDREY: In the budget paper at that reference, I notice the phone call target was not met this financial year. Is there anything being introduced to address that issue?

The Hon. K.J. MAHER: I am informed that in the last year there was a new telephone system introduced, which affected the performance of the system, but my advice is that there is new training that has been undertaken to make sure that telephone service is efficient and effective.

Mr COWDREY: So the minister will guarantee that that target is met next financial year?

The Hon. K.J. MAHER: I am advised that there is training that is being undertaken to make sure it is efficient and effective.

Mr COWDREY: I am sure you have great confidence in your program.

The Hon. K.J. MAHER: At some stage later in his career when the member for Colton might sit in these chairs, I look forward to him answering with a guarantee for everything that he is asked to happen sometime in the future.

The Hon. L.W.K. BIGNELL: He would probably beat you in a swimming race.

The Hon. K.J. MAHER: He would beat me swimming if I was running or on a motorbike, I suspect.

Mr COWDREY: Perhaps we will shift to some of the more general IR questions and then anything that needs to be taken on notice, we will. Across the public sector, what is the average wage increase assumption as a percentage each year across the forward estimates, minister?

The Hon. K.J. MAHER: I am happy to take that on notice. I think there was a question the member for MacKillop asked about wage increases. Certainly, I am aware, in my previous role in opposition as Chair of the Budget and Finance Committee, that it is a question I would regularly ask of Treasury and Finance officials about some of those questions. I was very deftly answered that no such information would be provided. There are targets or contingencies in budgets, but they are, with good reason, not revealed because enterprise negotiations go on in relation to those. If need be, I can cut-and-paste what Rob Lucas's department used to tell me when we were in opposition.

Mr COWDREY: I believe the Treasury department operates for the people, minister. Will wage increases offered by the Minister for Industrial Relations be real wage increases or, to rephrase, above the rate of inflation?

The Hon. K.J. MAHER: Again, I think it was in relation to a question from the member for MacKillop: the percentage wage increases are only part of each industrial negotiation. There are all sorts of other things that are taken into account in respect of terms and conditions that are parts of those. It would be a very foolish thing to do, and I am certainly not going to do it, to rule anything particular in or out for something in the future.

Mr COWDREY: When head of the SDA in 2013, the now Premier declared that only Labor could deliver real wage growth. Can you confirm that you will or will not be offering increases that reflect real wage growth?

The Hon. K.J. MAHER: I refer the member to the answer I gave to the question immediately before.

Mr COWDREY: The risk assessment of this budget notes that every 1 per cent increase in wages and salaries above the estimates contained in the forward estimates would result in a \$251 million impact on the budget. Nominal public sector employee expenses are projected to increase an average of 1.9 per cent over the forward estimates, well below inflation. Does this mean that the minister is going to be offering lower than inflation public sector wage increases, or will you be significantly cutting FTE numbers?

The Hon. K.J. MAHER: I am going to decline the invitation to answer in a binary manner. As I have said, there are all sorts of other things that are taken into account when industrial instruments are negotiated other than a percentage of a wage increase per year.

Mr COWDREY: Perhaps this is easiest to take on notice. What EBs are expiring within the next two financial years and can you specify the agreements and expiration dates?

The Hon. K.J. MAHER: I may have some, but let me see. I thought I had enough information to cover that, but I will take that on notice and bring back a reply.

Mr COWDREY: Minister, what is the status of the ambulance officers' EB?

The Hon. K.J. MAHER: I thank the member for his question. It is something that I have been asked in question time in the other chamber in recent times. One thing that I am certainly not intending to do on a regular basis, as the former minister under the last government responsible for industrial relations did, is give regular updates or conduct megaphone negotiations in relation to enterprise bargaining. As a general rule, I do not think that is a helpful thing to be doing.

What I can say is I know that representatives of the government and the union responsible have been bargaining in good faith, which is something we said we would do if we came to government. I am hopeful and optimistic that there will be a satisfactory resolution to an agreement that, if my memory serves me correctly, is at least four years out of date. Off the top of my head, I think it might have been at the start of 2018 that ambulance officers last received a pay rise. I am optimistic and hopeful that satisfactory outcomes will be negotiated and finalised in the not too distant future.

Mr COWDREY: To be clear, it has not been finalised to date?

The Hon. K.J. MAHER: I will double-check this, but my understanding is that all things required to finalise an EB have not yet been completed for the ambulance officers.

Mr COWDREY: But an agreement has been reached?

The Hon. K.J. MAHER: I think the parties are a lot closer than they were six months ago.

Mr COWDREY: Effectively, is the legal instrument what you are waiting for, or are there further negotiations?

The Hon. K.J. MAHER: I will take that on notice, but one thing that I am not sure was entirely helpful was a habit of the IR minister under the last government, when it suited, to provide updates and chastise union bosses as part of a negotiating tactic, which is not something that I intend to be doing on a regular basis.

Mr COWDREY: Has any potential back pay relating to this agreement been included in the budget or allocated for in the budget?

The Hon. K.J. MAHER: Once again, I am not going to go into negotiating with a megaphone in relation to this ongoing negotiation. What I can say is that there was a policy position put forward by the industrial relations minister in the last government that, as a matter of policy, back pay would not be a part of any negotiation.

It is no secret that before coming to government and after coming to government, this government has made it clear that that is not our position and that back pay or payments for years where there has been no pay rise at all, as there have been on some occasions, is not a policy position that we take and that that is something that could never be negotiated and was, necessarily, off the table.

Mr COWDREY: Given that is your policy, then, has an allocation been made in the budget for that?

The Hon. K.J. MAHER: There are two elements. I am not going to go into where negotiations are at in relation to a particular negotiation but, even more so, the principle that we talked about earlier that was quite steadfastly put forward by the previous government about what is or is not in contingencies for any set of negotiations, or negotiations globally, will not be publicly ventilated.

Mr COWDREY: On the same budget reference in regard to FTE allocation to the industrial relations branch, there has been an additional 1.5 FTE associated in the budget paper. What functions will the additional FTE be performing? I appreciate that you may need to take that on notice.

The Hon. K.J. MAHER: Yes, I thank the member for his question. The one additional FTE across what is now in the Attorney-General's Department that is in the budget papers, I am happy to take on notice and find out what the function of that one FTE will be. I suspect it is most likely a function that goes into a particular area or team.

Mr COWDREY: No, this is just in relation to the industrial relations branch. Obviously, there may be offsetting changes across the whole department.

The Hon. K.J. MAHER: Indeed. I am happy to find out what that one relates to.

Mr COWDREY: And if you are also able to confirm the level that that FTE has been budgeted at.

The Hon. K.J. MAHER: I am happy to take that question on notice also.

Mr COWDREY: In regard to SAET, Budget Paper 4, Volume 1, page 46, the Labor Party committed to review the practice and jurisdiction of the South Australian Employment Tribunal to ensure that it is 'effective and efficient for all those who use it', quoting the document, 'and empower it to enforce its decisions without going through other courts'. Was the budget allocation made in the budget for the review to be undertaken?

The Hon. K.J. MAHER: I think I will answer that as I did the last one. Across a range of the IR policies, there is a budget allocation to cover a number of policies that talk about IR. In relation to

this specific one, I am happy to take it on notice and bring back a reply in relation to a particular budget allocation. I can inform the member that preliminary work has started on this and that some discussions have already taken place with stakeholders in preparation for having a more thorough look at the issues the member has raised in relation to the election commitment.

Mr COWDREY: So both the SafeWork review and the SAET review are contained in that 1.5 allocation?

The Hon. K.J. MAHER: As I have said, I will take that on notice. There is \$1.5 million for a range of things. I will need to check and take on notice if that is included in those or elsewhere and I am happy to bring back a reply in relation to that.

Mr COWDREY: When will the review be undertaken, minister?

The Hon. K.J. MAHER: It is anticipated sometime in the coming months.

Mr COWDREY: When do you anticipate it to be finished?

The Hon. K.J. MAHER: Sometime after it starts.

Mr COWDREY: Who will undertake the review, minister?

The Hon. K.J. MAHER: The person appointed to do so.

Mr COWDREY: We can play this game all day.

The Hon. K.J. MAHER: We have started talking to stakeholders—and I think that has been an important part of a review like this one—about exactly how we do this review, who does the review and how long it takes. As with the previous review the member mentioned, we have not finalised how we are doing it, but we certainly will over the coming months. I suspect we will come and inform parliament with a ministerial statement and a press release when we do so.

Mr COWDREY: I suspect that may be the case. I refer to Budget Paper 4, Volume 1, page 14, ministerial office resources. Do you have the reference?

The Hon. K.J. MAHER: The very top of the page?

Mr COWDREY: Yes. How many public servants are employed in your office, minister?

The Hon. K.J. MAHER: I will take that on notice. That is strictly to do with the Attorney-General's budget. I had a folder before me earlier in the day that had some of this information in it, but I do not have that folder with me now. I have the SafeWork SA, ReturnToWorkSA and Office of the Commissioner for Public Sector Employment folder, not my Attorney-General's folder. I think I would have been able to answer that a little earlier in the day. Given that I think I have the information, I am happy to take it on notice and bring back a reply.

Mr COWDREY: Perhaps I can add one or two to that for you: are you able to provide that broken down by political staff as well as public servants, by FTE and total number?

The Hon. K.J. MAHER: I am happy to do so.

Mr COWDREY: Also, are you able to provide the number of public servants who are seconded into your office and whether that FTE is additional to the number provided in the previous answer?

The Hon. K.J. MAHER: I am happy to take those on notice and bring back a reply.

The CHAIR: Member for MacKillop, do you have a last question or two?

The Hon. K.J. MAHER: I was hoping we would not have the member for MacKillop again.

The CHAIR: These will be really incisive questions.

Mr McBRIDE: Thank you, Mr Chairman and thank you, minister, for looking forward to hearing from me.

The Hon. K.J. MAHER: He is the only one we ever fear.

Mr McBRIDE: In regard to the new legislation, the return to work legislation that passed last week, minister, can you inform the house and this committee in regard to the savings you have tried to make with this new legislation, bearing in mind that it is expected there will be further costs to WorkCover and ReturnToWorkSA?

The Hon. K.J. MAHER: I might just check with the Chair, if I can, member for MacKillop.

Mr McBRIDE: Sure.

The Hon. K.J. MAHER: I note that your colleague the member for Colton did not ask about legislation that is currently before the parliament. I suspect committees are not capable of asking about legislation currently before—

The CHAIR: Which line are you referencing?

The Hon. K.J. MAHER: It is a question about legislation that is currently active and before the parliament.

The CHAIR: It has not quite passed through the other house?

The Hon. K.J. MAHER: No, it has not passed the parliament yet.

The CHAIR: No, sorry.

Mr McBRIDE: That is alright. I will go back to my initial question, minister. I refer you to page 64 of Budget Paper 4, Volume 1. In regard to the Office of the Commissioner for Public Sector Employment, could the minister inform the committee in regard to the number of employees who are on the books at the start of this budget, and what is the forecast over the next 12 months for the next budgeted year?

The Hon. K.J. MAHER: Is this in the public sector as a whole?

Mr McBRIDE: Yes, as of the start of this budget and the end of this budget.

The Hon. K.J. MAHER: I will have to take that on notice and bring back a reply. If the commissioner was still next to me, there was a chance I might have had that, but I am not sure, given it is not just that office but the whole public sector. I am more than happy to take that on notice for the member and bring back a reply.

Mr McBRIDE: If I may, I will jump all over the place because, sorry, I am not getting the answers I am looking for. I am going to go to Budget Paper 5, page 9. It talks about operating savings by the Attorney-General, right at the bottom of the page, with government supported trainees.

For the year 2021-22 it would be \$3,200,000. If you jump to the budget year of 2022-23, it is \$10 million, but then we have a massive fall to \$2.2 million for the budget expected period of 2023-24 budget year, and then there is nothing at all. I am just wondering what the minister can refer to to explain the way that that is so up and down in numbers and why the traineeships are not consistent over the four years.

The Hon. K.J. MAHER: The advice I have been provided for the honourable member is that this particular program was intended as a one-off stimulus measure implemented during COVID-19. With the easing of COVID-19 restrictions and the effect of COVID-19, the need for this immediate economic stimulus has diminished.

Mr McBRIDE: Why then do you not have anything budgeted for 2024-25 or 2025-26? If it generally appears that you have an exceptional year of 2022-23 of \$10 million, why would you not just put in \$2 million or \$3 million and expect the same either side of this exceptional year of high demand for high traineeships?

The Hon. K.J. MAHER: I thank the honourable member for his question. As I said, the advice I have is that it was a one-off stimulus measure for COVID-19 and, as tends to be the case with these one-off measures, they are not intended to be for the long term. With the easing of restrictions and a return to pre-COVID times, the need for this immediate economic stimulus has diminished. That is the advice I received.

I think it is important to preface that. I am not sure if all, nearly all or the vast majority of these are in areas that are immediately in my portfolio areas in terms of the government traineeships, but that is the advice I am relying upon, that these are related to a one-off stimulus measure during COVID-19.

Mr COWDREY: Just very quickly, I did not get back to the SafeWork set. While one is too many, can you confirm how many deaths there were on worksites in the last financial year?

The Hon. K.J. MAHER: How many worksite deaths?

Mr COWDREY: Yes.

The Hon. K.J. MAHER: My advice is that, year to date, there have been 16 work-related deaths. For a bit more information, my advice is that six of those 16 related to deaths to do with a vehicle.

The CHAIR: The allotted time having expired, I declare the examination of the proposed payments for the Attorney-General's Department and Administered Items for the Attorney-General's Department complete. I thank the minister and his advisers, and I thank the members of the committee.

At 15:16 the committee adjourned until Wednesday 22 June 2022 at 09:00.