

**HOUSE OF ASSEMBLY**  
**Thursday, 29 June 2023**  
**ESTIMATES COMMITTEE A**

**Chair:**

Hon. A. Piccolo

**Members:**

Mr J.A. Batty  
Ms O.M. Savvas  
Hon. D.J. Speirs  
Hon. V.A. Tarzia  
Ms E.L. Thompson  
Ms D.J. Wortley

*The committee met at 09:00*

*Estimates Vote*

**LEGISLATIVE COUNCIL, \$6,050,00**

**HOUSE OF ASSEMBLY, \$8,430,000**

**JOINT PARLIAMENTARY SERVICES, \$19,947,000**

**ADMINISTERED ITEMS FOR JOINT PARLIAMENTARY SERVICES, \$3,809,000**

**Minister:**

Hon. P.B. Malinauskas, Premier.

**Departmental Advisers:**

Mr R. Crump, Clerk, House of Assembly.

**The ACTING CHAIR (Ms Savvas):** Welcome to today's hearing for Estimates Committee A. I respectfully acknowledge the traditional owners of this land upon which the committee meets today and pay our respects to them and to elders past and present.

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 Premier and the lead speaker for the opposition have agreed on an approximate time for the consideration of proposed payments, which will facilitate a change of departmental advisers. Can the Premier and the lead speaker for the opposition confirm that the timetable for today's proceedings previously distributed is accurate?

**The Hon. P.B. MALINAUSKAS:** Yes.

**The Hon. D.J. SPEIRS:** Yes.

**The ACTING CHAIR (Ms Savvas):** 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 Premier 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 8 September 2023.

I propose to allow both the Premier and the Leader of the Opposition to make opening statements of about 10 minutes each, should they wish. There will be a flexible approach to giving

the call for asking questions. A member who is not on the committee may ask a question at the discretion of the Chair.

All questions are to be directed to the Premier, not to the Premier's advisers. The Premier 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. Members unable to complete their questions during the proceedings may submit them as questions on notice for inclusion in the assembly *Notice Paper*.

I remind members that the rules of debate in the house apply in the 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, through the IPTV system within Parliament House and online via the parliament website.

I now proceed to open the following lines for examination. The portfolios today are the Legislative Council, the House of Assembly and Joint Parliamentary Services. The minister appearing is the Premier. I declare the proposed payments open for examination. I call on the Premier to make a statement, if he so wishes, and to introduce the advisers who will be assisting today.

**The Hon. P.B. MALINAUSKAS:** Thank you, Chair. I might keep my opening statement very brief to facilitate more questions from the opposition, but I do want to quickly point out that, in terms of my opening remarks, the government is very glad to have handed down its second budget. As Premier of the state, I am very grateful for the work that has been undertaken by all public servants in the preparation of the budget. It is a complex and substantial exercise, but I particularly want to acknowledge the work of the Under Treasurer, Rick Perse, and the Treasurer of South Australia, the member for Lee. Both have worked exceptionally hard over the course of the last five to six months in particular on the preparation of the budget.

The budget is handed down at a really strong time for the state. There are economic challenges on the horizon, which have been commented about globally, but we confront those challenges in a strong position. The budget, relatively speaking, is in a strong position. The state's economic performance is in a historically strong position, with some of the lowest unemployment rates on record, an unemployment rate that at the moment is one of the lowest we have ever seen in the history of the state while at the same time achieving one of the highest participation rates in the history of the state. The fact that more people are seeking to participate in the labour market than ever before I think speaks to the confidence of the electorate and the community more broadly.

We are particularly pleased to see growing numbers of young people participating in the labour market, including from parts of our state where there is a greater degree of economic or social disadvantage. The economic trajectory and confidence of the state is underpinned by burgeoning industries while at the same time seeing strong performance in other more traditional areas of the economy, such as agriculture, which has had a good year.

Of course, agriculture is cyclical and dependent upon variables beyond the government's control. We have to make sure that the economy has the capacity to remain strong, underpinned by elements we can control, and that is very much the focus of the economic agenda of the government, which I am looking forward to exploring throughout the course of this estimates proceeding.

The final thing I would like to acknowledge is the hard work being undertaken by the agencies for which I am personally responsible, particularly the Department of the Premier and Cabinet. Preparation for these estimates takes a fair bit of work and a lot of people have been doing that behind the scenes diligently. To the team within the Department of the Premier and Cabinet and other associated agencies, led by Mr Damien Walker, I am exceptionally grateful for how much work they have undertaken since this committee last met, and I am very grateful for their service to the state.

**The Hon. D.J. SPEIRS:** Just very briefly, I would like to thank all the public servants who have been involved in this process for contributing to the proceedings that will unfold over the next couple of hours.

**The CHAIR:** I remind members questions are through the Chair to the Premier on this occasion, and it is up to the Premier to see whether he would like his advisers to assist. Also, please be very specific and clear in your budget reference.

**The Hon. D.J. SPEIRS:** My first question is under the Joint Parliamentary Services, Budget Paper 3, page 159, table C.2, which is the estimates of payments. How many FTE staff in total were employed by the parliament in 2022-23 and how many are budgeted for in 2023-24?

**The Hon. P.B. MALINAUSKAS:** I am advised that for the year 2022-23 there are 141.1 fully funded FTE positions across the parliament.

**The Hon. D.J. SPEIRS:** Is that in the previous financial year compared with the forthcoming financial year?

**The Hon. P.B. MALINAUSKAS:** I am advised it is the same for both financial year 2022-23 and 2023-24.

**The Hon. D.J. SPEIRS:** Can the Premier provide a breakdown—and you may wish to take this on notice—of the divisions in which those FTEs are employed and their job titles?

**The Hon. P.B. MALINAUSKAS:** I am in a position to provide the opposition with a breakdown. The breakdown is as follows: if we start in the Legislative Council, there are 19 funded FTE positions; for the House of Assembly, 29; for the Library, 9.9; for Joint Services, 42.5; for Reporting, 25.3; and for Catering, 15.4.

**The Hon. D.J. SPEIRS:** The 2022-23 estimated result for Joint Parliamentary Services was \$14,194,000. Was any of this money spent on quarantining the parliamentary courtyard from falling debris from the adjacent building; if so, what was the cost of this?

**The Hon. P.B. MALINAUSKAS:** Not to our knowledge, no.

**The Hon. D.J. SPEIRS:** So the parliament has not spent any money on quarantining areas of the courtyard? It is all fenced off and you cannot get in, because there were reports of falling debris from the building. Parliament has not been involved in spending money to keep people safe there?

**The Hon. P.B. MALINAUSKAS:** I am advised there have not been any moneys allocated to remediate that area.

**The Hon. D.J. SPEIRS:** Has the parliament expended any funds to investigate reports of falling debris in the parliamentary courtyard; if so, how much has been spent and what were the findings?

**The Hon. P.B. MALINAUSKAS:** I am advised there has not been any expenditure from the parliament in respect of an inquiry of such type. In terms of the government more broadly—and I am saying this from memory—I understand there was a SafeWork investigation at one point, but that is obviously separate to the parliament.

**The Hon. D.J. SPEIRS:** Is the Premier or the Clerk aware of whether funding has been obtained from the private developer of the building next door to assist keep that area safe?

**The Hon. P.B. MALINAUSKAS:** The advice I have received is that there has not been any receipt of money from the builder to the parliament regarding that area, but that of course does not mean that the builder or the developer or anybody else associated with that project has not expended their own funds to protect the area. Again, this is from memory. I think there is a protective netting that has gone up but that is from them on what I understand to be their side of the development as distinct from in the courtyard itself.

**The Hon. D.J. SPEIRS:** Again on the same topic, has the Clerk or any members of the parliamentary staff been involved in negotiations with the developer of the building next door with regard to keeping the parliamentary courtyard safe?

**The Hon. P.B. MALINAUSKAS:** I am advised no.

**The Hon. D.J. SPEIRS:** Does Parliamentary Services have an expected time line for when the parliamentary courtyard will reopen for members of parliament, staff and public to use?

**The Hon. P.B. MALINAUSKAS:** I am advised that the courtyard is closed at the moment for a precautionary measure in terms of occ health and safety. As it currently stands, there is not a specific time that the parliament has determined that will open. I do not know this definitively, but one would imagine that at some point during the course of construction the risk associated with the courtyard will extinguish and the courtyard will be opened as quickly as possible. In the meantime, hopefully it does not cause too much inconvenience.

**The Hon. D.J. SPEIRS:** Has Parliamentary Services engaged any contractors or consultants to look at possible damage that has been caused to the parliament, to foundations and to infrastructure as a consequence of the extensive construction on the block next door?

**The Hon. P.B. MALINAUSKAS:** The Clerk is checking with David Woolman about this. I understand there was some work done prior to the construction, which was naturally provided by experts in the area, who were providing advice about the suitability of the construction of that building and any potential impact it had on the parliament. I understand that was undertaken prior to construction, not since.

The question I asked, which is along the lines of what the Leader of the Opposition asked, is: who funded that exercise? I am advised that work was done, including survey work that was done inside the parliament itself. I remember there were some testing stations there and the like, but that exercise, that study, was paid for by the developers or the builders as distinct from the parliament.

**The Hon. D.J. SPEIRS:** To date, has there been any evidence that the construction next door has damaged parliament or anything within the parliamentary building or precinct?

**The Hon. P.B. MALINAUSKAS:** No.

**The Hon. D.J. SPEIRS:** Has Joint Parliamentary Services been informed about whether the CFMEU is involved in construction of the adjacent building from which debris has been falling? If so, has Joint Parliamentary Services negotiated with the CFMEU with respect to falling debris in order to reopen the parliamentary courtyard?

**The CHAIR:** Leader of the Opposition, I have allowed you quite a bit of latitude in terms of the questions you have asked. They have gone usually beyond the financial provisions. If you are to ask questions, can you please address them in terms of either the financial expenditure or impacts on the budget?

**The Hon. D.J. SPEIRS:** The falling debris—

**The CHAIR:** Let me finish. The question you have asked can be rephrased to comply with that. As it stands, I will rule it out of order. I am giving the opportunity for the leader to rephrase his question to comply with the requirement that it relate to the finances.

**The Hon. D.J. SPEIRS:** I think that speaks for itself.

**The CHAIR:** Leader of the Opposition, you are not to reflect on the ruling of the Chair.

**The Hon. D.J. SPEIRS:** The 2022-23 estimated result for Administered Items for Joint Parliamentary Services was \$3,550,000. What items was this spent on?

**The Hon. P.B. MALINAUSKAS:** My advice is that it is for super and payroll tax. In respect of the Leader of the Opposition's earlier line of inquiry and just for his benefit, I am advised there has not been any negotiation with the CFMEU, which is the union for the construction industry, who presumably have members working on that facility, as in the building next door.

**The Hon. D.J. SPEIRS:** In terms of the Administered Items for Joint Parliamentary Services and the figure of \$3.55 million, that covers off on what that was spent on?

**The Hon. P.B. MALINAUSKAS:** Chair, forgive me, but we are struggling to understand the question. The budget for 2022-23 is \$3.55 million.

**The Hon. D.J. SPEIRS:** Yes.

**The Hon. P.B. MALINAUSKAS:** Are you asking about the variance of \$259,000 between the 2022-23 and the 2023-24 budget?

**The Hon. D.J. SPEIRS:** No, I am just seeking to know what the administered items are. You have the total figure for Joint Parliamentary Services being, in 2022-23, \$13.157 million and administered items, \$3.55 million. I am just keen to differentiate between Joint Parliamentary Services and then the administered items. I am trying to work out what would be covered off on administered items, what sort of services or activities.

**The Hon. P.B. MALINAUSKAS:** I am advised the answer is that that is for members' super and payroll tax and other on-costs.

**The Hon. D.J. SPEIRS:** That is members of the parliamentary staff?

**The Hon. P.B. MALINAUSKAS:** No, that is members of parliament.

**The Hon. D.J. SPEIRS:** In the same budget line, the 2023-24 budget for Joint Parliamentary Services allocates almost \$20 million—\$19,947,000. That is nearly \$6 million more than was spent in the current financial year. That is quite a significant increase. Can you explain why?

**The Hon. P.B. MALINAUSKAS:** There is one big change and then one smaller one. The big change is that there was a machinery of government change for PNSG to move from the Department of Treasury and Finance to parliament. The second one was an increased investment in the establishment of the People and Culture section. That expenditure is partly new money, \$770,000.

**The Hon. D.J. SPEIRS:** So PNSG is a shift of around about \$5 million or thereabouts, give or take? That is the value of PNSG?

**The Hon. P.B. MALINAUSKAS:** Approximately, yes.

**The Hon. D.J. SPEIRS:** During the 2023-24 financial year, have Joint Parliamentary Services scheduled any specific upgrades to the parliamentary precinct that would be above normal maintenance?

**The Hon. P.B. MALINAUSKAS:** Not that I am aware of. I am advised nothing in particular, no. The Clerk is wanting to double-check something. I understand there have been some toilet upgrades, and apparently there has been an adjustment to a lift shaft near the Legislative Council. Apparently there is a hole that has been covered up and removed and you would not know it was there—a quaint secret of the Legislative Council.

**The Hon. D.J. SPEIRS:** Just very briefly on my previous question about PNSG and People and Culture, could the Premier table a breakdown of those two figures, or read them in if he has them in front of him?

**The Hon. P.B. MALINAUSKAS:** I will see if we can get the specifics to be able to read them in. For PNSG, do you want the employee expenses breakdown or the total expenditure?

**The Hon. D.J. SPEIRS:** The total is fine.

**The Hon. P.B. MALINAUSKAS:** The total for PNSG in 2022-23 was only \$3.805 million, but that was only because it was for five months. In 2023-24 it will be a full operating year, and for the total cost of PNSG it was \$7,216,000. That includes 24 FTEs. For People and Culture for 2023-24 it is \$786,000.

**The Hon. D.J. SPEIRS:** Does the expenditure for Joint Parliamentary Services for 2023-24 include funding for new or additional security services at Parliament House?

**The Hon. P.B. MALINAUSKAS:** The two houses collectively fund the provision of security through the PSSB. I am advised that the two houses do it as a fifty-fifty split for the cost of the security for the parliament.

**The Hon. D.J. SPEIRS:** Is there any significant increase in funding beyond CPI or similar measure for the forthcoming financial year for security services or infrastructure?

**The Hon. P.B. MALINAUSKAS:** Not outside the realms of the additional cost of delivering the service in a new financial year. I understand that PSSB officers face the potential of a pay rise, and that will be reflected as an additional cost but not in terms of a new cost for a greater service.

**The Hon. D.J. SPEIRS:** Will the Joint Parliamentary Services budget be used to build a security fence around part of Parliament House, as covered in today's media and, if so, how much will this cost?

**The Hon. P.B. MALINAUSKAS:** I understand that expenditure is being explored and they have not yet established a cost as being scoped up.

**The Hon. D.J. SPEIRS:** Do we have a figure on what that might cost?

**The Hon. P.B. MALINAUSKAS:** No.

**The Hon. D.J. SPEIRS:** Do we have a design that would indicate how high the fence would be?

**The Hon. P.B. MALINAUSKAS:** There has been some design work and it is suggested to be 1.2 metres high.

**The Hon. D.J. SPEIRS:** On top of the retaining wall?

**The Hon. P.B. MALINAUSKAS:** Yes.

**The Hon. D.J. SPEIRS:** Is the expenditure for new security infrastructure at Parliament House, including obviously the fence on top of the wall, based on perceptions or evidence of increased crime and antisocial behaviour in the central business district?

**The Hon. P.B. MALINAUSKAS:** I understand that periodically the parliament undertakes security reviews. The most recent of those reviews advised that, amongst other things around the parliament, that would be a worthwhile thing to do, and that is what informed the decision for the parliament to do that.

**The Hon. D.J. SPEIRS:** Were there specific incidents uncovered in the review that led to the decision to build the fence, and what were they?

**The Hon. P.B. MALINAUSKAS:** I understand it was a generic security review and there was not any specific incident that informed that decision.

**The Hon. D.J. SPEIRS:** Can the review be tabled?

**The Hon. P.B. MALINAUSKAS:** I am not too sure. I would have to take that on notice.

**The CHAIR:** It cannot be tabled at estimates, no.

**The Hon. P.B. MALINAUSKAS:** No, well there you go.

**The Hon. D.J. SPEIRS:** Will the Premier make the review public?

**The Hon. P.B. MALINAUSKAS:** It is not my review.

**The Hon. D.J. SPEIRS:** Will the Clerk make the review public?

**The Hon. P.B. MALINAUSKAS:** That is a decision of the parliament.

**The Hon. D.J. SPEIRS:** Is there a way to make the review public?

**The Hon. P.B. MALINAUSKAS:** I am just trying to work out in what budget paper the tabling of reviews is referred to?

**The Hon. D.J. SPEIRS:** The review would have been paid for from the budget of Joint Parliamentary Services.

**The Hon. P.B. MALINAUSKAS:** You will have to make those inquiries at the appropriate time in the parliament.

**The Hon. D.J. SPEIRS:** How much does the review cost?

**The Hon. P.B. MALINAUSKAS:** There is not a specific number. I understand it is a generic piece of work that is undertaken as a matter of due course in terms of the parliament's work.

**The Hon. D.J. SPEIRS:** Was it undertaken by staff from Joint Parliamentary Services or by an external consultant?

**The Hon. P.B. MALINAUSKAS:** I understand that police security is responsible for doing work with the parliament on the security measures in parliament.

**The Hon. D.J. SPEIRS:** When was the decision made to construct the fence in terms of a date or approximate date?

**The CHAIR:** The questions you are asking, Leader of the Opposition, are best addressed to the Speaker or the President of the upper house. Those matters are under their guidance. Those questions should be directed to either the Speaker or the President.

**The Hon. D.J. SPEIRS:** The expenditure will come from Joint Parliamentary Services, Chair.

**The CHAIR:** I am happy for you to ask questions about the expenditure; actual operational matters go to those two officials.

**The Hon. D.J. SPEIRS:** All these questions have resulted in the outcome, which is increased expenditure, so I would argue that my line of questioning is appropriate.

**The CHAIR:** Leader of the Opposition, you are entitled to have your opinion; I just disagree with it.

**The Hon. P.B. MALINAUSKAS:** It might be unfortunate, as far as the Leader of the Opposition is concerned, but there is a standard budget that exists within the parliament for the maintenance and security of the parliament. I am advised that there are always exercises being undertaken as a matter of course to work out what facilities need to be maintained and so forth. The example just provided to me by the officials was that if there is a wall to be painted then they look at that and think, 'Right, that wall is due to be painted.'

Similarly, there are reviews around the security of the building. As a matter of course, that happened. There were up to 20 different areas where they thought that expenditure could be undertaken to maintain the security of the parliament. There is not a specific allocation of additional expenditure towards security measures specifically for parliament, rather, just the standard budget that has always been in place, adjusted for inflation and what have you, around the maintenance of the building. I understand the security exercise is funded through that. So, no, there has been no decision of the government to dramatically increase expenditure in the parliament around the security measures. It is all rather par for the course.

**The Hon. D.J. SPEIRS:** Have staff within Joint Parliamentary Services, mainly the Clerks, received complaints from staff about their safety with regard to entering or exiting Parliament House?

**The Hon. P.B. MALINAUSKAS:** I am advised that the Clerk has not received any specific complaints to him.

**The Hon. D.J. SPEIRS:** Or staff under his responsibility?

**The Hon. P.B. MALINAUSKAS:** If staff had a complaint to make, presumably they would make it to the Clerk, but the Clerk has not received any.

**The Hon. D.J. SPEIRS:** Does the Premier believe there has been an increase in crime and antisocial behaviour in the CBD and adjacent to the parliament warranting this additional expenditure?

**The CHAIR:** Leader of the Opposition, next question.

**The Hon. D.J. SPEIRS:** Sorry? That was my question.

**The CHAIR:** I am saying it is the next question.

**The Hon. D.J. SPEIRS:** You are ruling that one out.

**The CHAIR:** I am.

**The Hon. D.J. SPEIRS:** The Premier might want to answer it.

**The Hon. P.B. MALINAUSKAS:** I am happy to answer any of the Leader of the Opposition's questions as always.

**The Hon. D.J. SPEIRS:** I have just started off and give you the option, Premier—not that I am chairing this session.

**The Hon. P.B. MALINAUSKAS:** No, you are not—and that is the job of the Chair. I will abide by the rules, but the Leader of the Opposition has rules he has to abide by in terms of the committee's process as well.

**The CHAIR:** I just remind all members that the questions relate to the finances, and also they should be specific about asking for facts rather than just seeking some expression of opinion. Leader of the Opposition, you have the floor.

**The Hon. D.J. SPEIRS:** I think because these incidents have led to more expenditure from Joint Parliamentary Services the questions are warranted.

**The Hon. P.B. MALINAUSKAS:** But that was not the advice that was received. That would be a misrepresentation of what the evidence has been.

**The Hon. D.J. SPEIRS:** Some of that money is being spent on security—

**The Hon. P.B. MALINAUSKAS:** Which is always true.

**The Hon. D.J. SPEIRS:** —which would ensure that it was relevant, in my view. Anyway, we will move on. Given that additional resources are being spent by parliament to protect Parliament House and politicians in response to increases in crime and antisocial behaviour in the CBD—

**The CHAIR:** Leader of the Opposition—

**The Hon. D.J. SPEIRS:** —what measures is the Premier taking to protect South Australians in the CBD?

**The CHAIR:** Leader of the Opposition, that question has argument. You can either rephrase it or move on to the next question.

**The Hon. D.J. SPEIRS:** Given that additional resources are being spent on Parliament House, is the Premier prioritising the safety and welfare of politicians over the safety and welfare of everyday South Australians?

**The Hon. P.B. MALINAUSKAS:** What a load of complete nonsense! The attempted inference here from the Leader of the Opposition is weak at best. The first thing is that the parliament is expending its resources as it always does on the building itself. Naturally, if there are adjustments to be made to reflect inflation or CPI and what have you, that is standard operating procedure.

In terms of the government's efforts around antisocial behaviour on North Terrace, there are a suite of measures that the government is taking, many of which I have been personally invested in, and there is yet more work that the government is undertaking to address the challenges that are before us. As the Leader of the Opposition presumably appreciates, many of these issues are complex.

Additional policing resources have been deployed through Operation Paragon, which I think is a wholeheartedly good thing to do on behalf of police. I have naturally spoken personally to the police commissioner about this on more than one occasion, even during the course of his annual leave to which he is entitled. But there are also other measures that the government is actively turning its mind to beyond just policing measures in conjunction with the Department of Human Services.

But naturally I am happy to provide that information, and that will be explored throughout the course of estimates in the appropriate sections. I am not too sure how it fits within the parliament's budget. I think the only politicians who have been out on the record complaining about this are from the opposition, in fact, if my memory serves me correctly.

**The Hon. D.J. SPEIRS:** Given the expenditure on security and the fence to protect parts of Parliament House, does the Premier personally feel safe entering and exiting parliament after hours?



**The CHAIR:** The Premier is not required to answer that question.

**The Hon. P.B. MALINAUSKAS:** I feel compelled to answer, Chair. I really appreciate the Leader of the Opposition's concern for my safety.

**The Hon. D.J. SPEIRS:** Always—always, Premier.

**The Hon. P.B. MALINAUSKAS:** I am sure it is based in complete sincerity.

**The Hon. D.J. SPEIRS:** And compassion.

**The Hon. P.B. MALINAUSKAS:** I would like to reassure the opposition that I feel perfectly comfortable entering and exiting parliament.

**The CHAIR:** There is unlikely to be a by-election in Croydon very soon.

**The Hon. D.J. SPEIRS:** I am not sure the Liberal Party would field a candidate there, given the Premier's successful margin, but we do not need to discuss that.

**The CHAIR:** I think you should be more concerned about the eastern suburbs.

**The Hon. D.J. SPEIRS:** What is wrong with the eastern suburbs? I want to return to my previous question around particular events that might have triggered the decision to build the fence at Parliament House.

**The Hon. P.B. MALINAUSKAS:** As I explained before, the advice that I have received is that there were no specific events that led to that decision. It was just work undertaken as part of the general security review.

**The Hon. D.J. SPEIRS:** If there were no particular events, what would trigger the expenditure and why would there be a need to change the status quo?

**The Hon. P.B. MALINAUSKAS:** The work that was undertaken by the security review and recommendations that were made out of that security review—no different to a recommendation to change whatever happened to the lift well.

**The Hon. D.J. SPEIRS:** A report provided to *The Advertiser* provided a quote:

Building services are investigating the possibility of installing a new security fence around the existing retaining wall to prevent vagrants consistently using the area as a toilet facility.

Did incidents of the area being used as a toilet facility trigger the decision to build the fence?

**The Hon. P.B. MALINAUSKAS:** The advice that I received from the Clerk is that the review was undertaken somewhere around about six months ago or thereabouts. It is a six-month piece of work and this is one of the recommendations that came out of it, so it is not a knee-jerk response to—I think the Leader of the Opposition used the word 'vagrants' that have occurred more recently.

**The Hon. D.J. SPEIRS:** Moving on to Budget Paper 3, page 12, table 1.5, I now require Joint Parliamentary Services staff for further questions.

**The CHAIR:** So you are moving to another section.

**The Hon. D.J. SPEIRS:** Sorry, yes, I should have indicated that.

**The CHAIR:** Are you moving to the State Governor's Establishment?

**The Hon. D.J. SPEIRS:** No, I do not believe I have a question for that.

**The CHAIR:** So your first question will be for the Department of the Premier and Cabinet.

**The Hon. D.J. SPEIRS:** Yes.

**The CHAIR:** There being no further questions, I declare the examination of the proposed payments for the State Governor's Establishment complete. There being no further questions, I declare the examination of the following proposed payments complete: Legislative Council, House of Assembly, Joint Parliamentary Services and Administered Items for Joint Parliamentary Services.

**DEPARTMENT OF THE PREMIER AND CABINET, \$341,333,000**  
**ADMINISTERED ITEMS FOR THE DEPARTMENT OF THE PREMIER AND CABINET,**  
**\$20,260,000**

**Minister:**

Hon. P.B. Malinauskas, Premier.

**Departmental Advisers:**

Mr D. Walker, Chief Executive, Department of the Premier and Cabinet.

Ms A. Lloyd-Wright, Deputy Chief Executive, Department of the Premier and Cabinet.

Mr S. Woolhouse, Executive Director, Communities and Corporate, Department of the Premier and Cabinet.

Mr R. Morris, Chief Executive, Premier's Delivery Unit, Department of the Premier and Cabinet.

**The CHAIR:** I declare the proposed payments open for examination. I call on the Premier to make a statement if he wishes and to introduce his advisers. I will then call on the lead speaker for the opposition to make a statement, if he wishes, and then call on questions.

**The Hon. P.B. MALINAUSKAS:** I will introduce my advisers first. On my immediate left is Mr Damien Walker, the CEO of the Department of the Premier and Cabinet. On his left is Alison Lloyd-Wright, who is the Deputy Chief Executive of the Department of the Premier and Cabinet; and on my right is Steve Woolhouse, who works for the Department of the Premier and Cabinet.

**The CHAIR:** Do you have an opening statement, Leader of the Opposition, or a question?

**The Hon. D.J. SPEIRS:** I do not have an opening statement so I will move on to the questions, starting with Budget Paper 3, page 12, table 1.5, variations since the 2022-23 budget. The 2022-23 budget had a projected surplus of \$233 million, but the estimate for the 2023-24 budget resulted in an actual deficit of \$249 million. The final line in table 1.5 predicts a \$250 million surplus in 2023-24, \$512 million in 2024-25 and a \$552 million surplus in the 2025-26 financial year. How confident is the Premier in the Treasurer that he will deliver these surpluses for South Australians?

**The CHAIR:** Can just you clarify which line you are referring to?

**The Hon. D.J. SPEIRS:** Table 1.5.

**The CHAIR:** Your questions have to relate to the Department of the Premier and Cabinet. If you are talking about the general overall budget, they need to be directed to the Treasurer.

**The Hon. D.J. SPEIRS:** The Premier is responsible for the whole budget and his ministers and his chief executives, so I am hoping the Premier will answer these ones.

**The CHAIR:** The Premier will respond to those questions which relate to those areas which are his direct ministerial responsibilities. That is the Premier and Cabinet and the other ones in this agenda. If you wish to quiz any minister regarding the overall budget, you need to direct those to the Treasurer.

**The Hon. D.J. SPEIRS:** I am seeing these as overarching figures which the Premier is responsible for as the leader of the government and the chair of cabinet responsible for all ministers, CEOs and the budget, and so I would have thought that anything in Budget Paper 3, page 12, which gives an overview of state finances would fall under the purview of the Premier of the state.

**The CHAIR:** Well, I am disagreeing with you and I am ruling that question out of order, but secondly your question asked for an opinion as well, rather than facts, so it was out of order for two reasons. You can reframe your question or you can go to the next question. The choice is yours.

**The Hon. D.J. SPEIRS:** Would you allow me to reframe the question from that table, though, as deeming that the figures in this table are whole of government figures and the Premier has a responsibility to answer questions in regard to those?

**The CHAIR:** To the extent they relate to the lines that are open, which are Premier and Cabinet and Administered Items for the Department of the Premier and Cabinet. The answer is yes, subject to that qualification.

**The Hon. D.J. SPEIRS:** Are you deeming that page 12 of Budget Paper 3 is open, table 1.5?

**The CHAIR:** To the extent it meets that requirement I just stipulated, yes.

**The Hon. D.J. SPEIRS:** I will ask the Premier the question again: is he confident that those surpluses will be achieved?

**The CHAIR:** Again, that is asking for an opinion. You need to move on to the next question.

**The Hon. D.J. SPEIRS:** Will those surpluses be achieved?

**The Hon. P.B. MALINAUSKAS:** That is what the budget says.

**The Hon. D.J. SPEIRS:** Has the Premier put in place strategies to ensure that those surpluses will be achieved?

**The Hon. P.B. MALINAUSKAS:** Is this with respect to the Department of the Premier and Cabinet budget, or are you talking about—

**The Hon. D.J. SPEIRS:** Whole of government, if you would like.

**The Hon. P.B. MALINAUSKAS:** The government has put together a budget, as we do every 12 months, and it is the expectation of our agencies to do everything within their means to meet that budget.

**The Hon. D.J. SPEIRS:** Do the surpluses that are outlined in this table take into account expenditure on a university merger?

**The CHAIR:** At best, that would be a question that would be directed to the relevant minister, which is not the Premier in this case, but also, in my understanding, universities are funded by the commonwealth. They are not funded by the state.

**The Hon. P.B. MALINAUSKAS:** There is no funding allocated within the DPC expenditure items towards the university amalgamation.

**The Hon. D.J. SPEIRS:** Is there any funding allocated within the whole-of-government budget?

**The Hon. P.B. MALINAUSKAS:** There are no costs associated with the university amalgamation in the DPC budget, which is the line that is open.

**The Hon. D.J. SPEIRS:** Do these surpluses take into account funding for the universal three-year-old preschool?

**The CHAIR:** Again, that is not related to DPC. Ask your next question.

**The Hon. D.J. SPEIRS:** Do these budgets take into account funding for the relocation of the police mounted operations?

**The CHAIR:** You will need to ask the police minister for that bit.

**The Hon. D.J. SPEIRS:** Table 2.6 of the same budget paper, page 23, includes the budget line for DPC in the second half of that table. The 2023-24 budget makes clear that every single government agency, other than the Auditor-General, the Electoral Commissioner and TAFE SA, have blown their budget, sometimes to the tune of hundreds of millions of dollars. The total operating expenses blowout shown here for the 2022-23 financial year is \$1.353 million.

Does the Premier take responsibility for this, and what assurances can he provide South Australians that his government, and particularly his department, the Department of the Premier and Cabinet, will lead the way and get a better handle on financial management in the area?

**The CHAIR:** The Leader of the Opposition seems not to be clear about the estimates process versus question time. The question you have just posed is quite relevant to question time. I reiterate—again—that any question—

*The Hon. V.A. Tarzia interjecting:*

**The CHAIR:** Member for Hartley!

*Mr Brown interjecting:*

**The CHAIR:** Member for Florey! Do you wish to remain in the chamber?

**Mr BROWN:** I do, sir.

**The CHAIR:** Okay. Leader of the Opposition, your question has gone beyond the remit of this committee. Rephrase it or move on.

**The Hon. D.J. SPEIRS:** There was a fair bit of preamble in there, which I am happy to take out, and ask: does the Premier take responsibility for the budget blowout for the Department of the Premier and Cabinet?

**The CHAIR:** There is argument in that question, and I am ruling it out of order. It does not relate to the actual budget line. Premier, you do not have to answer the question. Next question, Leader of the Opposition.

**The Hon. D.J. SPEIRS:** Given the budget blowout within the Department of the Premier and Cabinet, is the Premier concerned about the systemic lack of sound financial management in the department?

**The CHAIR:** Leader of the Opposition, are you asking a question about the variance between—

**The Hon. P.B. MALINAUSKAS:** There is so much—

**The CHAIR:** Premier, hold on a second. Leader of the Opposition, if you are asking about a variance between a budgeted item and the actual expenditure can you please state that, what the amount is, and then ask the Premier why the variance exists.

**The Hon. D.J. SPEIRS:** The operating expenses for the Department of the Premier and Cabinet were budgeted to be \$297 million in in the 2022-23 financial year, but the actual estimated result was some \$66 million more than that at \$363 million. Can the Premier provide information as to how this actual result occurred?

**The CHAIR:** That wasn't so hard, Leader of the Opposition.

**The Hon. D.J. SPEIRS:** Thank you for your encouragement.

**The Hon. P.B. MALINAUSKAS:** There are a range of reasons for the discrepancy, including active decisions made by the government during the course of the period, including additional funding allocated throughout the course of the Mid-Year Budget Review for new measures being undertaken by the government.

One would have thought that, given the Leader of the Opposition has been in cabinet, he would be aware of the fact that throughout the course of any period, including post the budget, active decisions are made by the government for specific funding lines for the government to undertake various actions that they choose to do.

**The Hon. D.J. SPEIRS:** The \$66 million discrepancy between the budget for 2022-23 and the actual result is significant in size. Can the Premier detail which areas of his department exceeded their budgets and whether there has been any action taken to improve performance?

**The Hon. P.B. MALINAUSKAS:** There are a range of active decisions the government undertook to expend on new measures that are reflected in that discrepancy. Various activities around our population growth strategy were allocated new expenditure, and expenditure around major business events, in particular, was funded through this exercise, including new events to the state, and that was funded through DPC. The Leader of the Opposition would be well aware that the

major events portfolio sits within DPC for a range of reasons, and there were allocations of new funds for that.

**The Hon. D.J. SPEIRS:** Can the Premier table or take on notice a list, or if he does not have a list, can a decision be taken on notice to provide a list of initiatives or projects, whether new or existing, that resulted in expenditure over \$1 million?

**The Hon. P.B. MALINAUSKAS:** That is all information contained within the budget papers. In Agency Statements, Volume 4, there is a thorough explanation or thorough categorisation of those expenditures: everything from financial assistance to River Murray communities to the population growth strategy, public information activities, what was done around the Adelaide City Deal, and an audit of security arrangements in key government departments, particularly around information security and training across government. I mentioned the business events and conventions; that is all listed there.

**The Hon. D.J. SPEIRS:** Given that the entire quantum of the \$66 million overspend cannot be entirely attributed to new initiatives approved by cabinet during the 2022-23 financial year and some of it can be attributed to overspends, in particular budget lines that could be categorised as day-to-day business within the department, has the Premier received assurances that the Department of the Premier and Cabinet will not exceed their budget in 2023-24?

**The Hon. P.B. MALINAUSKAS:** The government makes decisions; that is what the government does. In fact, we have been making lots of them. The government, during the course of a budgetary period, will make active decisions to allocate new funds to various expenditure measures. Sometimes those decisions have homes in specific departments, otherwise they can sit with a central agency. The Leader of the Opposition is seeking to imply and use language such as 'blowouts' and so forth, which is not true. Like I said, governments make decisions to allocate new amounts of funding to specific areas when events unfold and opportunities arise.

Take the floods, for instance: as the Treasurer explained in some detail throughout the course of the budget exercise, whether it be in health, whether it be in the emergency services response around the floods and what have you, the government makes active decisions on behalf of the people of the state to apply additional expenditure in those areas, as is a matter of course in the day-to-day operations of the government. They are reflected in the budget papers and in changes in numbers accordingly.

**The Hon. D.J. SPEIRS:** I accept the Premier's position that decisions of the day, responding to particular events or opportunities, can lead to increased expenditure and variations but, given DPC overspent its budget on items that could be described as day-to-day activities—

**The Hon. P.B. MALINAUSKAS:** What examples does the Leader of the Opposition provide for that?

**The Hon. D.J. SPEIRS:** Salaries in particular, additional staff that were required.

**The CHAIR:** Leader of the Opposition, which page are you on?

**The Hon. P.B. MALINAUSKAS:** Yes, I would like to know where the Leader of the Opposition is referring because—

**The CHAIR:** Which page are you on?

**The Hon. D.J. SPEIRS:** Areas like minor capital works.

**The CHAIR:** No, I actually want to know which page it is on.

**The Hon. P.B. MALINAUSKAS:** Which paper and which page?

**The Hon. D.J. SPEIRS:** This is just one example; you asked for one example—one would be the investing expenditure summary.

**The Hon. P.B. MALINAUSKAS:** Which paper and which page?

**The Hon. D.J. SPEIRS:** If you look at the areas that come under the Premier's responsibilities, such as the—

**The CHAIR:** You may well wish to go to Budget Paper 4, Volume 4, Leader of the Opposition.

**The Hon. D.J. SPEIRS:** Yes, if you at look page 13, for instance, where—

**The Hon. P.B. MALINAUSKAS:** Which budget paper are you looking at?

**The Hon. D.J. SPEIRS:** Page 13 of Budget Paper 4, Volume 4, and again there are examples on page 15.

**The Hon. P.B. MALINAUSKAS:** Where is the example on page 13?

**The Hon. D.J. SPEIRS:** Page 13 shows that the actual result for 2022 rising significantly in 2023 for the workforce summary for the Department of the Premier and Cabinet, and that is clearly considerably higher than was budgeted for. We see a range of variations on page 15. To point to particular examples, if you run down that list, the day-to-day activities within the Department of the Premier and Cabinet, they have clearly ended up being quite a bit more than the 2022-23 budget might otherwise have been.

**The Hon. P.B. MALINAUSKAS:** Again, I am struggling to see or hear the Leader of the Opposition's specific examples but, as I referred to earlier, a range of active decisions were made throughout the course of the relevant 12-month period for appropriate expenditures, and that is reflected in the budget.

**The Hon. D.J. SPEIRS:** I guess in a general sense my question is pitched at whether there is ill-discipline in the—

**The Hon. P.B. MALINAUSKAS:** No

**The Hon. D.J. SPEIRS:** —financial management of the Department of the Premier and Cabinet and whether the Premier is concerned about that ill-discipline.

**The Hon. P.B. MALINAUSKAS:** Not one bit, no.

**The Hon. D.J. SPEIRS:** The Premier does not believe there is ill-discipline in his department, despite its \$66 million budget blowout?

**The Hon. P.B. MALINAUSKAS:** Well, there is not a \$66 million budget blowout, and the characterisation of such from the Leader of the Opposition completely misrepresents the facts at hand. As has been explained earlier, over the course of a 12-month period the government makes active decisions to adjust the budget, and that has been adhered to by the department appropriately. That reflects in the expenditure decisions of the government.

The sort of absurd language the Leader of the Opposition uses, which we are becoming somewhat accustomed to, misrepresents the facts. I am more than happy to examine specific expenditure measures undertaken by the Department of the Premier and Cabinet if the Leader of the Opposition simply points to an example or a question.

**The Hon. D.J. SPEIRS:** The Premier mentioned in response to my previous question about decisions made around major events in the state, looking at the Budget Measures Statement on page 64, which includes the budget events fund—

**The Hon. P.B. MALINAUSKAS:** I am not trying to be difficult, but which volume are you talking about? Are you talking about Budget Paper 4, Volume 4?

**The Hon. D.J. SPEIRS:** I think it is Budget Paper 4, Volume 4, yes. Let me just check. This is in the Budget Measures Statement, which would be Budget Paper 5.

**The Hon. P.B. MALINAUSKAS:** Yes. What page?

**The Hon. D.J. SPEIRS:** It is page 64; that is where the Department of the Premier and Cabinet's budget measures or initiatives are listed. There are quite a few questions for this area as the morning unfolds. In relation to the Major Events Fund, can the Premier tell us how much of the \$10 million that was budgeted in the last years remaining in the Major Events Fund, if any?

**The Hon. P.B. MALINAUSKAS:** Sorry, I cannot hear you. Repeat the question, sorry.

**The CHAIR:** Can you speak a little louder, please. I cannot hear your question.

**The Hon. D.J. SPEIRS:** Can the Premier tell us how much, if any, of the \$10 million that was budgeted for the Major Events Fund in the previous financial year is remaining? I think it was \$10 million a year for four years: \$40 million in total.

**The Hon. P.B. MALINAUSKAS:** As the budget papers indicate, the Major Events Fund has received a boost in its allocation. That is reflected in the budget papers that we put out publicly. In respect of the remaining balance, the government does have the capacity, given the funding boost, to recruit major events. It depends on the year we are talking about, because there are some events that have taken up an allocation by virtue of the fact that they are of a more one-off nature, whereas there are other events where the government might have a two, three or four-year deal—for instance, Gather Round. The Beach Volleyball World Championships is a one-off. Obviously, the cost between those events varies and the scaling across the forward estimates varies as well.

In terms of the remaining allocation that is available, apart from the fact that it varies from year to year it is also important that we do not publicly disclose—apart from what is in the budget papers, of course—how much remainder exists within each year. The reason why we do that is the same reason why some of those events have commercial-in-confidence arrangements attached to them that are in the government's interest apart from the specific entity's interest. Simply, we do not want our competitors to know how much capacity the government has to go after new events, beyond what is our publicly allocated volume of funding that we put into the budget papers.

The performance of major events naturally should enjoy the scrutiny of not just the parliament but also the public more broadly, and they do. I think what is clear to all South Australians (except for some members of the opposition, I appreciate) is that these have been a major success. I note the Leader of the Opposition at various points has been opposed to most of those major events and then subsequently changed his position after the event has taken place—I think with the exception of LIV Golf. I think the Leader of the Opposition has maintained his criticism of that event.

**The Hon. D.J. SPEIRS:** Correct.

**The Hon. P.B. MALINAUSKAS:** Which, presumably, means that at the next election the people of South Australia will have to decide whether or not that event continues. The major events policy has been a major success, and it is one that we remain committed to maintaining. Just yesterday, of course, the publicly released figures came out in terms of the size of the tourism economy. This government is smashing all records that have gone before it. We are not just beating them at the margins by a few per cent that might reflect CPI or natural growth that you might expect in a growing economy; we are smashing all records that have gone before. I think that is virtuous.

We have made these investments for two reasons; the first is the obvious economic benefit. If we are more particular about it, it is the fact that even about 14 months ago from today there were still restrictions on many parts of our economy as a result of COVID—restrictions that I supported in government as well as in opposition. But it did have a really substantial and deleterious impact on a lot of people who can afford it the least, and that is why we went to the election with a major events policy.

The second benefit probably has what was not the principal driver of the policy but has emerged to be a substantial one, and that is the fact that we have captured the attention of the nation, and in many instances the attention of the world, and that is something we should be very deliberate about.

I for one passionately believe in the future of the state and we deserve to have a bit more attention on us every now and then, which actually brings with it a whole suite of ancillary long-term economic benefits in terms of confidence not within the state but outside of the state to invest into it. That is bearing itself out as being exceptionally powerful and that is why we continue to maintain the policy and we have no intention of departing from it despite the fervent opposition from the opposition.

**The Hon. D.J. SPEIRS:** Does the Minister for Tourism have any oversight of the Major Events Fund and, if not, who does and why?

**The Hon. P.B. MALINAUSKAS:** The Major Events Fund sits within DPC, not so much because I am seeking to control it personally but more because having it within a central agency allows its expenditure to be informed by a range of different other agencies. Naturally, the South Australian Tourism Commission and the Minister for Tourism are central to that effort but so is the Major Events Attraction Committee which sits within DPC and is chaired by the member for Mawson, who has done a sterling job in not just running that committee but turning his mind to how we attract those events and which ones we go after.

There are a number of irons that remain in the fire that we hope to have good news about in due course. But myself, the Minister for Tourism, the chair of the Major Events Advisory Committee and the Treasurer would represent the principal nucleus of decisions made in the area in terms of the political architecture, but naturally advice is sought from agencies also including the Department for Trade and Investment in this area.

If I speak plainly, I think there are opportunities for the government to position itself and structure itself in a better way to maximise the potential of these events in terms of investment attraction and that is something that we are currently turning our minds to in terms of how we will go about doing that. Because it does touch on a number of agencies, we do want to be a bit better coordinated given the success and what we believe the growth of these existing events will be into the future, particularly Gather Round and the golf but also the Adelaide 500.

I remember it was not that long ago when I was asking questions as the Leader of the Opposition of the former Premier, asking about the government's events strategy which it had committed itself to after axing the Adelaide 500. I remember there were references to the excitement around attracting the Masters Rowing event, which I am sure has its place, but does not have the economic potential that the Adelaide 500 or the Gather Round or LIV Golf have. We are really proud of the results that the whole team have been able to put together from SATC and otherwise to get as much out of those events as possible, and it is an effort that we remain committed to.

**The Hon. D.J. SPEIRS:** On the same page 64 of the Budget Measures Statement, again the Major Events Fund, the Major Events Fund description identifies:

This initiative does not include the government's continued commitment to hosting the LIV Golf tournament and AFL Gather Round.

Does expenditure for these events appear in the budget and, if so, where?

**The Hon. P.B. MALINAUSKAS:** Naturally, any expenditure of government exists within the budget and so, yes, the answer is of course it sits within the budget papers.

**The Hon. D.J. SPEIRS:** Is it contained within the budget papers for the Department of the Premier and Cabinet?

**The Hon. P.B. MALINAUSKAS:** Yes, it is, in program 1.

**The Hon. D.J. SPEIRS:** Given that, is the Premier able to reveal how much it cost taxpayers in the 2022-23 financial year to host the sportswashing LIV Golf tournament?

**The Hon. P.B. MALINAUSKAS:** No, and I say that for a number of reasons. There is no sportswashing tournament, as the Leader of the Opposition well appreciates. The allegations of sportswashing are ones that the government does not accept or agree with. For the Leader of the Opposition to have a degree of consistency in his position he would, of course, have to advocate for the suspension of all trade with Saudi Arabia—

**The Hon. D.J. SPEIRS:** Which is quite different.

**The Hon. P.B. MALINAUSKAS:** —which, of course, is an important trading part of South Australia in a range of areas, particularly around primary produce, amongst others. The Leader of the Opposition presumably would also be aware that the former state government, with the Land Forces convention, hosted the Saudi defence minister here in South Australia only a few years ago. I do not remember the Leader of the Opposition complaining about that then.

Also, if the LIV Golf tournament is sportswashing, as the Leader of the Opposition has sought to characterise, then of course so is the PGA, which the Leader of the Opposition has declared



publicly his brother is actively involved in because, of course, there is a now a direct relationship between the entirety of the PGA and all its tournaments and the public investment fund. So there is an intellectual weakness to the Leader of the Opposition's characterisation of that.

I am happy to point out, through you, Mr Deputy Chairman, to the people of South Australia that those 77,000 people who came to that tournament should know and be well aware that the Leader of the Opposition has a policy of abolishing those tournaments—clearly. That is his prerogative, but naturally it is important that those 77,000 people are aware of that when they turn their mind to how they cast their vote at the next election.

**The Hon. D.J. SPEIRS:** Has the Premier received assurances from the new organisers of LIV Golf, whether that be the PGA or an amalgam of the PGA and LIV Golf management, that it will return to South Australia over each of the next three years? If not, is the taxpayer liable for any costs?

**The Hon. P.B. MALINAUSKAS:** I enjoy these questions in particular, Mr Deputy Chairman, because it speaks to this inconsistency of position. On one hand, they believe the tournament should go and on the other hand they believe the tournament should stay.

**The Hon. D.J. SPEIRS:** No, we just do not believe that taxpayers' money should be wasted on it, and the government should be fighting for the return of that money should this thing have gone belly up.

**The Hon. P.B. MALINAUSKAS:** There is no money at risk to the government; we only pay for the tournaments that we get. That is pretty obvious. There is no money at risk from the government's perspective or the taxpayers' perspective. What is at risk is the future of these types of events should the alternative Premier end up becoming Premier. It is all at risk. It has been characterised as a waste of money by the Leader of the Opposition in multiple forums on multiple occasions. He is entitled to that opinion.

But that presumably means the hospitality industry, the accommodation industry, the airline industry and the tens of thousands of people in the tourism experiences industry and the tens of thousands of people who are employed by those industries in our state are entitled to be very concerned about that prospect.

This has been an unbridled success. It has been a source not just of state pride but of new wealth being attracted to our state, and that is exactly what we are aiming to achieve. That is why the government's policy is in place. The Leader of the Opposition wants to mark it down as much as he likes—as I said, that is his prerogative—but we are completely at ease with the success of the policy proposition and I think that stands to reason. Independently verified figures yesterday pointed to the \$9.3 billion that the state's tourism economy now represents.

In respect of the LIV tournament more specifically, yes, of course, given its success, the government has been in touch with the organisers, particularly given the news that the PGA has now embraced—including presumably the Leader of the Opposition's brother—the Public Investment Fund. About what that means for the future of LIV, the government has sought and been given assurances that the tournament scheduled next year is due to go ahead as planned, but clearly there is much detail being worked out between LIV, the PGA and the newly formed entity chaired by the chair of the Public Investment Fund. As those details become available, the government anticipates to be in receipt of those.

The critical thing is that, unlike the Leader of the Opposition's insinuation, there is no money at risk. We only pay for the tournaments we get.

**The Hon. D.J. SPEIRS:** So, just to clarify, there is no guarantee that that tournament will return to Adelaide.

**The Hon. P.B. MALINAUSKAS:** We have a contract with LIV. It is no different from the guarantee that we have with the AFL that Gather Round will be here next year as well.

**The Hon. D.J. SPEIRS:** The AFL is not at risk of falling over any time soon or being moved elsewhere, whereas LIV Golf clearly is.

**The Hon. P.B. MALINAUSKAS:** If LIV Golf ceases to exist for whatever reason because it has been embraced in a different form by the US PGA, then clearly that would be a change of circumstance, but for as long as that tournament exists then we will be hosting events in Adelaide. There are a lot of people looking forward to that in South Australia and also, critically, interstate.

**The Hon. D.J. SPEIRS:** Moving on—

**The Hon. P.B. MALINAUSKAS:** And just an important point: if that were to eventuate, then the government would have more funds that would otherwise have gone to that event to allocate to other events.

**The Hon. D.J. SPEIRS:** Which would be hopefully something more wholesome and less morally defunct.

**The CHAIR:** Leader of the Opposition!

**The Hon. P.B. MALINAUSKAS:** What amazes me is how at ease the Leader of the Opposition is with casting moral judgements on over 70,000 people who went to a golf tournament. He clearly is of a higher moral authority than I to be able to make those judgements of others so easily. I would not be so presumptuous to do that.

**The Hon. D.J. SPEIRS:** Moving on to Budget Paper 4, Volume 4, page 24, the Premier's Delivery Unit.

**The Hon. P.B. MALINAUSKAS:** I will introduce Mr Rik Morris who is in charge of the Premier's Delivery Unit.

**The Hon. D.J. SPEIRS:** How does the Premier's Delivery Unit oversee the delivery of identified government priorities, and are there any processes in place to protect the public sector from political influence?

**The CHAIR:** That question has a lot of opinion and also argument in it. If you want to refer to the financial arrangements, please do so and rephrase your question.

**The Hon. D.J. SPEIRS:** So that I can learn from the process, Chair, can you tell me where the opinion and the argument were within that question? 'How does the Premier's Delivery Unit oversee the delivery of identified government priorities?', that was not, and, 'Are there any processes,' and I am thinking HR processes, 'to protect public sector employees from potential political influence?' I am not sure there is any argument there.

**The CHAIR:** I have said this a few times, Leader of the Opposition, and I will say it again: you need to ask questions about the finances. The questions you have raised can be raised in question time and are appropriate for question time. If you would like to interrogate—

**The Hon. D.J. SPEIRS:** The questions do not need to be about financial matters. Anything in any government instrumentality is paid for through the budget, so that is financial in its very nature. You are taking a very strict approach of interpretation, Chair.

**The CHAIR:** Do you wish to rephrase your question, or do you wish to go to the next question?

**The Hon. D.J. SPEIRS:** I will split it in two. How does the Premier's Delivery Unit oversee the delivery of identified government priorities?

**The Hon. P.B. MALINAUSKAS:** The Premier's Delivery Unit has a little more specific remit than the one just referred to by the Leader of the Opposition. The Premier's Delivery Unit's specific remit is to ensure that the government is actively monitoring the delivery of all its election commitments. In a number that even shocked me, when you break down in a very specific way each of the government's election commitments, there were over 700 of them, lots of them smaller than others, clearly. What we have sought to do is break all those down and establish a unit within government whose task it is to monitor the delivery of those and to ensure that it occurs.

This is not dissimilar to what other governments of other political persuasions around the world, both left and right, have done in many instances. The example that informed the government's

decision to do this was the Blair government in the UK. Thus far, I have found it to be an exceptionally worthwhile exercise.

The Department of the Premier and Cabinet has a whole range of functions in the extraordinary amount of work that it is undertaking. Some of the work that we are putting in front of the DPC is demanding in its nature, given the scope of policy the government is seeking to pursue. So having a specific unit that is dedicated exclusively to the monitoring and the delivery of election commitments has been exceptionally worthwhile thus far, and that is what the Premier's Delivery Unit focuses on.

**The Hon. D.J. SPEIRS:** In the establishment of the Premier's Delivery Unit, were any HR processes or guidelines put in place to protect the public sector from political influence?

**The Hon. P.B. MALINAUSKAS:** All government agencies, and the Premier's Delivery Unit is no exception, have to follow the due processes that exist within government, including processes that exist within the Public Sector Act.

**The Hon. D.J. SPEIRS:** At any point during the administration of the Premier's Delivery Unit over the past year or so has it been identified that such a unit could be subject to accusations of political interference in the Public Service, compared with another government instrumentality?

**The CHAIR:** Also, the Premier is not responsible for any potential accusations made.

**The Hon. P.B. MALINAUSKAS:** Not that I am aware of. In terms of when the Leader of the Opposition uses the words 'political interference', there is a direct line between myself and, naturally, the CEO of the Department of the Premier and Cabinet. The PDU is structured so that it reports to me, and on a regular basis I absolutely interfere with the work of the Premier's Delivery Unit. That is the whole idea: they report to me.

I ask them to provide detailed advice on a probably too frequent basis about where various things are up to, just to make sure that we are making progress at the adequate pace, to ensure that we do not just deliver on our commitments but we do it within the stated time lines. Often, we make commitments to the electorate to do a particular measure, but also by a particular time frame, and that is something that we are pretty determined to stick to. I think thus far we have done that. There are a whole range of commitments that we have made with specific time lines in place, and we have been able to honour those, more or less, very accurately, and that we remain committed to.

**The Hon. D.J. SPEIRS:** Has the Premier or his chief executive ever received complaints about the conduct of the Premier's Delivery Unit and its staff, particularly its chief executive, with regard to interactions with public servants?

**The Hon. P.B. MALINAUSKAS:** No.

**The Hon. D.J. SPEIRS:** Does the Premier's Delivery Unit liaise with specified officers in each agency who keep track of election commitments?

**The Hon. P.B. MALINAUSKAS:** Yes, that is the whole idea.

**The Hon. D.J. SPEIRS:** Are there nominated officers within particular agencies, i.e. is it the chief executive or a specific officer who would be the named point of contact?

**The Hon. P.B. MALINAUSKAS:** Ultimately, the chief executive is responsible for those other agencies, but the PDU will naturally engage with various officers outside the chief executive specifically. If I was to give you a specific example (and correct me if it is wrong), we have very specific commitments around the Ambulance Service—in fact, very specific commitments around the Ambulance Service—so it would not be unusual for the leader of the Premier's Delivery Unit to be in touch with the head of SAAS, Rob Elliott: 'Where is the Victor Harbor upgrade at?' 'What is going on with the Mount Barker recruitment exercise?' 'What is the latest update on the delivery of the new station on Hanson Road, Woodville?'

That is how you get to over 700 very quickly because, just in terms of the Ambulance Service alone, there are countless commitments made about the number of staff, location of staff, station upgrades, new stations, the number of actual new ambulances that the government is buying. We were very specific in terms of our plan. They were not so much commitments. It was a comprehensive

plan, but a plan that could reasonably be characterised as being broken down individually to a suite of different commitments. We have allocated them accordingly and it is standard operating. It is the whole idea of the PDU to be able to monitor each of those, and that necessarily results in engagement with line agencies.

Ultimately, what the PDU does is, where they see a lack of progress or something not on track to be able to honour our commitment, they report back to me. That gives me the ability to go back to other chief executives, but more often than not it might be me going to the CEO of DPC, just to chase something up and make sure it happens. It you want to call that interference, that is fine. Others might call it me instructing government to deliver on our commitments, which is what the people of our state would, I would have thought, expect

**The Hon. D.J. SPEIRS:** Given the Premier used the provision of ambulance services as one of the focus points of the Premier's Delivery Unit, and given that Labor's election policy document in the lead-up to the election quoted that the immediate focus of the Malinauskas Labor government would be to address the ramping and hospital overcrowding crisis, is the Premier's Delivery Unit responsible for ensuring that the government's response to fixing the ramping and hospital overcrowding crisis is delivered on?

**The Hon. P.B. MALINAUSKAS:** That is ultimately the responsibility of the government as a whole, meeting our election commitments, including in respect of our health commitments, where we have a number of specific ones with a view to achieving a general objective. They are responsibilities that principally sit with the health minister, but the PDU monitors the specific areas of those commitments where there is a commitment to a particular resource, to a particular location—an additional number of beds at Modbury Hospital, for instance. The PDU's job is to monitor that. In terms of the delivery of performance in the health service more broadly, that obviously sits with the Department for Health, which is led by the Minister for Health.

In terms of ramping, we were very clear throughout the election—under repeated questioning, and this was criticised by the opposition at the time—that our commitment was to reduce ramping. Our objective in terms of fixing the ramping crisis, when asked what 'fixing' means, we made it clear that fixing the ramping crisis means reducing ramping to the extent that we can get ambulances rolling up on time again. That is what we are committed to. We have started to see some really good results, but we still have some way to go.

**The Hon. D.J. SPEIRS:** Does the Premier's Delivery Unit rank election commitments in order of priority, and is fixing ramping the number one priority of the Premier's Delivery Unit; if not, why not?

**The Hon. P.B. MALINAUSKAS:** All our commitments are priorities. If you have a group of constituents and their principal concern is decarbonisation of our economy and another group of constituents have a specific interest around public transport—it not being privatised, for instance—or you might have commitments around road infrastructure or education commitments, I think each group would take the view that those commitments were paramount and should be a priority in their own right.

The PDU do not discriminate between commitments. They might spend more time in health than they do in another area just by virtue of the number of commitments in health—health and education represent the vast bulk of our commitments—which would mean there is more effort from PDU in that regard, but we are seeking to deliver on all our commitments. That is the objective.

In terms of the Leader of the Opposition's question, clearly improving the performance of the health system is a priority of ours, and the very budget we are going through probably serves as the best example of that. The budget is where the rubber hits the road for any government. It is easy for politicians to run around and say, 'Well, this is my priority,' and, 'That's my priority,' and all of a sudden everything is a priority, but at the end of the day you have to allocate resources, and that demonstrates what your priorities are.

It is clear in our budget papers that health and what we are doing around skills and education are probably our two biggest areas of priority, along with other economic investments. Health is clearly a big priority. South Australians will be in no doubt if they just look at the budget papers. If

they want to scrutinise the sense of priority and see the difference in terms of the change of government last year, they only need pick up the budget papers to see a government committed to cutting health, as was the previous government's thing—and the consequences were catastrophic, with ambulances not rolling up on time, not even half the time—and this government, which is prioritising a lot of expenditure on health and now ambulances are rolling up on time more than half the time. They are two very different contrasts and, hopefully, a demonstration of why elections do matter.

**The Hon. D.J. SPEIRS:** The Premier mentioned a moment ago in his answer to a question a figure of around 700 election commitments that were being monitored by the Premier's Delivery Unit. Can the Premier provide a specific figure on how many election commitments the Premier's Delivery Unit has identified and can those be tabled in full?

**The Hon. P.B. MALINAUSKAS:** I mentioned the number of over 700. Like I say, we have taken a very deliberately generous application of what gets characterised as a commitment. I gave health as an example of how you can take one big commitment and extrapolate that out into dozens. In terms of how we are tracking, the latest advice is that only 14, 15 or 16 months into the government, we already have delivered on half of those—over half, 52 per cent in fact.

**The Hon. D.J. SPEIRS:** Would the Premier be able to table a full list that indicates which ones have been fulfilled.

**The ACTING CHAIR (Ms Savvas):** Leader, I remind you that you cannot table documents during estimates, but the Premier is able to take it on notice, if he wishes.

**The Hon. D.J. SPEIRS:** Would the Premier take on notice a request to provide a full list of election commitments being monitored by the Premier's Delivery Unit?

**The Hon. P.B. MALINAUSKAS:** I am happy to answer the Leader of the Opposition's question. These are not in any particular order. We have provided funding for the upgrade of the South Adelaide Football Club; provided funding for improvements to Knox Park; provided funding for the Springbank Sports Centre; provided funding to the upgraded community facilities at The Brocas reserve, St Clair; provided funding for the Tea Tree Gully Gymsports redevelopment; provided funding for the Tea Tree Gully Tennis Club; and provided funding for the Tilley Reserve upgrade.

We have also allocated the committed funding to the restoration of Walkerville community hub and provided funding for the Warradale Park Tennis Club. We have re-established the EMC that was chaired by myself; we scrapped the Riverbank Arena Stadium; we restored the 2019 boundaries for the CBD school zone that was scrapped by the former government; and provided funding for the Western Districts soccer clubs. The additional funding that we committed to Arthritis SA for a new nurse to specifically support arthritis patients has been delivered.

We have already offered the 400 university scholarships over four years to strengthen and diversify the teaching profession in South Australia. We have funded Parkinson's SA for four new Parkinson's nurses to better support people living with Parkinson's. We have provided funding for the upgrade of the Ballara Park Reserve, including the public toilet facility. We have provided funding for the installation of the inclusive and accessible playground infrastructure at Apex Park, Gawler.

We have provided funding for the Epilepsy Centre for three new epilepsy nurses to help reduce emergency hospital visits—that has been a particular success. We have provided funding for the bike path from Willunga to Aldinga. This will chew up the rest of estimates if I read over 52 per cent of 700. Does the leader—I am happy to—

**The Hon. D.J. SPEIRS:** Or provide the document publicly.

**The Hon. P.B. MALINAUSKAS:** I am not able to table it.

**The Hon. D.J. SPEIRS:** No, but you could take on notice my request and then send it to me.

**The Hon. P.B. MALINAUSKAS:** We have made this publicly available and I am happy to just hand it over at any stage.

**The Hon. D.J. SPEIRS:** The list that you were going through there, were those the ones that have been fulfilled or achieved?

**The Hon. P.B. MALINAUSKAS:** Yes.

**The Hon. D.J. SPEIRS:** Would you also be able to give a list of the ones that have not to date?

**The Hon. P.B. MALINAUSKAS:** I am happy to refer the Leader of the Opposition to our various commitments, and make sure that we can hand over anything that we have available to us in respect to how we are going.

**The CHAIR:** You cannot table a document.

**The Hon. P.B. MALINAUSKAS:** I am happy to take on notice the list of election commitments that we have delivered upon.

**The Hon. D.J. SPEIRS:** In terms of the work of the Premier's Delivery Unit, you have your election commitments but obviously government as part of its day-to-day work would make new commitments, follow up new projects and announce new projects. Do those get added to the work of the Premier's Delivery Unit?

**The Hon. P.B. MALINAUSKAS:** There will be an occasion when I might ask the Premier's Delivery Unit to follow up various things that we have sought to establish.

**The Hon. D.J. SPEIRS:** We talked earlier about the Premier's Delivery Unit's focus on health care promises and particularly ramping. Given that the publicly available statistics around ramping have shown that it has not improved, will Rik Morris be continuing as Chief Executive of the Premier's Delivery Unit and, if so, why?

**The Hon. P.B. MALINAUSKAS:** Yes, because he is doing a good job.

**The Hon. D.J. SPEIRS:** Will he receive a pay increase?

**The Hon. P.B. MALINAUSKAS:** I am sure he would like to. He has just confirmed that he is happy with his salary. He will receive the same pay increase that other department executives receive in the Public Service.

**The Hon. D.J. SPEIRS:** What is the duration of Mr Morris's contract?

**The Hon. P.B. MALINAUSKAS:** Five years.

**The Hon. D.J. SPEIRS:** Can the Premier provide now or take on notice a breakdown of all Premier's Delivery Unit expenses on supplies and services?

**The Hon. P.B. MALINAUSKAS:** I think it is in the budget papers.

**The CHAIR:** You can take it on notice, Premier.

**The Hon. P.B. MALINAUSKAS:** In Agency Statement, Volume 4, page 24, the Premier's Delivery Unit provides a breakdown there, which is there to be seen and scrutinised.

**The Hon. D.J. SPEIRS:** Other than the chief executive, were all FTEs in the Premier's Delivery Unit recruited through normal public sector recruitment procedures? If the Premier is not certain of this, can he take the question on notice?

**The Hon. P.B. MALINAUSKAS:** I am happy to take it on notice, but as the Leader of the Opposition would well understand, there are rules in place in terms of how public sector recruitment operates and those rules have to be complied with. The PDU is no different from any other government agency.

**The Hon. D.J. SPEIRS:** Are all staff in the Premier's Delivery Unit public sector employees?

**The Hon. P.B. MALINAUSKAS:** Obviously, people who are employed by the PDU are public sector employees, but there are people who do work for the PDU under contract.

**The Hon. D.J. SPEIRS:** There are 10 staff, I believe, in the Premier's Delivery Unit at the moment and predicted to be 10 staff in the forthcoming financial year. What is the breakdown between staff who are on the type of contract the Premier just referred to and those who are not?

**The Hon. P.B. MALINAUSKAS:** I am advised that the PDU currently has seven people on its staff.

**The Hon. D.J. SPEIRS:** Seven normal staff?

**The Hon. P.B. MALINAUSKAS:** Seven staff, and there is one person who is contracted to do some work for the PDU from time to time.

**The Hon. D.J. SPEIRS:** So there are eight staff at the moment?

**The Hon. P.B. MALINAUSKAS:** No, seven.

**The Hon. D.J. SPEIRS:** And the total FTE count? It does say in the budget papers 10 FTEs.

**The Hon. P.B. MALINAUSKAS:** He is under his FTE cap.

**The Hon. D.J. SPEIRS:** What is the ratio of executive to non-executive positions in the unit?

**The Hon. P.B. MALINAUSKAS:** Obviously there is Mr Morris, who is the Chief Executive of the PDU, then there is one executive director and two directors. The rest are not of a director nature.

**The Hon. D.J. SPEIRS:** So there is a chief executive, an executive director—

**The Hon. P.B. MALINAUSKAS:** One executive director and then two directors.

**The Hon. D.J. SPEIRS:** The chief executive, executive director, two directors and then three staff who are non-executive.

**The Hon. P.B. MALINAUSKAS:** Correct.

**The Hon. D.J. SPEIRS:** What are each of the position titles, and what is the total remuneration package or classification for each of the seven staff currently working there?

**The Hon. P.B. MALINAUSKAS:** The employee expenses are outlined in the budget papers. The total employee benefits expense for the 2023-24 budget is listed there as \$1.528 million.

**The Hon. D.J. SPEIRS:** Could the Premier provide a breakdown? He may have to take that on, if he is willing to.

**The Hon. P.B. MALINAUSKAS:** I am happy to take notice what we can reasonably put in the public realm. I know that has to happen with your wage, Mr Morris.

**The Hon. D.J. SPEIRS:** I think Mr Morris has been in *The Advertiser* recently, so we have that one.

**The Hon. P.B. MALINAUSKAS:** Good.

**The Hon. D.J. SPEIRS:** But it is the other ones.

**The Hon. P.B. MALINAUSKAS:** There is no aversion from me to put things in the public realm that are able to be put in the public realm.

**The Hon. D.J. SPEIRS:** I am comfortable with that, Premier. What I am after is the position title and their remuneration, if that can be provided on the public record.

**The Hon. P.B. MALINAUSKAS:** Noted. I have just been advised that public servants outside of chief executives do not traditionally have their wages disclosed.

**The Hon. D.J. SPEIRS:** Yes. You could put their levels—SAES1, SAES2, ASO-8. That is really all I am after. I do not need to see mobile phone provisions and super and stuff like that; just the classification levels are fine.

**The Hon. P.B. MALINAUSKAS:** Let me take that on notice.

**The Hon. D.J. SPEIRS:** Moving on, I will ask a couple of questions and then hand to Mr Tarzia and Mr Batty for a few moments. My final questions for the meantime are on Budget Paper 4, Volume 4, page 13, which is the ministerial office resources specifically—obviously, in this case, the Premier's office. The Premier may want to take this on notice.

**The Hon. P.B. MALINAUSKAS:** What is the budget paper again, sorry?

**The Hon. D.J. SPEIRS:** It is just the ministerial offices section on page 13 of Budget Paper 4. You have Minister Bettison and your offices listed there on that page. There are 46 FTE positions listed as being part of the ministerial office resources within the Premier's office. I presume the Premier will need to take this on notice, if willing. Can the Premier provide the job titles of all 46 FTEs in his office?

**The Hon. P.B. MALINAUSKAS:** Correct me if I am wrong here, but periodically as a matter of course the names and titles of all ministerial advisers are publicly gazetted.

**The Hon. D.J. SPEIRS:** I think sometimes it can be hard to work out who works where from those. I am wondering if there is a consolidated list of the 46 that are deemed to work within the Premier's office.

**The Hon. P.B. MALINAUSKAS:** I will have to take that on notice.

**The Hon. D.J. SPEIRS:** Are any staff seconded to work in the Premier's office and, if so, how many and where from?

**The Hon. P.B. MALINAUSKAS:** Seconded as in from the Public Service?

**The Hon. D.J. SPEIRS:** Either from other offices or the Public Service.

**The Hon. P.B. MALINAUSKAS:** Again, I am happy to take that on notice. I am absolutely certain that amongst the ministerial adviser staff there are examples of people who are in that position, but I will just have to take it on notice.

**The Hon. D.J. SPEIRS:** I am happy for that to be taken on notice. Are any staff contracted to work from the Premier's office outside the 46 FTEs and, if so, how many and where from?

**The Hon. P.B. MALINAUSKAS:** When you say contracted from outside, do you mean that we have taken from other agencies?

**The Hon. D.J. SPEIRS:** Yes.

**The Hon. P.B. MALINAUSKAS:** Again, I will have to take that on notice.

**The Hon. D.J. SPEIRS:** Or external from the Public Service altogether potentially on a short-term contract.

**The Hon. P.B. MALINAUSKAS:** Do you mean has the office of the Premier contracted an employee outside that 46?

**The Hon. D.J. SPEIRS:** Yes.

**The Hon. P.B. MALINAUSKAS:** No, not that I am aware of. I am advised no, to be more specific.

**The Hon. D.J. SPEIRS:** Do any of the Premier's staff work from home and, if so, how often?

**The Hon. P.B. MALINAUSKAS:** I bloody hope so, because—

**The Hon. D.J. SPEIRS:** Agreed.

**The Hon. P.B. MALINAUSKAS:** —Leader of the Opposition—and the reason why I say that is that they all work from home from time to time because they all work a lot more than nine to five.

**The Hon. D.J. SPEIRS:** They all work all the time.

**The Hon. P.B. MALINAUSKAS:** Yes, and I think the Leader of the Opposition would well appreciate that, as I am sure many of his staff do.



**The Hon. D.J. SPEIRS:** I guess I was meaning in a more formal sense in post-COVID times, where certain staff, and this is not a criticism, could have a negotiated agreement that they do two days a week at home and three days in the office, just as an example.

**The Hon. P.B. MALINAUSKAS:** I am not aware of any specific agreement per se along those lines, but what I would say is that as Premier I would have an expectation that, where people on occasions want to work from home if they have a sick parent or a sick child, in those sorts of circumstances we seek to be a good employer in how we go about that. At the same time, I do not mind saying I think it is reasonably well known that if you are interested in a high-quality work-life balance these jobs tend not to be really for you.

**The Hon. D.J. SPEIRS:** I think we are in agreement with that, Premier.

**The Hon. P.B. MALINAUSKAS:** I am just trying to speak plainly and honestly. Notwithstanding that, where we can make appropriate accommodations, I am sure we would seek to do that, but I am not advised of any formal specific arrangements.

**The Hon. D.J. SPEIRS:** I will hand over to Mr Tarzia now for a couple of minutes. I think we are changing to Infrastructure SA.

**The CHAIR:** Member for Hartley, do you have any questions for the Auditor-General?

**The Hon. V.A. TARZIA:** No.

**The CHAIR:** Any questions for the Productivity Commissioner?

**The Hon. V.A. TARZIA:** We may return if there is time, but this is for Infrastructure SA. There is a bit of preamble, so I will ask a lengthy question if you like. Referring to Budget Paper 4, Volume 4, Agency Statements, pages 22 and 23, Infrastructure SA, I note that expenditure increased to support a Northern Water Supply business case for a 95-gigalitre desal plant in Upper Spencer Gulf.

If this business case has been completed as indicated, when will the decision be made on whether that project will go ahead? The Premier might be aware that, for example, Infrastructure SA has also said that a location would be investigated and potentially even announced tomorrow, 30 June, so any information that you have on that project.

**The Hon. P.B. MALINAUSKAS:** I thank the member for Hartley for his question because this is, in my estimation, a far more substantial line of questioning than the erecting of a security fence somewhere in parliament, given that it might pertain to the future of the state economically for thousands upon thousands of people.

The cabinet is due to be submitting its business case in the not too distant future. There are active negotiations on between the government and BHP as we speak. There is an iterative process that needs to be gone through in order to reach any final decision about the future of Northern Water that will take some time.

To be more specific, the first decision point is to enter into an environmental impact statement, which is what we are currently negotiating with BHP. That has a very substantial expense associated with it—hundreds of millions of dollars to do that work, which is clearly substantial in its own right; who wears the cost of that is being negotiated with BHP at the moment. I hope that we can arrive at that decision in the next 10 to 12 weeks. From there, the environmental impact statement process will be undertaken.

That piece of work will take 12 to 18 months, and then a decision has to be made about FID between all the relevant parties concerned ahead of potential construction. There is a lot of water that has to go under this bridge (no pun intended) before any final decision is made committing to construction of the development. We are as a government excited about the project. We think it has an extraordinary amount of potential, but something of this scale and scope requires an awful lot of due diligence, and that is what the government is working through.

**The Hon. V.A. TARZIA:** On the same budget area, page 23, supplies and services, under expenses. the budget was about \$4.3 million, estimated result \$15 million. What was the reason for that significant change? It is supplies and services, page 23.

**The Hon. P.B. MALINAUSKAS:** You are looking at the \$15 million?

**The Hon. V.A. TARZIA:** Yes.

**The Hon. P.B. MALINAUSKAS:** That is the funding of the business case.

**The Hon. V.A. TARZIA:** Referring again to that project, given the government's own website on the Northern Water Supply says that an investment decision on the proposed site will be made by 30 June, which is tomorrow, can the Premier advise us on the outcome of the business case and whether or not a specific location will be subject to a detailed EIS in 2023-24, as previously envisaged?

**The Hon. P.B. MALINAUSKAS:** Sorry, just say that question again.

**The Hon. V.A. TARZIA:** Referring to the project, Northern Water, I believe that there is a website, the opposition has been informed, that an investment decision on the proposed site will be made by 30 June. Can the Premier advise us now on the outcome of the business case and whether or not a specific location will be subject to a detailed EIS in 2023-24?

**The Hon. P.B. MALINAUSKAS:** That is what is being negotiated with BHP at the moment.

**The Hon. V.A. TARZIA:** Referring again to the same area, has budgetary provision been made for a detailed EIS for the project in 2023-24, which I understand is estimated to cost in the hundreds of millions of dollars, or has the government already decided to can the project based on that business case. or are you still saying it is happening?

**The Hon. P.B. MALINAUSKAS:** That is a good question. The government has absolutely not decided to can anything—far from it. The government is in negotiations with BHP around the funding of that EIS, as I said earlier. That is going to cost a lot of money, and the question is: who is going to pay it? This is what we are negotiating with BHP on. There is more than one party who would be potentially using the water from Northern Water: obviously there is the state government itself, there is potentially SA Water into the future and BHP, but there are also other private companies that may be customers of the water from Northern Water. So the funding of the EIS, in the government's estimation, should be a shared expense, not worn exclusively by the government, and that is what we are negotiating with the parties, particularly BHP.

**The Hon. V.A. TARZIA:** We might move to the omnibus questions.

**Mr BATTY:** I will read these in:

1. For each department and agency reporting to the minister, how many executive appointments have been made since 1 July 2022 and what is the annual salary and total employment cost for each position?

2. For each department and agency reporting to the minister, how many executive positions have been abolished since 1 July 2022 and what was the annual salary and total employment cost for each position?

3. For each department and agency reporting to the minister, what has been the total cost of executive position terminations since 1 July 2022?

4. 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 since 1 July 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?

5. For each department and agency reporting to the minister, will the minister provide an estimate of the total cost to be incurred in 2023-24 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?

6. For each department and agency reporting to the minister, will the minister advise whether it met the 1.7 per cent efficiency dividend for 2022-23 to which the government committed and, if so, how was the saving achieved?

7. For each department or agency reporting to the minister, how many surplus employees are there in June 2023, and for each surplus employee what is the title or classification of the position and the total annual employment cost?

8. 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 and, for each position to be cut, its classification, total remuneration cost and the date by which the position will be cut?

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

- What savings targets have been set for 2023-24 and each year of the forward estimates; and
- What is the estimated FTE impact of these measures?

10. For each department and agency reporting to the minister, will the minister advise what share it is receiving 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 is being used in each case?

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

- What was the actual FTE count at June 2023 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?

12. For each department and agency reporting to the minister, how much is budgeted to be spent on goods and services for 2023-24 and for each year of the forward estimates?

13. For each department and agency reporting to the minister, how many FTEs are budgeted to provide communication and promotion activities in 2023-24 and each year of the forward estimates and what is their estimated employment cost?

14. 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 2023-24?

15. 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 June 2023 and budgeted expenditure for 2023-24, 2024-25 and 2025-26?

16. For each grant program or fund the minister is responsible for, please provide the following information for the 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.

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

- Is the agency confident that you will meet your expenditure targets in 2023-24;
- Have any budget decisions been made between the delivery of the budget on 15 June 2023 and today that might impact on the numbers presented in the budget papers which we are examining today; and

- Are you expecting any reallocations across your agency's budget lines during 2023-24, if so, what would be the nature of this reallocation?
18. For each department and agency reporting to the minister:
- What South Australian businesses will be used in procurement for your agency in 2023-24;
  - What percentage of total procurement spend for your agency does this represent; and
  - How does this compare to last year?
19. What protocols and monitoring systems has the department implemented to ensure that the productivity, efficiency and quality of service delivery is maintained while employees work from home?
20. What percentage of your department's budget has been allocated for the management of remote work infrastructure, including digital tools, cybersecurity and support services, and how does this compare with previous years?
21. How many procurements have been undertaken by the department this FY, how many have been awarded to interstate businesses, and how many of those were signed off by the chief executive?
22. How many contractor invoices were paid by the department directly this FY? How many and what percentage were paid within 15 days, and how many and what percentage were paid outside of 15 days?

**The CHAIR:** Member for Bragg, it is 11.15. The time allocated for the examination of the budget line is closed. It is the opposition's responsibility to manage their own time. The allowed time having expired, I declare the examination of the Premier complete. Examination of the proposed payments will continue on Tuesday. The proposed payments for the Auditor-General are complete.

*Sitting suspended from 11:15 to 11:30.*

## **COURTS ADMINISTRATION AUTHORITY, \$93,617,000**

### **Membership:**

S.E. Andrews substituted for Ms Wortley.  
Hon. L.W.K. Bignell substituted for Ms Savvas.  
Mr Brown substituted for Ms Thompson.  
Mr Teague substituted for Hon. D.J. Speirs.  
Hon. J.A.W. Gardner substituted for Mr Batty.  
Mr Basham substituted for Hon. V.A. Tarzia.

### **Minister:**

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

### **Departmental Advisers:**

Hon. Justice T. Stanley, Supreme Court Justice, Acting Chair, State Courts Administration Council, Courts Administration Authority.

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

Ms L. Abrams-South, Executive Director Corporate Services, Chief Financial Officer, Courts Administration Authority.

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

**The CHAIR:** Good morning. I understand that the minister and the lead speaker for the opposition have agreed an approximate time for the consideration of the proposed payments, which will facilitate a change of departmental advisers. Can the minister and the lead speaker for the opposition confirm that that is the case?

**The Hon. K.J. MAHER:** Yes.

**Mr TEAGUE:** Yes.

**The CHAIR:** 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 8 September 2023. All questions are to be directed to the minister, not to the minister's advisers. 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 will now proceed to open the following lines for examination, but before I do that, I note the changes to the committee.

The portfolio is the Courts Administration Authority. The minister appearing is the Attorney-General. The estimate of payments is for the Courts Administration Authority. I declare the proposed payments open for examination. I call on the Attorney-General to make a statement, if he so wishes, and to introduce his advisers. Then I will call on the lead speaker for the opposition to make a statement, if he so desires, and I will then proceed to questions.

**The Hon. K.J. MAHER:** Thank you, Chair. I do not have an opening statement to make, but I will take the opportunity to introduce the Hon. Justice Timothy Stanley, Supreme Court Justice and Acting Chair of the State Courts Administration Council; Penny Croser, the State Courts Administrator; and Linda Abrams-South, Executive Director Corporate Services and Chief Financial Officer, Courts Administration Authority. Behind me is Mr Chris Black, the Finance Manager of the Courts Administration Authority.

**The CHAIR:** Leader of the Opposition?

**Mr TEAGUE:** I have no statement, Chair; I will get on with questions.

**The CHAIR:** Okay, proceed.

**Mr TEAGUE:** I start by opening Budget Paper 3 and turning to page 23, operating expenses. I think we might use that as a ready reckoner across the day, so I might keep it open. We see there, conveniently set out, the agency expenditure. On the discrete item of courts we have \$95 million budgeted and a \$2 million blowout budget—relatively modest in the scheme of the overall blowouts. Is there anything that you would like to say at the outset about the reason for the \$2 million excess to expenses?

**The Hon. K.J. MAHER:** My advice is that it would not be accurate to describe it as a budget blowout, but in the Mid-Year Budget Review there was an allocation of funding for the continuation of a part-time magistrate for the Youth Court, and that marginally reflects that Mid-Year Budget decision.

**Mr TEAGUE:** Well, that is instructive. The next item that might perhaps be borne in mind by reference is the operating savings that were built into the Attorney-General's Department in last year's budget. We do not see them as a budget measure in this year's budget, for obvious reasons.

**The Hon. K.J. MAHER:** Do you want to refer to the page?

**Mr TEAGUE:** I am still on page 23, where we see that the 2023-24 budget pushes us out now to \$100 million. That is as against a \$96 million estimate last year. Is it the same simple answer in terms of how that excess is baked in?

**The Hon. K.J. MAHER:** I can, for the member's benefit. My advice is that there are reasons for that difference, being a number of things: firstly, additional resources that have been provided and associated with Operation Ironside to the tune of \$1.2 million, higher courts development funding of \$1 million, Way supplementation of \$0.7 million and reclassification of carryover funds from capital to operating of \$0.525 million.

**Mr TEAGUE:** We will get to the higher courts point fairly soon, and we will have a look at Ironside fairly soon as well. That is 2.2 of it and I note those others. If I can now go to Budget Paper 4, Volume 1, the Agency Statement at page 132, there is a line of questions now in terms of the expenditure summary that is set out in the table there. First of all, the Court of Appeal office accommodation. It is a question of working through the table. It is the first line item in the table at about point 3 on the page, Court of Appeal office accommodation. We see there estimated completion in the June quarter of 2024. Do you have that?

That is against last year's estimate being the June quarter of 2022, so is there an explanation for the two-year blowout? I do not mean it as an inflammatory term. Let's say the two-year delay, extension, non-completion, difference—June 2022 to June 2024. What is the reason for that?

**The Hon. K.J. MAHER:** My advice regarding the funding that was allocated by the previous government for the capital works on the Court of Appeal is that it has been deemed that the full amount of that funding is not necessary for what is needed for the Court of Appeal. That funding has been carried over for other works in the courts precinct, including things needed to accommodate hearings under Operation Ironside.

**Mr TEAGUE:** Sorry, I do not quite follow that. There are two propositions, as I understand that answer. One is that funding is inadequate and, secondly—

**The Hon. K.J. MAHER:** My advice is that the funding that had previously been allocated by the former government for the Court of Appeal capital works has not all been needed for that purpose. It has been carried over in that budget line to potentially be used for other purposes that are more necessary and needed by capital works to accommodate Operation Ironside.

**Mr TEAGUE:** And we heard a bit about those last year, the court enhancements for the purposes of Ironside.

**The Hon. K.J. MAHER:** We did.

**Mr TEAGUE:** I do not expect you to have it in front of you, but in last year's equivalent tables at page 131 of the Volume 1, Agency Statement, we saw last year's estimate for the Court of Appeal office accommodation being completed in June 2022. It was unsurprising that there was nothing in the 2022-23 budget for that completion, and the total project cost was there set out at \$1.373 million—you might have to take my word for it, but if it is convenient to bring it up—stated as the total project cost.

We see at page 132 of this year the total project cost described as \$1.348 million, and there is \$1.008 million set out there as a budgeted expense for 2023-24. That is against a touch over \$1 million in 2021-22. On the face of it that seems to head towards a total project cost somewhere in excess of \$2.2 million. Would you agree with that, or is it something new? It is not expressed to be.

**The Hon. K.J. MAHER:** Just so I am clear, to arrive at your figure are you adding up figures that appear in this budget and that appeared in last year's budget that do not appear in this budget?

**Mr TEAGUE:** Yes.

**The Hon. K.J. MAHER:** You are putting together the sum of what appears at page 132 in this year's budget of Existing projects and Court of Appeal accommodation, the second column \$1.348 million—

**Mr TEAGUE:** Yes.

**The Hon. K.J. MAHER:** What are you adding to that to come up with your figure?

**Mr TEAGUE:** The project cost at page 132 is \$1.348 million and there is a budgeted amount of a tick over a million for 2023-34.

**The Hon. K.J. MAHER:** The \$1.008 million?

**Mr TEAGUE:** Yes, the \$1.008 million. Then, if we go back to last year, we see that the estimated result for 2021-22 was another tick over a million, \$1.083 million, and then there was nothing budgeted in 2022-23 because it might have been presumed last year that the project was finished in June 2022. You have just described reasons for the extension to June 2024, but we appear to have a total project cost in excess of \$2.2 million.

**The Hon. K.J. MAHER:** I am happy to take that on notice. I am not sure that is how we describe it. The \$1.008 million that appears in that column, if my advice is correct, is carryover from the last year. I am advised that the \$1 million from last year has been carried forward already, and already appears as part of the figures we see on page 132. That is what I am advised.

**Mr TEAGUE:** So it simply was not applied in 2021-22; is that right?

**The Hon. K.J. MAHER:** That is my advice: it was not applied. It forms part of the amount we see on page 132 of this year's budget. That is my advice.

**Mr TEAGUE:** Why did we not hear about it last year, in that case?

**The Hon. K.J. MAHER:** Hear about what?

**Mr TEAGUE:** Why did we not hear about the application of those funds last year, when we saw a zero sum applied in the budget last year?

**The Hon. K.J. MAHER:** How do you mean, 'Why didn't we hear about it'?

**The CHAIR:** Questions for this examination have to relate to matters in these budget papers. If there was something that should have been or should not have been raised last year—

**The Hon. K.J. MAHER:** I am happy to take it on notice. I am not sure I quite follow—

**The CHAIR:** I have not finished yet. Also, I draw the attention of members on my left that it is not reasonable to expect a minister to respond to information that is not available and we should not assume that the minister can actually access that information. We need to make sure our questions relate to information that is in this budget, in the time periods in this budget. You can take the question on notice, if you wish, minister.

**The Hon. K.J. MAHER:** I can take it on notice to see if we can figure out what is being asked.

**Mr TEAGUE:** We will stay with the table, and we are still at page 132. The Chair will be pleased to know that we are at page 132 of this year's Agency Statements, Volume 1. The higher courts redevelopment, again we have seen an augmentation of the estimated completion from last year indicating June 2022 to now March 2024. Do you agree?

**The Hon. K.J. MAHER:** By an augmentation, what—

**Mr TEAGUE:** A change, a blowout, a delay.

**The Hon. K.J. MAHER:** If your question is, is there funding that appeared in last year's budget that was not spent in the time that last year's budget had aimed for it to be spent and it has carried over to this one, then the answer is yes, if that is your question.

**Mr TEAGUE:** That was not the question. The question was why the delay in the estimated completion date to start with.

**The Hon. K.J. MAHER:** We accept that there has been a carryover and you are asking why was that money carried over; is that the question?

**Mr TEAGUE:** We have not got there yet. We are just going from an estimated completion date of June 2022 to March 2024; is there a reason for that? What is still to be done? Why is it not finished?

**The Hon. K.J. MAHER:** My advice is that the money that was budgeted for the project was expended for what it was intended for. There was an underspend and that was carried over.

**Mr TEAGUE:** Carried over for what purpose and why until March 2024?

**The Hon. K.J. MAHER:** For other things for courts.

**Mr TEAGUE:** Do you know anything more about that?

**The Hon. K.J. MAHER:** For the higher courts development business case is my advice.

**Mr TEAGUE:** We see that there is completion expected March 2024 and a total project cost of \$30 million, yet there is no funding in this year's budget; there is a dash by the 2023-24 budget line item. How are we to interpret that?

**The Hon. K.J. MAHER:** I think that is explained by my last answer, that the project for the redevelopment has been completed and there has been some left over from it and that has been put into the business case—the underspend is being put into the business case. The redevelopment project is finished, so this money is now being applied to the business case.

**Mr TEAGUE:** Why describe it as having an estimated completion date of March 2024 then?

**The Hon. K.J. MAHER:** I am advised that is when it is estimated that that underspend will be utilised.

**Mr TEAGUE:** Well, it might have got more of a gold star for the overall project if it had perhaps been described differently, but that might be a comment along the way. One more on the table, the next line item, the Sir Samuel Way facade repairs—the rather epic journey of the Samuel Way facade repairs—again we have an estimated completion date moving from what was previously stated as June 2023 to now being June 2024.

This time there are funds that are allocated in the budget for the completion of the works. On the face of it, it would appear to be a coherent description in the budget. There is work to be done to June 2024 and there is money in the budget to do it, so we see in the 2023-24 budget \$10.709 million to be applied on that project; correct?

**The Hon. K.J. MAHER:** I am advised yes.

**Mr TEAGUE:** We see a total project cost there described as \$11.494 million; correct?

**The Hon. K.J. MAHER:** I think you are reading those five figures correctly, yes.

**Mr TEAGUE:** You might need to take it from me, but 2021-22 tells us that \$9.112 million was spent in that year, and some more is being spent in 2022-23, which leads to a total project cost of something more like \$20 million. Is there an explanation for that?

**The CHAIR:** Can I clarify that this question based on the budget papers?

**The Hon. K.J. MAHER:** I cannot see it in this year's budget papers, sir.

**The CHAIR:** With all due respect to you, member for Heysen, I do not think we can actually assume those facts, so you need to rephrase your question or move to a new question.

**The Hon. K.J. MAHER:** Again, without having the benefit of last year's budget papers in front of me, we suspect it might be the case that it is adding up two numbers, one of which already includes carryovers. That is what we suspect is the case.

**Mr TEAGUE:** It is a commonsense point. Surely the Attorney is aware that millions are being spent on the Sir Samuel Way facade repairs.

**The Hon. K.J. MAHER:** It is no secret.

**Mr TEAGUE:** It is not a trick question. Unlike the other two that are a bit harder to interpret—and I am glad you have taken the answers on notice—the Samuel Way facade repairs have a budgeted expense that is relatively significant that South Australians would be interested to know how it is deployed over the year ahead, and that is welcome.



We see that, on the face of it, the amount to be spent on the 2023-24 budget of \$10.709 million is remarkably close to the described total project cost against a background of millions having been spent in previous years. If the Chair is not wanting me to set out specifics, it is a commonsense point. We all know that there are millions in addition to that \$10 million, so how are we to give some meaningful interpretation to the figure in the total project cost line item there of \$11.494 million?

**The Hon. K.J. MAHER:** I am happy to take that question on notice. I think we are having trouble identifying the millions and millions that are being spent that, as I think the member may have suggested, doubled the project cost. That is not my advice that that is the case at all.

**Mr TEAGUE:** To assist—and again I appreciate your taking it on notice—the relevant figures are at page 132 of the 2022-23 Agency Statement. The estimated result for 2021-22 is \$9 million. The budget last year was \$2.485 million, and the total project cost last year was described as \$11.600 million. So far so relatively coherent, yet we now see a marginally augmented total project cost but a fresh round of \$10 million, it would appear on the face of it, for the Sam Way facade.

**The Hon. K.J. MAHER:** As I said, I am happy to correct it to the extent that it needs correcting, but my initial advice is that there is not a doubling. My advice is that much of what is included in the figure that appears in this year's budget is carry forward from previous years. If there is something that is substantially different, I am happy to bring back a reply. If that is substantially the reason for what we have seen, then that would be the answer.

**Mr TEAGUE:** That, in turn, would explain the further year's delay, but I appreciate your taking those matters on notice.

**The Hon. K.J. MAHER:** As I said, to the extent that carry forward is not the simple answer for it, I am happy to take it on notice if there is another explanation, but that does not appear to be the case.

**Mr TEAGUE:** Again, I emphasise that the estimated result for 2021-22 was \$9 million spent, so I appreciate your assistance in that regard. There might have been a component carried forward.

While we are at it, the higher courts redevelopment project is nearly done, and that line item might be expressed unusually. Is there any impact from courts and facilities point of view that has been identified in terms of plans to have as a staging point SAPOL horses on land that has been set aside for those courts processes?

**The Hon. K.J. MAHER:** My advice is we are not aware of anything that would affect that.

**Mr TEAGUE:** Any other budgetary or facilities preparation that is needed to be identified?

**The Hon. K.J. MAHER:** My advice is we are not aware of that at this stage.

**Mr TEAGUE:** I will go to some of the operational side, and perhaps the most convenient point of reference is Budget Paper 4, Volume 1, page 151. There we see statement of cash flows, operating activities and the cash inflows. Under fees, fines and penalties, the second subcategory, civil fees, there is an approximately \$4 million increase in civil fees anticipated to be collected from 2021-22 to the current budget. Do you see that?

**The Hon. K.J. MAHER:** Between the final column saying \$6.532 million and the first column with the estimate of \$10.217 million?

**Mr TEAGUE:** Yes. It would appear, by the way, that whoever is setting those amounts is pretty adept at estimating because the budgeted amount for 2022-23 accords precisely with the estimated result. There appears to have been a very accurate prediction process for the last year, but I say that by and by. There is a relatively dramatic increase from 2021-22 to 2022-23 and then a more modest increase again from 2023-24. Can the minister explain both the rationale and the source for that roughly \$4 million increase from 2021-22 to the present?

**The Hon. K.J. MAHER:** I do not have advice on why the budget estimate this year is necessarily different from previous years. A commonsense reading has in that one year from \$9 million to \$10 million a smaller increase from the year before which is \$6 million, so the increase from

one year to the next is relatively small compared to two years ago to the next. I do not have the information and I do not have any advice on that but I am happy to take that on notice.

**Mr TEAGUE:** Has there been any individual fee increase to which that can be identified?

**The Hon. K.J. MAHER:** My advice is that there is not an individual fee increase that we are aware of, so I have to take it on notice as I do not have it. I am advised there is no individual fee that anyone is aware of that would mean that, but in terms of that 2021-22 year and why it is bigger now, we are happy to have a look at it and find out and bring back a reply.

**Mr TEAGUE:** So you will take that on notice?

**The Hon. K.J. MAHER:** I shall take that on notice. For the sake of completeness for the honourable member, the fee increase for this year, I am advised, is set at the standard government fee increase of 4.8 per cent from 1 July 2023 including for court fees. As I say, we are not aware of anything that would be in any individual particular fee, given that the standard court fees will increase by that standard rate that is the formula that has been used, mostly I understand, for many, many years.

**Mr TEAGUE:** The only other obvious source is volume, filings, but it is still somewhat dramatic.

**The Hon. K.J. MAHER:** It is somewhat dramatic. As I say, I am happy to take that on notice. That 2021-22 year was the tail end of COVID which may impact things. But again I do not want to speculate. I am happy to take that on notice. But, yes, I think it is a reasonable assumption; if fees have increased generally at the standard rates of government fee increases—

**Mr TEAGUE:** You would not expect a 50 per cent increase.

**The Hon. K.J. MAHER:** No, activity may be a much more reasonable explanation for that rather than fee increases.

**Mr TEAGUE:** Still in Volume 1, page 138, Sub-program 1.4: Coroner, we see there at point 7 on the page, and then at about point 9 on the page, two rather elliptical statements, one expressed in terms of a highlight 2022-23, and then one in terms of an explanation of a significant movement. First the 'Continuation of an additional Deputy Coroner and associated support staff for a 12-month period to assist in reducing the backlog'—I am just reading that word for word—and then the explanation of the significant movement is it being 'primarily due to time-limited funding for an additional Deputy Coroner and associated support staff'—in other words, the discontinuation of the third Coroner.

**The Hon. K.J. MAHER:** Yes.

**Mr TEAGUE:** That has been a decision of the government that is expressed in the budget and we see it as a significant movement. That is right, is it not?

**The Hon. K.J. MAHER:** Yes.

**Mr TEAGUE:** Meanwhile, in terms of the circumstances that the Coroner's Court finds itself in, we have a series of indicators including on the following page that the volume and the workload of the Coroner's Court just continues to increase. That is clear enough on the face of it, is it not?

**The Hon. K.J. MAHER:** It will fluctuate but people are still dying and I do not think there is going to be a significant reduction.

**Mr TEAGUE:** There might be some other reasons for the increasing load, apart from the observation of the Attorney. Just to pick up the point about fluctuation, if we are at page 139 and the final line of the written words in that table—

**The Hon. K.J. MAHER:** Sorry, which—

**Mr TEAGUE:** Page 139, the bottom line, 'No. of coronial finalisations'. The 2021-22 actual was 2,674, the projection last year—it is all on the face of this year but it is talking about other years—the projection for last year against that actual was a minor decrease, do you agree?

**The Hon. K.J. MAHER:** Sorry, from—

**Mr TEAGUE:** From 2021-22 to 2022-23, the projection that we saw last year expressed that we see there on the page again this year was a minor reduction.

**The Hon. K.J. MAHER:** So 2,674 to 2,600: a reduction of 74, is that—

**Mr TEAGUE:** Yes. Yet, unlike the civil fees estimation, which was remarkably accurate, the estimated result for 2022-23 in fact was a quite substantial jump from 2,674 to 3,110; that is right, too, is it not?

**The Hon. K.J. MAHER:** That is what—

**Mr TEAGUE:** That is what it says.

**The Hon. K.J. MAHER:** It is 3,110 in that column.

**Mr TEAGUE:** Yes. So we now see in the 2023-24 budget, the great big relevant number, a projection, and that projection is 3,000. A bit like we saw last year, a projection that was a minor incremental reduction in finalisations from 2021-22 to 2022-23, it turned out not only wrong but overly optimistic. The fluctuation, to use the Attorney's word, was all the other way and quite dramatically so.

What we see now is a projection that we are going to see another optimistic incremental reduction, and my question is: on what grounds is that based? Are there actually grounds or are we operating on the same set of assumptions that might have applied last year and in which case is that a pretty good guide that we are not actually likely to see a reduction in finalisations?

**The Hon. K.J. MAHER:** Is the question: what is the methodology that is used for this particular activity indicator?

**Mr TEAGUE:** Sure.

**The Hon. K.J. MAHER:** I do not have that information with me. In each of the jurisdictions, the Courts Administration Authority will talk to those jurisdictions about a whole range of things that affect what they do and make those predictions.

**Mr TEAGUE:** That range or that methodology has not changed dramatically from one year to the next; it is the same methodology from one year to the next as far as you know?

**The Hon. K.J. MAHER:** I do not have any information about that. Obviously, methodologies that are used to predict things, not just in courts but in every area of government, will be subject to changes and influences. New facts become available, there is new evidence. I am not aware whether there have or have not been any new things that have been brought to bear on this or not.

**Mr TEAGUE:** Would you take on notice an indication if there has been anything different? I am not expecting that there has been, but if there has been I would certainly—

**The Hon. K.J. MAHER:** I am happy to take on those and bring back if there has been something new but, if there has not, I think we can take it as read there has not been anything.

**Mr TEAGUE:** I would be glad to give you that opportunity. Absent that, if we assume just for present purposes that we have seen a 2021-22 actual result, a 2022-23 projection that hopes to trim that a bit, but the end result is a substantial increase and then we are seeing again a projected trimming, with or without asking you to speculate about the future, if we see that repeated—whether we take the 2023-24 projection in bold text on the page from the government applying the methodology, or whether we take as a trend the year-on-year figures from the previous—we are seeing a situation where we have seen coronial finalisations increase in an order of magnitude from 2021-22 to 2023-24. That is plain is it not?

**The Hon. K.J. MAHER:** Yes. I think, however, one thing that may factor into it but we are not taking into account is obviously legislative change that occurs. In the term of the last government there was a legislative change that occurred that the parliament agreed with in terms of what things coroners needed to do and when they needed to have coronial inquests. There will be things that will—

**Mr TEAGUE:** Add to the workload.

**The Hon. K.J. MAHER:** —tip up and down depending on the decisions that we make as parliaments as well.

**Mr TEAGUE:** Exactly as you say, Attorney, they do have an impact. You have talked about fluctuations, and I just suggest that the impact is up, up, up. It is not with a view to trimming.

**The Hon. K.J. MAHER:** I will have to go back and check, but I think there have been changes that have been made that will not necessarily have that impact, in the past.

**Mr TEAGUE:** It might be useful for your consideration when you are taking it on notice just to have a second look at the 2021-22 annual report for the Coroner's Court.

**The Hon. K.J. MAHER:** I might just add, too, these are finalisation matters—these are not new matters in any given year—finalising matters that have related to previous time periods, which show up in figures for that next year not in the year in which the matter may have started or materialised.

**Mr TEAGUE:** I take all that on board. We will see. It is not only the 2022-23 estimated result that we can see as a source for where things are heading, but the annual report of the Coroner's Court sets out those figures and the trends on deaths reported. So I just refer you to that as well as those figures, projected and actual. The proposition is that the trend is up and substantially so in a sustained way. In the circumstances, what is the rationale—to use the more diplomatic, bureaucratic language—for not continuing time-limited funding for an additional deputy coroner? In other words, why was that not continued and if not made permanent in this year's budget?

**The Hon. K.J. MAHER:** I think the member has described it correctly. It was time-limited funding and it is based on advice that is received about what the priorities are across the court system and within departments generally. As the member correctly points out, it was time-limited funding. It is something that the previous government had obviously turned their mind to in the same way and decided not to make it a structural permanent change.

I assume the previous government and previous Attorney-General's Department had received advice and, for the same reason, not made a structural change for funding that was time limited. So the member is absolutely correct. It would not be correct to describe it as a cut. It is not something that was in the budget in the forward estimates. This was a time-limited amount of funding.

**Mr TEAGUE:** All that you say is true, Attorney; it was time limited. You have two options: one is to provide further time-limited funding; another is to make it permanent. Against the background of the—

**The Hon. K.J. MAHER:** In a world where there was unlimited resources and unlimited amounts of funding, and there was not a commitment to introduce new taxes, you would just keep funding every single thing that had ever been funded. But that is not reality and the world that we face.

**Mr TEAGUE:** Do you have a view then—if you go a couple of lines up on page 139, you have—

**The Hon. K.J. MAHER:** 139?

**Mr TEAGUE:** Same page, a couple of lines up. You have this continuing, what I would describe as heroic target—you have seen it before. You have a target of 10 per cent; you saw that last year. The estimated result is 33 from last year with the reduction of an additional deputy coroner. That is, the reduction of the number of coroners who are attending to that workload, and against the background of the increasing number of coronial finalisations, how can you possibly apply the same target?

**The Hon. K.J. MAHER:** My advice is that the target that is set down is the national standard target pursuant to the Report on Government Services (RoGS) target. The target that is set down is what is set down by that national standard. My advice is that it is not just South Australia that is—I think the member may have described it as 'heroically aspirational'. It is a national target that is set down, and my advice is that those targets are rarely met, not just in South Australia but around Australia.

My advice is not that the Courts Administration Authority sits down and says 'We think we can get to 10 per cent,' and then they do not get to 10 per cent and the actual results, or the estimated results, are in the 30 per cent. This is a national target set down by the Report on Government Services. It would be a quite aspirational target, but it is not one that we set down as something that in any given year we think we are meeting. This is a national target.

**Mr TEAGUE:** I hear you. It is an extraordinary state of affairs, though, I suggest, that it is not described as an aspirational target. It is not described as something that we just shrug about and inevitably do not achieve; it is there for a reason. In circumstances where the finalisation numbers are continuing to grow, is that not just an indication that you are throwing up your hands at the outset and indicating that there is no prospect of getting anywhere near it?

**The Hon. K.J. MAHER:** Again, as I think the budget paper actually says, the standards used are those adopted by the Report on Government Services. The budget papers make clear that this is not the target that we have set down; it is the standard adopted by the Report on Government Services. As the figures on the budget papers show, the estimated result from one year to the next improves by I think 5 per cent. Improvements are welcome, but these are national targets that are set down.

**Mr TEAGUE:** I just suggest that is a forward indication of failure.

**The Hon. K.J. MAHER:** I am happy to pass this on to the steering committee. It might be a view that we can pass on as a collective view, a bipartisan view, that we should not set down targets that all jurisdictions find hard to meet and they ought to be more realistic.

**Mr TEAGUE:** Well, it might be, against the background of the evidence I have just had in these few minutes a chance to draw attention to, a case for continuing that third Coroner—for example, if there is to be any responsibility to be taken for including those RoGS numbers in the budget projections. You have perhaps described that.

I go back a couple of pages now, moving away from the Coroner's Court but to similar subject matter, to page 134 and about point 7. It is one we have been to before, so let's use it as an example of a similar performance setting.

**The Hon. K.J. MAHER:** Yes, those are the 10 per cent figures that are set down by the RoGS steering committee.

**Mr TEAGUE:** As we know, the District Court bears the bulk of the case load in terms of volume, so it is the jurisdiction that I will just focus on for a minute or two. We see there the application of those targets. The 2021-22 actual result was 30 per cent. The 2022-23 target was 10 per cent and there, unlike what the Attorney has just observed as an improvement actual to estimated, for the Coroner we see a deterioration to an estimated 35 per cent of lodgements pending completion greater than 12 months old. Is there any reason for that to be here described, and what resourcing has been directed to the District Court to improve on that outcome? There is a similar blowout increase when it comes to those that are greater than 24 months old.

**The Hon. K.J. MAHER:** I am advised that certainly one aspect of that is still a flow-on effect from the very significant delays we had in jury trials during the COVID era. As the member pointed out, the District Court does a lot of the grunt work of the court system, including jury trials, and one reason is during the COVID era the delays in being able to hold jury trials had a flow-on effect that persists to what we are seeing today. That is, I am advised, one of the reasons.

**Mr TEAGUE:** Is there a plan, other than the effluxion of time, to improve on the result?

**The Hon. K.J. MAHER:** We are seeing pressures on a number of areas in the court system. The flow-ons from Operation Ironside have had, I think, in each budget and Mid-Year Budget Review since we have been in government further funding applied to it. There certainly is further funding being applied when there is a need for the anticipated increase in activity that we are seeing.

**Mr TEAGUE:** We will come to that. We will come to Ironside and those other matters more broadly in the next session, so perhaps hold that thought. While we are at it, in terms of the District Court, going over to page 137, we are there talking about the results for Sub-program 1.3: Civil Jurisdiction. It is about point 2 on the page, the FTEs as at June. Last year's budget set out FTEs

of 170. The estimated result for 2022-23 was 17 less than that, so exactly down at 153. Are there particular reasons for that and reasons why we might be assured that that has not, as it were, contributed to the deterioration on the backlog indicators?

**The Hon. K.J. MAHER:** My advice is that if you look at the table at the bottom of page 130, the same area of the budget papers, it shows for the Courts Administration Authority in total a stable workforce, if not a very slight increase from the estimated result. It is not that there are fewer people in the court system, but I am advised that there is internally within the court system a way that it is worked out how the resources are best applied, depending on the work demands relative to different parts of the Courts Administration Authority.

I am advised we will see that different areas within the Courts Administration Authority from year to year have different amounts, based on the Courts Administration Authority's own resource allocation as needed. Some areas might see a decrease in something that is based on the estimates of relative need for resource allocation, but the overall workforce in the Courts Administration Authority has remained very steady.

**Mr TEAGUE:** I appreciate that. Given the relatively substantial shift in the civil jurisdiction against that steady outcome, is it possible to give an indication about where that substantial change has occurred or been compensated for on the other end and the reasons for it?

**The Hon. K.J. MAHER:** If I understand the question correctly, if the overall FTEs in the CAA have remained steady, in this area if they have gone down where have they gone to; is that essentially what is being asked?

**Mr TEAGUE:** Yes, absolutely.

**The Hon. K.J. MAHER:** I am happy to take that on notice. I do not have the exact breakdown of where two or three might have gone here or there but, to the extent we can, I will take it on notice to bring back a reply for the member on that one.

**Mr TEAGUE:** Is it anticipated that it is to apply for the foreseeable future, or is it a particularly temporary matter?

**The Hon. K.J. MAHER:** My advice is that it goes up and down, depending on relative activity across the CAA.

**Mr TEAGUE:** Getting back to where we started, Budget Paper 3, page 23, and the line item for courts, again in the context of the overall blowouts, a relatively modest—

**The Hon. K.J. MAHER:** I think, as we discussed before, it is not necessarily blowouts. It can be carryovers that can account for that.

**Mr TEAGUE:** You are right. I was really describing those excesses to budget in other areas that have contributed to the \$1.353 billion overall. In that context, the courts excess might be both relatively explainable and modest—so it is a bit of a tick there. Moving to the next column and looking into the future, we see that the 2023-24 budget is ticking up to \$100 million. Do you see that? Leaving aside the operating efficiencies that were applied as a budget measure last year and that necessarily—

**The Hon. K.J. MAHER:** The courts did not have operational efficiencies applied to them last year. There were a number of areas of government that were exempt from that, and courts were one.

**Mr TEAGUE:** I think there were a couple—courts and child protection. We will get to it in the—

**The Hon. K.J. MAHER:** Yes, all your portfolios.

**Mr TEAGUE:** The broader Attorney-General's Department certainly did, and the courts were exempted—well and good. We see that incremental and maybe explainable excess to budget in 2022-23 is then heading to a further increase in the budget out to \$100 million in 2023-24, in the current budget, as against what had previously been set out at \$96 million. If that \$2 million excess to budget was the result of those particular factors, in the short point what is the reason for the

\$4 million of extra provision in the current budget? Well, it is \$6 million really, if you benchmark against what the performance should have been last year.

**The Hon. K.J. MAHER:** There are things that occur, and I have been pleased that in Mid-Year Budget Reviews since we have been in government there have been allocations made for courts, but the primary result between the 2023-24 budget and the estimated result in 2022-23 are things like the additional resources associated with Operation Ironside and the higher courts redevelopment funding and wage supplementation. Also, there was \$0.525 million of reclassification of carryover funds that were capital that are able to be carried over and reclassified as operating for that year.

**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, \$114,607,000**

#### **ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT, \$158,992,000**

##### **Membership:**

Mr Brown substituted for Ms Thompson.

##### **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, Chief Financial Officer, Attorney-General's Department.

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

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

**The CHAIR:** We now move to the Attorney-General's Department. I declare the proposed payments open for examination and I invite the Attorney-General to make a statement, if he wishes to do so. If he could also introduce his advisers. I then welcome the lead speaker to make any comments and lead into questions.

**The Hon. K.J. MAHER:** I have no opening statement to make. I am keen to give the members as much time as possible for questions. I will introduce those who are with me today. Behind me I have Darren Corcoran, the Director of Financial Services; Adam Kilvert, Executive Director of Policy and Community; Caroline Mealor, the Chief Executive of the Attorney-General's Department; and a quarter of a century, the 25<sup>th</sup> year of involvement in the budget estimates process, Andrew Swanson, the Chief Financial Officer—25 golden years.

**The CHAIR:** Does the member for Heysen wish to make a lead comment, or do you wish to just go straight into questions?

**Mr TEAGUE:** I will just get on with it, thanks, Chair. Can I start by asking that we have attention to the ready reckoner at page 23 of Budget Paper 3. I might also have open more particularly Agency Statements, Budget Paper 4, Volume 1, page 53, which sets out those operating expenses somewhat more particularly.

**The Hon. K.J. MAHER:** What page was it?

**Mr TEAGUE:** Page 53. Bottom line of the table on page 53—the second to bottom, actually.

**The Hon. K.J. MAHER:** Expenses included in net cost of services?

**Mr TEAGUE:** That is the one, and then compare that to the first line of table 2.6 at page 23.

**The Hon. K.J. MAHER:** This is getting tricky, but we will try.

**Mr TEAGUE:** It is where we were before. We see there an estimated result for 2022-23 in excess to budget in the amount of \$8 million in round numbers. Before I move on to the budget amount for 2023-24, is there any explanation that the Attorney can provide for that \$8 million excess to budget that is set out on each of those two pages? Again, it is a relatively modest contribution to the \$1.353 billion overall but \$8 million nonetheless.

**The Hon. K.J. MAHER:** It was about \$6.6 million, the variance that the honourable member has referred to.

**Mr TEAGUE:** Hang on, I think it is eight—it is eight and a bit.

**The Hon. K.J. MAHER:** There are increases and decreases that net off but, comparing the figures the member has referred to, in very round numbers it is \$8 million. I am advised that the difference is mainly attributed to a number of factors that include carry over of funding from 2021 for various grant payments made under the National Legal Assistance Partnership (NLAP) agreement; targeted voluntary separation packages that were provided in the 2022-23 year; additional funding to the Office of the Director of Public Prosecutions for Operation Ironside and complex criminal cases; and additional funding to Forensic Science SA for the management and storage of bodies. They are, I am advised, some of the reasons for the increase. There were decreases that partly offset that as well, including adjustments to depreciation as well.

**Mr TEAGUE:** I am glad to have them identified, as it were. This is a good opportunity to identify them. They are a good way to describe the ordinary commitments and expenses that are inherent in operating the Attorney-General's Department. In effect, there has been \$8 million of expenditure excess to budget—that is the bottom line.

**The Hon. K.J. MAHER:** I think it would be more correct, rather than 'excess to budget', to describe it as budget adjustments made during the year. I would not describe things like additional funding for Operation Ironside and complex cases as excess to budget. These are budget spending decisions made during the year.

**Mr TEAGUE:** They are provisions made through the years that have led to a result that is in excess of the amount that was budgeted in 2022-23.

**The Hon. K.J. MAHER:** A difference, yes.

**Mr TEAGUE:** A difference—

**The Hon. K.J. MAHER:** In excess of, yes.

**Mr TEAGUE:** —in the excess. We go from \$277 million to \$285 million on budget estimate. As I say, it is a relatively modest contribution to the overall \$1.353 billion excess overall that we see at page 23. Again, I am prepared to accept an explanation in terms of, 'Well, this is the range of commitments, and they are the ordinary commitments of any given year, and it has led to an \$8 million excess.'

To the extent that they are particular to that year, they perhaps do not provide as helpful an indication as to the next question, which is the reasons we see the figure for the 2023-24 budget, the current one, then set at \$290 million, as opposed to where it was estimated last year. It gets to the background: if you say there are particular challenges that have led to commitments in this last financial year, then alright, the rise is so high. If that is the case, why are we not reverting to the 278 point? We can come back to the operating efficiencies measures from last year if that is helpful as well.

**The Hon. K.J. MAHER:** I think I understand the question. It is partly explained, as well, by the fact that not all these things are going to be expenditure in just the one year. For example, additional funding to the Office of the Director of Public Prosecutions for Operation Ironside and complex criminal cases is \$1.9 million, but the total funding over the forward estimates for Operation



Ironside and complex legal cases amounts to \$16 million over the forward estimates. That will necessarily reflect in the next year's budget additional funding for Forensic Science SA, although I am advised part of the contribution for that increased between the budget set down in 2022-23 and the estimated result that the member for Heysen has indicated. It represents a \$3.5 million increase over four years.

So there are a number of these things that are reasons why it has increased in the 2022-23 year that also provide reasons for why it has increased in the 2023-24 year, because although they are increases in the year we have just been talking about, they are also things that remain in the year ahead and, in the case of both of those, across the forward estimates.

**Mr TEAGUE:** I would just suggest to you that that is actually not a particularly good answer, in that you—

**The Hon. K.J. MAHER:** Thank you for your helpful advice. I am happy to tell you how to do your job too.

**Mr TEAGUE:** With respect, it is not a matter of telling you how to do your job.

**The CHAIR:** Can I just remind members—and I have let it go—that this is actually a committee meeting. It is not a personal discussion between the Attorney-General and the member for Heysen. I would ask that all questions and answers be directed through the Chair.

**Mr TEAGUE:** Can I suggest, Chair, that for the benefit of the committee it is not a particularly good answer to highlight commitments that have been made. In particular, the minister has drawn attention to Operation Ironside and we have had reference to operating savings, both of which appeared in the last budget. I might serve both of them to illustrate the fallacy in the minister's response, in that last year the Operation Ironside provision over the forward estimates was set out in the Budget Measures Statement and provided for funding around, and a bit in excess of, \$1.5 million in each of the years out to 2025-26.

Similarly, on the flip side, we have seen in the Budget Measures Statement a really quite significant operating savings measure for AGD of \$14 million coming from last year's budget, and then continuing savings that are built in for 2023-24 out to 2025-26 as measures last year. So both in terms of provision for Ironside there is pre-provision—it is not as though this is something that we have all just discovered or LSC has come along with a complex case. This is of a different nature, in that there is provision for Ironside.

If the Attorney wants to say that that was wrong and we need to revise it, then we need to see it as a fresh measure in the Budget Statement, perhaps. Otherwise, I just make the point that it is there in the measures from last year, anticipated. Similarly, we have those operating savings built in on the flip side.

**The Hon. K.J. MAHER:** If the member is disappointed at the answers given, it might be directly reflective of the questions asked. I would point out that when an initiative appears in a Mid-Year Budget Review, then it appears in the next year's budget. I am not sure if the member has been part of a budget process in his time holding ministerial portfolios, but that is often how it works.

For example, in Operation Ironside in the 2022-23 Mid-Year Budget Review there was further money on top of the last budget and on top of the Mid-Year Budget Review before that. So in the 2022-23 Mid-Year Budget Review, in addition to previous moneys that had been provided there were further funds provided in that Mid-Year Budget Review. If the honourable member is under the misapprehension that everything already accounted for in Operation Ironside was accounted for in the previous year's budgets, that is not the case. There was further money in the Mid-Year Budget Review.

**Mr TEAGUE:** That is true, and really the—

**The Hon. K.J. MAHER:** That seems not to accord with the member's last statement/question.

**Mr TEAGUE:** I am under fairly strict constraints from the Chair, it would appear, in terms of referring to previous documents, so what I do refer to is perhaps illustrative. The bottom line

proposition is that surely there comes a point where the question is about basic management of the budget year to year. It is all very well to refer to individual matters that have come up from time to time, but what we have seen as a bottom line is an \$8 million excess to budget—

**The Hon. K.J. MAHER:** No, just to be clear—

**Mr TEAGUE:** —that has been baked in in terms of expenditure.

**The Hon. K.J. MAHER:** I assume the words are deliberately chosen. The member is a well-respected former lawyer who chooses his words carefully. It is not an excess to what we had planned to do and somehow there has been a waste of money in some areas because there is some sort of excess spending. These are spending decisions that have been made during the course of the year. It is not things that—although they can happen—rapidly escalate. What I have referred to are the deliberate spending decisions for events and circumstances that we find ourselves in.

**Mr TEAGUE:** I appreciate that completely, and we see them baked in again going forward.

**The Hon. K.J. MAHER:** That is described, not necessarily just baked in from the previous year but when circumstances dictate it, such as Operation Ironside, as new information comes to hand or there is a better ability to estimate the need in the justice system, further funding commitments are made. We cannot not just fund things where there is evidence of dangerous criminals. I think that would be a perverse outcome if we did not fund those things, and I think the public would expect that people are brought to justice where there is the evidence to support it.

**Mr TEAGUE:** While we are on it, in terms of that overall outcome, were the operating savings that were set out in 2022-23 achieved, and were they then contributing to the meeting of expenditure constraints for this year?

**The Hon. K.J. MAHER:** My advice is, yes, those savings have effectively been met.

**Mr TEAGUE:** They were, so the \$14,053,000 from last year contributed to—

**The Hon. K.J. MAHER:** Sorry, the \$14 million, where is the member referring to that as a saving last year? Is the assumption in the question that there was an efficiency saving of \$14.3 million last financial year?

**Mr TEAGUE:** It was \$14.053 million.

**The Hon. K.J. MAHER:** Which budget line is the member referring to?

**Mr TEAGUE:** Last year, Budget Measures.

**The Hon. K.J. MAHER:** Whereabouts so we can refer to it?

**Mr TEAGUE:** Page 9, Budget Measures, last year.

**The Hon. K.J. MAHER:** We do not have last year's. Sorry, Chair, we are at a bit of a difficulty—

**The CHAIR:** We need to work on the figures that are in this budget's papers. We should not assume or introduce facts that are outside those. The minister should not be responding to questions that assume certain facts.

**Mr TEAGUE:** It is a question about page 23 of the Budget Statement as replicated on page 53 of Volume 1 this year. The question is—

**The Hon. K.J. MAHER:** I think everyone is having trouble finding where the member is getting the figure of \$14 million from, so maybe—

**Mr TEAGUE:** That is the magic of Budget Measures Statements. When they are a budget measure from the previous year, they then do not get restated, but they do carry forward because they are forward estimates statements. That is just clear.

**The Hon. K.J. MAHER:** Again, the honourable member has managed to perplex, I think, most of the advisers with the \$14 million sum.

**Mr TEAGUE:** As perhaps a bit of further context, when the questions were asked in the course of last year's estimates about where those operating savings were going to be found, the answer was, 'Well, we will apply diligence to finding those savings and we will see it at the end of the year.' It would be unsurprising to have an answer now, 'Well, they were achieved and they have contributed to budget management.' That would be an unsurprising answer. There is certainly no mystery to the budgeted operating savings for the department.

**The Hon. K.J. MAHER:** Is the assumption again, and I know we do not have these here, but just so we can check for later on in case it comes up—the member says that in the last financial year, that is the 2022-23 financial year, the Attorney-General's Department had an efficiency savings target of 14 point something million?

**Mr TEAGUE:** Do you want to see it?

**The Hon. K.J. MAHER:** No, we will go away and have a look later.

**Mr TEAGUE:** I can hand it to you.

**The Hon. K.J. MAHER:** We are happy to go away and have a look.

**Mr TEAGUE:** Happy to have a look?

**The Hon. K.J. MAHER:** Later.

**Mr TEAGUE:** For good measure, this year included 6.5; 2024-25, 4.5; and 2025-26, 7.2. In a way, it is an opportunity for an answer that I thought I had actually received, that is, that if those diligence measures have been applied they have contributed to being within cooeer of the overall.

**The Hon. K.J. MAHER:** The \$6.2 million figure mentioned, if that is in a current budget paper, that might be useful for us to refer to.

**Mr TEAGUE:** Yes, but it is a measure from last year. There are no fresh operating savings this year. We would expect to see it applied over those years.

**The Hon. K.J. MAHER:** We are at a bit of a loss.

**Mr TEAGUE:** You do not know if you have applied the operating savings from last year's budget?

**The Hon. K.J. MAHER:** I think the question was whether they met the efficiency savings that the AGD had against their name. Is it the sort of headline question that—

**Mr TEAGUE:** Yes.

**The Hon. K.J. MAHER:** I am advised yes.

**Mr TEAGUE:** How?

**The Hon. K.J. MAHER:** By making the savings.

**Mr TEAGUE:** What measures were applied, more particularly?

**The Hon. K.J. MAHER:** From factors such as the offering of targeted voluntary separation packages across the agency. There were some savings that had been achieved from vacant positions in the tight labour market—noting the difficulties that both the public and private sectors have in attracting and retaining staff—and an amount in general efficiencies, including supply and services, and accommodation.

**Mr TEAGUE:** Well, that is clear.

**The Hon. K.J. MAHER:** We got there.

**Mr TEAGUE:** You say they have been met in full, and I am conscious that at the outset you explained that part of the reason for the blowout in costs was the cost of those targeted voluntary separation packages. It is a bit of both.

**The Hon. K.J. MAHER:** Just to be clear, they do not add up to the \$14 million the member referred to.

**Mr TEAGUE:** No, sure.

**The Hon. K.J. MAHER:** No-one can really understand that figure as some sort of an operational savings measure, but they add up to what the AGD had as an operational savings measure.

**Mr TEAGUE:** For all of our edification, I might hand it to you while I move onto something else and we can perhaps satisfy ourselves.

**The Hon. K.J. MAHER:** If this is a photocopy from a page, you would have to make sure I know exactly what it is.

**Mr TEAGUE:** It is a whole section: 2022-23 Budget Measures. It was a really important part of the budget in 2022-23.

**The CHAIR:** It would help the committee's understanding if there was perhaps a little less commentary and more questions and answers. That would actually make the whole process more effective I think. I will start pulling members up if they do not have a direct question and just run commentary. The floor is yours, member for Heysen.

**Mr TEAGUE:** Apart from a single page, I have been referring to Part 2: Budget measures by agency 2022-23. It starts at page 7 of the Budget Measures Statement. The relevant page is page 9. I have a copy. If the Attorney would like to acquaint himself with it, that is—

**The Hon. K.J. MAHER:** Which volume of this year's budget?

**The CHAIR:** Which document are you referring to, please?

**The Hon. K.J. MAHER:** Which volume of this year's budget are we referring to?

**Mr TEAGUE:** I am moving now to questions in relation to Operation Ironside.

**The Hon. K.J. MAHER:** What part of this year's budget papers are we referring to?

**Mr TEAGUE:** Yes.

**The CHAIR:** Member for Heysen, can I have the page reference and line reference for your questions which are about to come?

**Mr TEAGUE:** Sorry?

**The CHAIR:** Can I have the volume and the line reference, the page reference, please?

**Mr TEAGUE:** I am moving now to Operation Ironside. We are in Budget Paper 4, Volume 1, page 64.

**The Hon. K.J. MAHER:** 2023-24?

**Mr TEAGUE:** Yes, it is what we are here for.

**The Hon. K.J. MAHER:** Okay, sorry. I think you said 2022-23.

**Mr TEAGUE:** I was indicating the reference to last year's budget paper for the purposes of the last line of questioning, and I have a hard copy of that from last year which you are welcome to take from me.

**The Hon. K.J. MAHER:** But your questions now are from?

**Mr TEAGUE:** I am now moving to another topic.

**The Hon. K.J. MAHER:** Okay—Budget Paper 4, Volume 1?

**Mr TEAGUE:** That is right.

**The Hon. K.J. MAHER:** 2023-24?

**Mr TEAGUE:** That is the one—and page 64.

**The CHAIR:** Which line are you referring to, member for Heysen? On page 64, or have I got the wrong page?

**Mr TEAGUE:** They are not numbered, Chair. We are at about point 7 on the page.

**The CHAIR:** I assume they have some words that describe it.

**Mr TEAGUE:** Yes, it certainly does.

**The CHAIR:** Which is?

**Mr TEAGUE:** Those are 'Legal Services Commission—expensive criminal cases'.

**The CHAIR:** Okay, I have found it.

**The Hon. K.J. MAHER:** Are we talking just over halfway down the page?

**Mr TEAGUE:** Point 7 on the page.

**The CHAIR:** Three-quarters of the way down.

**Mr TEAGUE:** Yes, about three-quarters of the way down.

**The CHAIR:** Under 'Grants and subsidies'.

**The Hon. K.J. MAHER:** I think we are on the same page.

**Mr TEAGUE:** Excellent.

**The CHAIR:** That might be a premature comment.

**Mr TEAGUE:** So we see there the expensive criminal cases provision to the Legal Services Commission, and the budget for 2022-23 being at substantial variance to the estimated result. Can you give an indication as to the reasons for that?

**The Hon. K.J. MAHER:** As I suspected, I cannot refer to an individual matter. It would be breaching the Legal Services Commission Act to refer to an individual matter and identify who may or may not have been assisted by legal aid, but there were a number. One case in particular accounted for a vast portion of that, but there were other cases as well. I have just double-checked: it would be a breach of the Legal Services Commission Act to refer to the case because that would necessarily identify people who were in receipt of Legal Services Commission funding.

**Mr TEAGUE:** Well, it has been referred to in media reports, including as recently as the 26<sup>th</sup> of this month, that in a long-running trial presently before the courts there were eight people charged, some of whom were in receipt of legal aid funding. That is in terms of the present circumstances. The situation in terms of an ongoing large matter rather begs the question of why we see a reversion to what has been a relatively similar amount year on year. I appreciate that there may be some constraint, but what I am getting at is that it seems to me the challenges—

**The CHAIR:** I am trying to get a handle on what question you are seeking to ask.

**Mr TEAGUE:** Is whatever befell the Legal Services Commission—

**The Hon. K.J. MAHER:** If you are asking why that bit over \$2 million was in that year, compared to the \$400,000 in the figures on either side of it; that is, was it one thing that is going to be continuing and ongoing? Is that what you are asking?

**Mr TEAGUE:** Yes—and is it done?

**The Hon. K.J. MAHER:** I can advise—and again I will be careful in how I do so because of not wanting to indicate anyone who is in receipt of the services of the Legal Services Commission—there was a long-running case that concluded in that year that accounted for a substantial portion of that, but it has finished and is not continuing. Certainly, there are other cases that will be in there that will continue. I think the member would be familiar with the expensive criminal trial agreements that we have necessarily with—

**Mr TEAGUE:** Put it this way: is the minister able to be reasonably confident that the budgeted amount for 2023-24 is actually a realistic provision?

**The Hon. K.J. MAHER:** As I am advised, it happened in previous years that particularly the Mid-Year Budget Review was an opportunity to make adjustments up and down, based on what we knew from the course of the first six months of that year.

**Mr TEAGUE:** But there is nothing presently that you are aware of that could give the committee an indication to a level of confidence that that figure is a realistic figure?

**The Hon. K.J. MAHER:** I am advised that it is a regular feature of Mid-Year Budget Reviews for that figure to be changed and to go up and down. For those who are in need of Legal Services Commission funding, the quantum of that need is not something that is always known years ahead.

**Mr TEAGUE:** So perhaps we should not put too much store in that figure of \$422,000.

**The Hon. K.J. MAHER:** Well, it is impossible to have a crystal ball to know who is going to commit crimes, who is going to be investigated, who is going to be prosecuted and what their circumstances are going to be.

**Mr TEAGUE:** While we are on page 64, I move five lines down to the Office of the Inspector. We see that nothing was budgeted for the office for 2022-23 and that the estimated result for 2022-23 is something short of \$2 million at \$1.8 million. There is a provision in the budget this year of broadly double that, out to just a bit in excess of \$3 million. Can the Attorney explain the reason for the estimated result of 2022-23 and the significant increase in provision for 2023-24?

**The Hon. K.J. MAHER:** I can inform the member that the Inspector was appointed pursuant to the changes that this parliament made to create the role of Inspector on 1 December 2022, so from 1 December to the rest of that financial year up to next year reflects the full effect of a full year of existence of that office.

**Mr TEAGUE:** So, while it might have been anticipated at the time of the 2022-23 budget, there is no provision for it in 2022-23 for the reason that—

**The Hon. K.J. MAHER:** It did not exist.

**Mr TEAGUE:** —it did not commence until halfway through that year.

**The Hon. K.J. MAHER:** That is right. When the changes to the ICAC regime were made during the last parliament, the legislative regime changed to provide for the Office of the Inspector, but my predecessors had not brought that part into effect for the Inspector yet, but it was brought in and commenced on 1 December 2022. That is why it had not been in previous years. It had not materialised, because the Inspector had not yet been appointed.

**Mr TEAGUE:** It might be a matter of accounting, but it seems to be a relatively substantial contributor to the excess of expenditure to budget, for the reasons that you have just described?

**The Hon. K.J. MAHER:** As I said, funding decisions that are made between one budget and another will show up in the budget papers as the decisions that have been made. It is a legislative requirement that we have an Inspector. That is something that we needed to appoint, to give effect to the will of this parliament. Decisions that are necessarily made during the course of a year will be reflected in the budget papers at the end of that year.

**Mr TEAGUE:** The provision, therefore, of \$3.1 million in the current budget, reflecting a full year, is not reflective therefore of any particular activity. It is an ordinary provision, is it?

**The Hon. K.J. MAHER:** Under the legislative requirements for the Inspector, the first annual review that the Inspector conducts takes into account all things since the operation, since ICAC came into existence in 2013, so that first full year of operation has a lot more work to do than the subsequent reviews that then take into account only the last 12 months. The first full year of funding will be more than we will see in future years, because the first full year will be looking back on 10 years of operation, whereas subsequent years' budgets will not be accounting for looking back on the whole 10 years. It will be just the years after that.

**Mr TEAGUE:** That is broadly the answer I was looking for. The provision, I suppose, for 2022-23 I rather thought might have been flipped the other way round, as it were, to account for that very activity, perhaps to give an indication of what we are to expect in an ordinary year going forward.

While we are at it, at the risk of being discursive, we see a couple of lines below that that the OPI is running on a budget of just under \$3 million. I do not think a correct impression would be drawn to the casual reader if one compares the budget for the Office of the Inspector with the Office for Public Integrity.

**The Hon. K.J. MAHER:** Indeed, and if one looks at the very specific budget line in Budget Paper 5, page 14, it sets out the estimates over the forward estimates. The estimate for the 2022-23, identified in the line the member referred to, is \$1.818 million. For the next year, for the reasons we have just traversed, it is \$3.132 million. The next year, it is \$1.170 million, \$1.197 million and \$1.222 million. I think it is a reasonable inference to draw that in the ordinary course of an operating year we are seeing figure in the out year of \$1.2 million, sort of settling down to what that budget will be.

**Mr TEAGUE:** Thanks for drawing attention to that measure. It is to be expected, then, that the initial work is to be completed well and truly in 2023-24?

**The Hon. K.J. MAHER:** That is the legislative requirement.

**Mr TEAGUE:** We have addressed those operating efficiencies and, I think, given indications that, yes, they were all fully applied in terms of budget measures from last year's budget. Can it then be expected that they will be applied and all endeavours made to achieve them in the current financial year as well? It is an opportunity to explain the ordinary, I suppose.

**The Hon. K.J. MAHER:** The simple answer is that my advice is yes.

**Mr TEAGUE:** In order to do that, and I appreciate that you have referred to both costs and savings associated with targeted separation packages, have there been FTE cuts that have been identified already with a view to achieving those targets?

**The Hon. K.J. MAHER:** Identified with achieving what?

**Mr TEAGUE:** Achieving those operating savings.

**The Hon. K.J. MAHER:** As I understand the question, are there targeted voluntary separation packages planned over the next financial year, starting next week, to meet efficiency savings in addition to what have already occurred?

**Mr TEAGUE:** Yes.

**The Hon. K.J. MAHER:** The answer is that my advice is no.

**Mr TEAGUE:** Having traversed the journey of the last year, in which there were, as you have said, a number that have contributed both to savings and to costs, that is not the case anticipated for the year ahead?

**The Hon. K.J. MAHER:** There are no new efficiency savings on top of ones that have already been proposed.

**Mr TEAGUE:** That's true.

**The Hon. K.J. MAHER:** That gives the reason that there is not anticipated targeted voluntary separation packages to meet additional savings we do not have.

**Mr TEAGUE:** While we are on FTEs, I go to Budget Paper 4, Volume 1, page 22, and Program 3: Office of the DPP. The final line of the table on page 22 sets out FTEs as at 30 June. As we look at that we see an estimated result for 2022-23 of 192.7 FTEs and a budget for 2023-24 of 178.1 FTEs. I want to understand how that works, in the context of the previous answer possibly, but any way.

**The Hon. K.J. MAHER:** My advice is that this is primarily reflective of funding for complex criminal cases. I am advised that future funding requirements continue to be raised and negotiated with Treasury as the matters arise. Although it might be set down at \$178.1 million as the budget target for 2023-24, as matters arise and become apparent we may see the result end up being different depending on what comes before the courts and what is needed in terms of prosecutions.

**Mr TEAGUE:** Well, yes. We are still at the same page, same line. On the face of it, we see there a reduction of not quite 15 FTEs; that is right, isn't it?

**The Hon. K.J. MAHER:** The explanation that I am advised is that if you look at the row we are talking about, the third column, the 2022-23 budget of \$177.1 million, whereas the estimated result for the same year is \$192.7 million, being reflective of complex legal cases that are negotiated and Treasury provide for, when you compare the 2022-23 budget of \$177.1 million with the 2023-24 of \$178.1 million, they are very comparable figures. It may be, depending upon the needs for prosecution of complex legal cases, that figure could be similar again, or it could be half of that again, but this is the flexibility that is provided primarily through the one-off expenses of particular complex legal cases.

**Mr TEAGUE:** I appreciate that, and I stress that it is not some sort of trick question.

**The Hon. K.J. MAHER:** For the sake of completeness, it is not a drop in the number of the baseline staff who are in the agency; it reflects those who are brought in to deal with specific matters.

**Mr TEAGUE:** So they are gone already, or they are going to go soon?

**The Hon. K.J. MAHER:** That level of detail I am happy to take on notice, the nature of the contracts and when they start and finish. To the extent that we can find that out, I will find that out.

**Mr TEAGUE:** Thank you. I appreciate that. To get back to the indication about a contribution to operating savings, that reduction of 15 FTE, if it works out according to the budget—

**The Hon. K.J. MAHER:** Again, it is not a reduction of 15 FTEs; it is actually an increase from the year before, but there were 15 more brought in for complex legal cases. We are not reducing that baseline staffing figure.

**Mr TEAGUE:** Well, yes, but you have to start somewhere. The estimated result at the bottom line of the table is \$192.7 million. That means that they are either there at the result, at the end of 2022—

**The Hon. K.J. MAHER:** I reckon your question is going to be: is this any part of the savings measure that this is going down? If that is the question, then the answer is no, and it is the same answer I gave before about there are no new TVSPs because there is no additional savings measure. I suspect this is where we might have got in five minutes.

**Mr TEAGUE:** Got it. I appreciate that. It is not going to contribute on that side. The budget anticipates returning to \$178.1 million, so the indications that we see on the page, whether we look at provision for LSC, staffing in DPP or those other like measures, as it were, for an unusual jump in the particular load are budgeted to go away. That is the message of the—

**The Hon. K.J. MAHER:** I guess there are things we do not know about yet. As I said, in regard to the complex legal cases, the future requirements continue to be almost on a continued basis, negotiated to discuss with Treasury. Like they have been previously, in the budget review they will face in a few months' time there may be adjustments made for those.

**Mr TEAGUE:** They continue and they are not budgeted for at the moment?

**The Hon. K.J. MAHER:** There may be other complex legal cases. As I say, we do not have a crystal ball about who is going to commit a crime, who is going to be apprehended, who is going to be investigated, who is going to be prosecuted, who is going to be charged—and, of those, who is going to require, talking about the Legal Services Commission, as we were before, that representation—and, taking one step back from that, the numbers that are going to be needed for this as well and the complexity of the cases.

**Mr TEAGUE:** Is it fair to say that any such circumstances arising post the publication of this budget are going to increase expenditure in an unbudgeted way? You can talk about when that might be announced or provided for.

**The Hon. K.J. MAHER:** If there are further complex legal cases that require further resources, as I said, it will continue to be raised with Treasury, as they have been in previous years. It may be that we see those reflected in a Mid-Year Budget Review.



**Mr TEAGUE:** I appreciate the answer, but whether we do it by way of what we might call baseline FTE in the Office of the DPP for some sort of baseline provision for LSC funding, as we were previously, you have to move away from a rationale that has zero in the budget line or zero FTEs and then say, 'Well, let's add to that by whatever comes, whatever befalls us in the course of the year.'

**The Hon. K.J. MAHER:** Yes, well, I am not quite sure that is the case. I think it would be difficult budgeting to say, 'We believe that this is a baseline of things we don't know yet. We believe this is a baseline of complex legal cases that we don't know about yet.' That would be a difficult budgetary position, I would have thought.

**Mr TEAGUE:** I do not mean it in an uncharitable way. It is actually intended to be a budget that forecasts those anticipated needs.

**The Hon. K.J. MAHER:** I do not know that a budget can forecast 'unknown unknowns', to use a phrase that was popular a number of years ago. Budgets often do not forecast those by the very definition of what they are.

**Mr TEAGUE:** I do not for a moment suggest that it is a complete comparison like for like, when one goes from FTEs in the Office of the Director to provision for funding for the Legal Services Commission, but page 64 shows the provision in the budget of \$422,000 this year for expensive criminal cases. It is made against some sort of rational prediction about what is likely to be needed to be provided to the LSC. That is a fair proposition, is it not?

**The Hon. K.J. MAHER:** I am not quite sure I understand the question.

**The CHAIR:** Is there a correlation between the \$422,000 and \$49 million in terms of, if that amount is going up, should the other amount go up to reflect that as well? I think that is what he was trying to say.

**Mr BROWN:** It was a lot shorter, Chair.

**The CHAIR:** Yes, I am an accountant, not a lawyer.

**Mr TEAGUE:** You have provided \$422,000 to the Legal Services Commission.

**The Hon. K.J. MAHER:** Yes.

**Mr TEAGUE:** The baseline question is: how realistic is that provision, given what we have seen last year?

**The Hon. K.J. MAHER:** As I said before—and again I will traverse it very carefully so as not to identify anyone—a very large portion of last year's was a complex case that has now finished. We do not know what cases are going to find their way to the Legal Services Commission. As the member would know, it is entirely unknowable, the resource ability of defendants, even if you have an idea of what the cases are beforehand.

That is why, as I am sure the member knows from his time looking at these things as a minister, there are these agreements in place for the complex legal cases, because it is literally something where you do not know if someone is going to need those services.

**Mr TEAGUE:** I appreciate all that the Attorney says. The baseline point is that if we are going to have anything reflecting a realistic expression of expenditure at Budget Paper 3, page 23, when it all boils down—

**The Hon. K.J. MAHER:** This is the overall operating expenses for agencies?

**Mr TEAGUE:** That is right. There is no point having a budget provision process if it is only waiting and seeing what is going to happen in the year ahead. That is a statement of the obvious.

**The Hon. K.J. MAHER:** Like all forms of forecasting, you forecast for those things that you know about.

**Mr TEAGUE:** You do not have any reason to anticipate that we are going to see a year like 2022-23 for the Legal Services Commission this year?

**The Hon. K.J. MAHER:** Off the top of my head, I cannot think of anything that would indicate it would or it would not—except for the fact that, as I have said, there was a very significant matter that was a substantial portion of that for that last year.

**Mr TEAGUE:** There is, unfortunately, a very short time available. I would like to ask some questions about Forensic Science SA, and I will not have so much to say about the Electoral Commission, but let's just see what we can achieve in the next few minutes.

**The Hon. K.J. MAHER:** Three minutes.

**Mr TEAGUE:** Can I start by saying in that respect that the provision of funding for Forensic Science SA is a welcome capital initiative. It is well and truly due, and the budget is providing for \$348.9 million over four years. The present premises are leased, as I understand. Do we know when the lease expires and therefore what the end date is?

**The Hon. K.J. MAHER:** For Forensic Science SA's lease at Divett Place, the expiry is 2027 under the current terms of the lease. That is my understanding.

**Mr TEAGUE:** The provision of funding and the timing of that, is that planned to ensure that the new facility at a new premises will be completed in line with the timing of the present lease?

**The Hon. K.J. MAHER:** My advice is that everything going as well as it can, that is the plan. You will see in Budget Paper 5, page 13, on the forward estimates, the nature of the profile of that with the vast, vast expenditure in excess of \$200 million in the 2025-26 year. Like many projects, it will need to be closely monitored and assessed as to its progress. A lot of infrastructure—including reasons not limited to but particularly workforce availability in the exceptionally tight labour market—will, of course, be managed to look to see if what the ambition is can be met and, if there is any danger that it cannot be, whether you would need to seek a short extension, for example, of that accommodation. Certainly, as the profile shows in the forward estimates, that is the intention: to work towards that 2027 date.

**Mr TEAGUE:** The plan is for Forensic Science SA to occupy the current premises until the new one is ready?

**The Hon. K.J. MAHER:** Yes, that is the plan at the moment.

**Mr TEAGUE:** So the fallback, if there were a necessary extension to timing, would be to seek to extend the lease; is that correct?

**The Hon. K.J. MAHER:** Yes, as I have said. If infrastructure projects are not easily completable, particularly with labour markets the way they are, and there were a need for Forensic Science SA to remain past the expiration of the current terms of lease, and it would not be a wholly unusual thing to seek some sort of short extension, depending on how the—

**Mr TEAGUE:** But it is not planned?

**The Hon. K.J. MAHER:** No.

**The CHAIR:** The allocated time having expired, I declare the examination of the Attorney-General's Department and State Records completed. The proposed payments for the Attorney-General's portfolio will continue after lunch.

*Sitting suspended from 13:30 to 14:30.*

#### **ELECTORAL COMMISSION OF SOUTH AUSTRALIA, \$8,867,000**

#### **ADMINISTERED ITEMS FOR ELECTORAL COMMISSION OF SOUTH AUSTRALIA, \$532,000**

#### **Membership:**

Hon. D.G. Pisoni substituted for Mr Basham.

**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.

**The CHAIR:** We now come to the proposed payments for the Electoral Commission of SA. The minister appearing is the Attorney-General. I declare the proposed payments open for examination. Attorney-General, I invite you to make a statement, if you wish to do so, and to introduce your advisers, and then I will call on the lead speaker for the opposition to make a statement if he so desires, and then call on questions.

**The Hon. K.J. MAHER:** I have no opening statement, but I have with me Mick Sherry, the Electoral Commissioner, and Wayne Harlock, the Acting Deputy Electoral Commissioner.

**The CHAIR:** I call the member for Heysen, as lead speaker for the opposition.

**Mr TEAGUE:** Once again, can I draw your attention to Budget Statement, Budget Paper 3, table 2.6 that we see at page 23.

**The Hon. K.J. MAHER:** The whole of government one that you referred to earlier?

**Mr TEAGUE:** Yes, table 2.6, operating expenses.

**The CHAIR:** Budget Paper 3, page 23; is that correct, member for Heysen?

**Mr TEAGUE:** Yes, that is the one.

**The CHAIR:** Just checking that we are on the same page.

**Mr TEAGUE:** Yes. There we see agencies in alphabetical order and the Electoral Commission appears perhaps a quarter of the way down, and there indicated that the estimated result for 2022-23 was a million under the 2022-23 budget, thereby one of the rare ones contributing to a reduction of that \$1.353 billion overspend to budget. Apart from congratulations on that, are there particular reasons for that capacity to apply the fiscal discipline?

**The Hon. K.J. MAHER:** I do not have specific advice on a specific measure that contributed to that. With the round numbers in the millions of dollars, it may be that there is little variance, but the member is correct, the Electoral Commission has come in very close to what the estimate was. But to the extent that it is not just fluctuations in the cost of goods and services or cost of salaries that has contributed to whatever the difference is, we are happy to take on notice if there is a major item that has contributed to that, but nothing can be readily identified.

**Mr TEAGUE:** I guess it shows it can be done. I turn to Budget Paper 4, Volume 2, where we see the Electoral Commission commencing at page 11, and go over to page 13, the investment program. The investment program budget increased, as we see there, to \$115,000 from \$50,000 in last year's budget. What are the reasons for that net and the application of those additional funds?

**The Hon. K.J. MAHER:** Again, the very specifics of this one we can take on notice for this further to be applied, but my initial advice is that it is likely to be IT-related works.

**Mr TEAGUE:** I go perhaps conveniently to Budget Paper 5 at page 30. We see there, provision in the order of \$3 million over this budget and then in the two years hence, 2025-26, \$2.9 million and \$1.3 million to conduct the first two elections for members of the of the First Nations Voice to Parliament. There is an indication there that 'ongoing funding will be provided to run future elections in line with the state election cycle'. First of all, in light of today's announcement or reports that we see in the media, what effect if any will the delay or the rescheduling of the planned election have on exit planning and costs relative to provision?

**The Hon. K.J. MAHER:** I thank the member for the question. Planning is something that I have appreciated regular updates on from the Electoral Commissioner in the planning of the First Nations Voice to Parliament. Much of the work, from my discussions with the Electoral Commissioner, that has already gone on will be very useful for the election that is now intended to be held on 16 March.

In terms of planning, the Electoral Commissioner was well on the way for planning for a September election, but all the work that has been done will still be equally applicable for a March election. In terms of costs: having made the decision, there will be some minor costs, there will be some variances both positive and negative but, for the whole of government, it is anticipated that there will be no additional costs in terms of the rescheduling of this election.

**Mr TEAGUE:** That perhaps might have been the next question. In terms of processes, it would have been my expectation that work would be imminently necessary, if not already commenced, in terms of just the nuts and bolts of getting out the election process for 9 September. If it is not already indicated, is there an assurance that none of that work is wasted?

**The Hon. K.J. MAHER:** My advice is no. As the member has correctly identified, the same sorts of processes, the systems, would be regardless of when the election is so that the good work that has already occurred will be equally applicable for a March election as it would have been for a September election.

**Mr TEAGUE:** What good work exactly is that? I am conscious that here we are talking about the budget for 2023-24 and provision of 2.9-odd for the year ahead. Is it a correct reading that on the planning before today's announcement the bulk of the 2.9 would be spent over the coming three months, if not all?

**The Hon. K.J. MAHER:** The honourable member has stated as I am advised pretty succinctly that the bulk of the spending would have been spent close to the September election date and the bulk will now be able to be spent close to the March election date.

**Mr TEAGUE:** I understand that in general terms. Is there a clue in terms of the provision of 2.9 for 2023-24 and less than half that for two years hence in work that is done once, and what is the nature of that work that is going to be invested this year?

**The Hon. K.J. MAHER:** From previous discussions with the Electoral Commissioner, there has been advice on IT systems that are set up, portals for nominations that have been set up that will be not just applicable should there be a September election or a March election but will be able to help inform future elections.

It might be helpful to point out, because I suspect this is going to be a question in a few minutes' time, the difference between the costs of those two figures—the 2.9 for the first election and then the 1.2 for the subsequent election. I think as the honourable member has alluded to, part of that will be that you are setting things up for the first time, so there are necessary expenses incurred for the first time that will not necessarily be incurred the second time.

But of course as the honourable member knows from his close participation in the debate when the legislation was going through parliament that in subsequent First Nations Voice elections they will be held on the same day as a state election, so the infrastructure required to conduct those elections in the future will have a very different profile to the standalone infrastructure in terms of polling centres, early polling booths, remote polling that will be necessary for the first one.

**Mr TEAGUE:** You have referred to the setting up of portals and to IT expenses and the like. Are those investments that are about systems that will be applied for the future?

**The Hon. K.J. MAHER:** Yes, that is my advice.

**Mr TEAGUE:** Is there anything that can explain what the nature of those portals and IT systems amounts to?

**The Hon. K.J. MAHER:** From previous discussions—and I am happy to take more advice in a moment—it is the process for nominations. As to the requirements set down in the legislation

the parliament passed, it is not the same as for nominations and processes for other elections, the processes that are required for nominations and the processes for running the elections themselves.

**Mr TEAGUE:** Is there any record keeping component in that work? Is there any capacity or intent to retain election data—for example, the declaration of eligibility and so on?

**The Hon. K.J. MAHER:** My advice is most data, not just from this but from other elections. There is a capacity to keep a lot of data.

**Mr TEAGUE:** I might just need to scratch my head about where we got to, but does that include contemplation of the fact that once eligibility is declared there is the capacity for the commission to keep a record of that to save that having to occur each time going forward, or is that just something that needs to be repeated?

**The Hon. K.J. MAHER:** I am advised that records will be kept of each election, but you would have to renominate at each election, and if I am remembering correctly as legislation provides, to make the declaration at each election as well that you are eligible to either nominate or to vote.

**Mr TEAGUE:** So to nominate or to vote. To be clear, I was directing it as to qualification to vote. So it will not be—

**The Hon. K.J. MAHER:** I think I can be helpful. In some way, is there going to be something created that will be updated and informed by each election with further records—a roll of people kept who are eligible to either nominate or vote? I think the answer is that the legislation as we have passed it in this parliament provides that that declaration is made at each election for which you vote or stand. I think that is where we are looking at that.

**Mr TEAGUE:** I understand. So it is not within either or both of the capacity or the intent of the commission to be setting up some sort of record or data keeping for that purpose because the requirement will be that you are going to have to declare—

**The Hon. K.J. MAHER:** It does not preclude the capacity for data keeping, as is often kept, but the legislation requires that declaration to be made each time one votes.

**Mr TEAGUE:** The provision to the Electoral Commission that is the subject of the measures set out on page 30 of the Budget Measures Statement in Budget Paper 5, they are what they are and provide for the Electoral Commission specifically. Does that express the total forecast cost of those elections, or are there other costs that ECSA will be expected to meet in terms of administering the elections?

**The Hon. K.J. MAHER:** My advice is that these were the additional costs that were envisaged, or thought of, and forecast, that of course the very good work that day to day the Electoral Commission of South Australia does will be used necessarily—the staff, the knowledge and the systems—in the course of these elections. These were the forecast costs over and above what the commission already does or is capable of doing. I am advised that, if someone resigns or needs to do other things supplementary, that may be discussed, but that is the ordinary course of budgeting and the business of government anyway.

**Mr TEAGUE:** I note, at paper 4, Volume 2—back to the Agency Statements—that one of the targets of 2023-24—

**The Hon. K.J. MAHER:** Paper 4?

**Mr TEAGUE:** Page 15.

**The Hon. K.J. MAHER:** Is it Volume 1 or Volume 2?

**Mr TEAGUE:** Volume 2, Electoral Commission, page 15, the targets 2023-24.

**The Hon. K.J. MAHER:** I think we are on the same one, yes.

**Mr TEAGUE:** We see that the first target is to conduct the initial election for members of the First Nations Voice. The indication, notwithstanding today's announcement, is that that will be achieved in 2023-24, and I think the minister has indicated 16 March. The second dot point target is:

Conduct an operational review of the initial First Nations Voice election and develop a program of improvements for conducting the subsequent First Nations Voice election in conjunction with the 2026 state parliamentary elections.

The third dot point is to publish the report, and the fourth dot point is:

Undertake a further review of the operation, effectiveness, and administration of all sections and regulations relating to the legislation underpinning the South Australian public funding and disclosure scheme.

There is work to be done over the year, particularly in relation to the assessment of the First Nations Voice election. Is it anticipated, in light of today's announcement, that that will be done within the period that is now going to be, effectively, three months rather than six—or nine, in fact?

**The Hon. K.J. MAHER:** My advice is that, as the member correctly points out, a 16 March election would give 3½ months from the election to the end of the financial year. My advice is that particularly the second dot point is likely to be able to be completed by the end of those 3½ months afterwards. It may be that it is possible that the third dot point, the publication of the report itself, could go into the next financial year.

However, my advice is much of the work, and therefore the expenditure, is likely to be contained in this financial year. As is the ordinary course of many things in government, if it is the case that some of that work is not completed this year I am sure there will be a carryover request to make sure that that can properly be done in the next financial year, should that be the case. Having said that, my advice is that very largely, even if the report might be published into the next financial year, the expenditure on the preparation for the publication of that report is likely to be this financial year.

**Mr TEAGUE:** Speaking of reports, I am at Budget Paper 4, Volume 2, page 13, and the work of conducting the post-election processes still from 2022. Is it possible for the minister to provide an update to the committee on the progress of those three matters that were referred to the CSO on 19 October 2022 in relation to the 2022 state election?

**The Hon. K.J. MAHER:** I think you mentioned page 13. Is there a specific line we are looking at on page 13?

**Mr TEAGUE:** Perhaps I might have to rely on the Electoral Services in the table and the key agency outputs, as described below. It is the core business of the Electoral Commission.

**The Hon. K.J. MAHER:** The second dot point is the administering, monitoring and reporting requirements of the Electoral Act. I think the member is referring to local government elections, which of course sit as a responsibility of Minister Geoff Brock under a separate act of parliament from the Electoral Act. I am wondering if a different dot point is being referred to for this question?

**Mr TEAGUE:** No, and I think to be clear I am talking about the matters that were referred to the Crown Solicitor's Office on 19 October last year that related to—

**The Hon. K.J. MAHER:** Relating to a state election?

**Mr TEAGUE:** —the conduct of the Labor Party in the course of the last state election.

**The Hon. K.J. MAHER:** What is the question as to the responsibility of the budget of the Electoral Commission in relation to that?

**Mr TEAGUE:** What work is still to be done by the Electoral Commission in that regard, and is there an update on progress of the outcome?

**The Hon. K.J. MAHER:** If it is to do with the state election, there is no further expenditure or work to be done for the Electoral Commission—

**Mr TEAGUE:** None at all?

**The Hon. K.J. MAHER:** —in relation to complaints as you outlined.

**Mr TEAGUE:** I refer to Budget Paper 4, Volume 2, page 18. The difference between the 2021-22 actual and the 2022-23 estimated result is—

**The Hon. K.J. MAHER:** Which table? The top or bottom table?

**Mr TEAGUE:** The top table, the first line on the top table—a significant difference.

**The Hon. K.J. MAHER:** So the 2022-23 budget of \$9.657 million? Which two results?

**Mr TEAGUE:** The 2021-22 actual, which is \$1.447 million and the estimated result in 2022-23.

**The Hon. K.J. MAHER:** A local government election is my advice.

**Mr TEAGUE:** It is explained there certainly as being due to the local government election. Do we have an indication of the final cost of the Grant and Mount Gambier plebiscite, as distinct from the overall?

**The Hon. K.J. MAHER:** My advice is \$27,000.

**Mr TEAGUE:** That was able to be separately identified?

**The Hon. K.J. MAHER:** That is my advice.

**Mr TEAGUE:** I do not want to run out of time to ask the omnibus questions, so I might take the opportunity to ask them:

1. For each department and agency reporting to the minister, how many executive appointments have been made since 1 July 2022 and what is the annual salary and total employment cost for each position?

2. For each department and agency reporting to the minister, how many executive positions have been abolished since 1 July 2022 and what was the annual salary and total employment cost for each position?

3. For each department and agency reporting to the minister, what has been the total cost of executive position terminations since 1 July 2022?

4. 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 since 1 July 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?

5. For each department and agency reporting to the minister, will the minister provide an estimate of the total cost to be incurred in 2023-24 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?

6. For each department and agency reporting to the minister, will the minister advise whether it met the 1.7 per cent efficiency dividend for 2022-23 to which the government committed and, if so, how was the saving achieved?

7. For each department or agency reporting to the minister, how many surplus employees are there in June 2023, and for each surplus employee what is the title or classification of the position and the total annual employment cost?

8. 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 and, for each position to be cut, its classification, total remuneration cost and the date by which the position will be cut?

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

- What savings targets have been set for 2023-24 and each year of the forward estimates; and
- What is the estimated FTE impact of these measures?

10. For each department and agency reporting to the minister, will the minister advise what share it is receiving 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 is being used in each case?

11. For each department and agency reporting to the minister:
  - What was the actual FTE count at June 2023 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?
12. For each department and agency reporting to the minister, how much is budgeted to be spent on goods and services for 2023-24 and for each year of the forward estimates?
13. For each department and agency reporting to the minister, how many FTEs are budgeted to provide communication and promotion activities in 2023-24 and each year of the forward estimates and what is their estimated employment cost?
14. 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 2023-24?
15. 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 June 2023 and budgeted expenditure for 2023-24, 2024-25 and 2025-26?
16. For each grant program or fund the minister is responsible for, please provide the following information for the 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.
17. For each department and agency reporting to the minister:
  - Is the agency confident that you will meet your expenditure targets in 2023-24;
  - Have any budget decisions been made between the delivery of the budget on 15 June 2023 and today that might impact on the numbers presented in the budget papers which we are examining today; and
  - Are you expecting any reallocations across your agency's budget lines during 2023-24, if so, what would be the nature of this reallocation?
18. For each department and agency reporting to the minister:
  - What South Australian businesses will be used in procurement for your agency in 2023-24;
  - What percentage of total procurement spend for your agency does this represent; and
  - How does this compare to last year?
19. What protocols and monitoring systems has the department implemented to ensure that the productivity, efficiency and quality of service delivery is maintained while employees work from home?



20. What percentage of your department's budget has been allocated for the management of remote work infrastructure, including digital tools, cybersecurity and support services, and how does this compare with previous years?

21. How many procurements have been undertaken by the department this FY, how many have been awarded to interstate businesses, and how many of those were signed off by the chief executive?

22. How many contractor invoices were paid by the department directly this FY? How many and what percentage were paid within 15 days, and how many and what percentage were paid outside of 15 days?

23. How many and what percentage of staff who undertake procurement activities have undertaken training on participation policies and local industry participants this FY?

**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 to be complete. I advise that the proposed payments for the Attorney-General's Department remain open for examination.

#### **Membership:**

Ms Wortley substituted for Mr Brown.

Mr Cowdrey substituted for Hon. J.A.W. Gardner.

#### **Departmental Advisers:**

Ms N. Saunders, Executive Director, Aboriginal Affairs and Reconciliation.

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

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

**The CHAIR:** I open the Aboriginal Affairs and Reconciliation portfolio. The minister appearing is the Minister for Aboriginal Affairs. I call on the minister to make an opening statement, if he wishes to do so, and then introduce his advisers. I then call on the lead speaker for the opposition to make a statement, if he wishes to do so, and then go to questions.

**The Hon. K.J. MAHER:** I do not have an opening statement. I am joined by the Executive Director of Aboriginal Affairs and Reconciliation, Nerida Saunders; Caroline Mealor, the Chief Executive of the Attorney-General's Department; and Andrew Swanson, the Chief Financial Officer of the Attorney-General's Department.

**The CHAIR:** Leader of the Opposition?

**Mr TEAGUE:** I refer to Budget Paper 4, Volume 1, page 19. I see there a table and at about point 6 on the page, the bottom line of the table, FTEs as at 30 June. There is a difference, an increase, of 8.8 FTE from the estimated result at the end of 2022-23 to budget 2023-24. As evident on the table, that is five more than was budgeted last year? Why is there that increase?

**The Hon. K.J. MAHER:** The increase reflects some of the spending priorities that have been foreshadowed in the budget. Firstly, there is a component of FTEs for the secretariat of the First Nations Voice to Parliament. There is a component, as is revealed in the budget, of FTEs for the Aboriginal Justice Agreement. There is a smaller component of FTEs as an increase in the funding for Closing the Gap, and there is again a small component for FTEs in the budget area of remediation of the impact of the River Murray flood event.

**Mr TEAGUE:** Perhaps just starting with the impact of the River Murray flood event, and it might be most convenient perhaps to go to Budget Paper 1 for that purpose. I am glad to be guided further.

**The Hon. K.J. MAHER:** Which page in particular?

**Mr TEAGUE:** It is not numbered, unfortunately. We might just have to turn one page after the other. We are at page 12, actually—odd pages are numbered. We have Flood Response and Recovery, and in the second column under the bold heading Aboriginal Heritage Protection an amount of \$236,000 has been allocated. First of all, seeing as you raised it in the context of FTE, what is the FTE impact of that provision? How much of the provision is taken up with personnel, and what other applications is that funding directed towards?

**The Hon. K.J. MAHER:** The FTE impact is one FTE in each of the two financial years of 2023-24 and 2024-25.

**Mr TEAGUE:** How much of the \$236,000 is accounted for by the FTE? Is it just 236 divided by 2?

**The Hon. K.J. MAHER:** It is 1.0 FTE for each of those two years to do the work to help traditional owners with Aboriginal heritage issues that occurred as a result of the flooding event.

**Mr TEAGUE:** Is there anything part and parcel of that funding that is in addition to the cost of funding that 1.0 FTE, or is that the whole thing from start to finish?

**The Hon. K.J. MAHER:** That is almost the whole part of it, for that 1.0 FTE within the department to be able to work with traditional owners to mitigate some of the Aboriginal heritage effects of the flood event.

**Mr TEAGUE:** And might include provision for that person to get around and have facilities and so on?

**The Hon. K.J. MAHER:** That is anticipated to be a significant part of that, yes.

**Mr TEAGUE:** But there is no, as it were—

**The Hon. K.J. MAHER:** Capital works or grants funding? No, that is not included here. It is the FTE to work with traditional owners.

**Mr TEAGUE:** Understood; that is 1.0 of the 8.8. I think the first category that you mentioned was provision for the secretariat. If my memory is correct, there was some consideration in the lead-up whether the secretariat would be within or without Aboriginal affairs. It has obviously come in to land as secretariat within the department.

**The Hon. K.J. MAHER:** Yes.

**Mr TEAGUE:** To what extent are we able to determine FTE provision for a secretariat that is wholly new, and to what extent is the secretariat drawing upon current FTE and, therefore, the present resources of the department?

**The Hon. K.J. MAHER:** The budget provides \$1.5 million a year for, essentially, the administration for the Voice, in totality. Just under half of that is 4.0 FTEs for the secretariat. Obviously, being the first time this has been established not only in South Australia but anywhere around the country, it will need to be monitored, but the initial provision anticipates 5.0 FTE for the secretariat.

The range of functions will be numerous and varied: obviously helping provide any liaison with the parliament (as the legislation contemplates) down to some of the nuts and bolts things like booking meeting rooms in Ceduna or Mount Gambier or wherever one of the local Voices might hold its meeting.

**Mr TEAGUE:** To the second part of the question, there is a provision for 5.0 additional FTE. Is the secretariat likely to be composed of more than that 5.0 and therefore draw from FTE that are currently—

**The Hon. K.J. MAHER:** The anticipation is that this will be the secretariat for the First Nations Voice. Of course, I would fully expect when there are questions that the Voice has, just as happens with any other agency (the Coroner's office, for example, who asks agencies for information)

that any agency may be asked to provide information that they would do in the normal course of that agency work to requests for information from any either internal or outside body.

**Mr TEAGUE:** I will come back to the secretariat in a moment. In terms of the other works that you have described, I think you have accounted for 6.0 FTE in 2023-24. The other 2.8, then, to be allocated to those other priority duties—

**The Hon. K.J. MAHER:** Those other functions, which are Aboriginal Justice Agreement, which is anticipated 2.0 FTE and—

**Mr TEAGUE:** Closing the Gap.

**The Hon. K.J. MAHER:** Closing the Gap, 1.0 FTE.

**Mr TEAGUE:** At broad terms, we are at 9.0, but we are thereabouts—8.8. That accounts for those FTE.

**The Hon. K.J. MAHER:** Yes. Sorry, the last two I was just going off the top of my head. One of them might be a 0.8, which might account for—

**Mr TEAGUE:** Understood. The structure of the secretariat, now that it is going to be within Aboriginal affairs, has there been a designation of structure within the secretariat reporting mechanisms and leadership? Is there to be a role in charge of the secretariat? What structures do we know?

**The Hon. K.J. MAHER:** My advice is that the way that it has been contemplated to be set up is to have a director of the secretariat and four staff of the secretariat. They will sit under the Department for Aboriginal Affairs and Reconciliation so, like anything that sits under there, it will have those reporting mechanisms.

**Mr TEAGUE:** In terms of lines of reporting, those functions will be within Aboriginal affairs?

**The Hon. K.J. MAHER:** These staff are allocated to the Aboriginal Affairs and Reconciliation division of the Attorney-General's Department.

**Mr TEAGUE:** As a means of understanding, given that the debate has gone through a process, for better or worse, there will not be a separating off or an independence of the secretariat from other matters of government.

**The Hon. K.J. MAHER:** As was traversed during the debate, within parliament these will be public sector staff and this is where they will sit in government.

**Mr TEAGUE:** I think in terms of references to debate, a number of these matters were uncertain at the time.

**The Hon. K.J. MAHER:** At the time, if I am recalling correctly, but I am happy to go and check, I can remember very distinctly being asked a number of these questions into quite specific detail, I think by your colleague the Hon. Heidi Girolamo as the debate progressed in the Legislative Council, about how the funding allocation that we had anticipated would look, what the funding would be for. If I am remembering correctly, I think it was also traversed that it was the intention that these be public sector employees supporting the Voice.

**Mr TEAGUE:** And within Aboriginal affairs?

**The Hon. K.J. MAHER:** Yes.

**Mr TEAGUE:** So ultimately will the secretariat report within the Attorney-General's Department?

**The Hon. K.J. MAHER:** They would sit within Aboriginal affairs, which sits within the Attorney-General's Department.

**Mr TEAGUE:** The leader of the secretariat, however so described—and I am not sure if it has been identified, then please let me know.

**The Hon. K.J. MAHER:** A director of the secretariat or something similar. It is an executive that would contract with the Chief Executive of the A-G's Department.

**Mr TEAGUE:** Who will the director of the secretariat really then report to? Is that the answer—to the CE of the AGD?

**The Hon. K.J. MAHER:** To the Chief Executive of the Attorney-General's Department through the Executive Director of Aboriginal Affairs and Reconciliation.

**Mr TEAGUE:** In terms of the secretariat as a whole, we have identified the number of FTEs allocated to the secretariat, the facilities, office infrastructure, all the rest of it. Is there a similar intent to accommodate those FTEs within existing officers of the agency?

**The Hon. K.J. MAHER:** My advice is yes.

**Mr TEAGUE:** To the extent that there are facilities provided across the state, is there specific provision or plans to have any new locations for the secretariat from which the secretariat might function in other parts of the state?

**The Hon. K.J. MAHER:** There is no anticipation or budget allocation for a permanent office in any other parts of South Australia.

**Mr TEAGUE:** In that case, is it anticipated as a necessary consequence that at least the State First Nations Voice would be meeting within facilities provided by the secretariat within Aboriginal affairs, or is that ad hoc, to be determined in the future?

**The Hon. K.J. MAHER:** The answer to that is no. As I said, some of the roles will be as necessary for the secretariat to book meeting rooms for the regional Voice in Ceduna or Mount Gambier or Coober Pedy, for example. It might be that there are government facilities that could be utilised for meetings when they occur in Adelaide for the State First Nations Voice. Equally, the State First Nations Voice could choose—and I suspect there is a chance for some meetings each year—not to meet in Adelaide or in the CBD, in the same way as local voices would need to—

**Mr TEAGUE:** It will determine what it does from time to time, where it meets and so on.

**The Hon. K.J. MAHER:** Indeed.

**Mr TEAGUE:** To the extent that there is budgetary provision for that, they will make that call.

**The Hon. K.J. MAHER:** Things like travel and accommodation to attend meetings and the booking of meeting rooms are anticipated in the budget for the First Nations Voice. As I said, it is about \$1½ million a year for the administration and a bit under half of that for the FTEs that we have been talking about.

**Mr TEAGUE:** The secretariat meanwhile will operate from within the agency, from accommodation in Adelaide.

**The Hon. K.J. MAHER:** That is the anticipation, yes.

**Mr TEAGUE:** It may, or parts of the staff of the secretariat may travel to provide that secretariat function?

**The Hon. K.J. MAHER:** Yes. It probably would not surprise the member that somewhere just under half of the Aboriginal and Torres Strait Islander population in South Australia is residing outside Greater Metropolitan Adelaide. Members of the Aboriginal Affairs and Reconciliation division regularly travel necessarily outside Adelaide to regional and remote areas of South Australia: from Coober Pedy to Mount Gambier to Ceduna to Kalka, Pipalyatjara and every point in between. It is something that is by the very nature of the diverse locations in which Aboriginal people in Australia live and a necessary element of the work of Aboriginal affairs as it already stands, and this will be no different.

**Mr TEAGUE:** I want to turn to a couple of particular topics, the subject of election commitments that find voice in the budget. I refer to Budget Paper 4, Volume 1, page 18. We see there, under program 1, the highlights and then the targets for Program 1: Aboriginal Affairs and Reconciliation. I refer first to the fourth dot point under highlights. I have some questions about monuments. A highlight of 2022-23 was:

Consulted with South Australians on the design and the delivery of new Aboriginal monuments.

We then see under targets, at the third dot point, that one of those targets for 2023-24 is:

Identify the first six Aboriginal South Australians to be honoured with a monument or statue and propose suitable locations.

It might perhaps be helpful to refer to Volume 5 to see the funding that has been set aside. I might have to go back to where we were this morning in terms of the 2022-23 Budget Measures. I will not impermissibly do so perhaps, but I think we are all clear on what was provided there: \$500,000 in 2022-23 and then an estimate of another \$500,000 in 2023-24 for these two years. It is a budget measure from 2022-23. The short point is this: how is that progressing and, to the extent that there is any kind of apparent overlap between a highlight from last year and a target from this year, what has been the application of those funds, how far progressed are we and so on?

**The Hon. K.J. MAHER:** In terms of the highlight from last year, there was a significant body of work that was undertaken consulting around South Australia about views of South Australian Aboriginal people and communities about who might be appropriate people to be commemorated with the statues and monuments policy. That was a body of work that has been published. It is intended once the inaugural First Nations Voice is elected to seek their views as well and then there will be a not insignificant body of work to consult with the families of those who might be nominated as the inaugural people to be commemorated in those statues and monuments as part of this year.

The majority of the funding that was allocated in the last budget is sought to be carried over to the next budget year. Soon after the election when the first budget was handed down there was a nominal allocation of half of the \$1 million put forward to the 2022-23 year and half of that to the 2023-24 year. It is expected that the majority of the nominal half of it for the 2022-23 year will be carried over to the 2023-24 year, when hopefully the substantial work on starting with this policy as to the actual choosing and then commissioning of the monuments and statues begins.

**Mr TEAGUE:** For context, going back, I indicated that we are talking about matters of election commitment. It was made clear that a Labor government would commit that \$1 million. I think you have just indicated that the bulk of the \$1 million is still to be applied, and for the reasons you have described; I understand the context. At the time of that commitment, there was an indication:

It's time that leaders like David Unaipon, Lowitja O'Donoghue, Yami Lester, Gladys Elphick and many others were recognised for their outstanding contributions.

I take that as a form of generality in the context.

**The Hon. K.J. MAHER:** Indeed. It was an indication in the development of the policy. Obviously I was involved in discussions with Aboriginal leaders and these were some of the names put forward when we were discussing the merits of the policy, which was warmly embraced. As the member has correctly pointed out, these are not commitments. These were generalities over the last 187 years and the people in South Australia we have come to know as very significant Aboriginal people in this state.

**Mr TEAGUE:** Appreciating that, and the indication that this might be a question that is put to a First Nations Voice once it is elected, can one track forward to say, 'First of all, there is no commitment to anybody that has been made already'? This subject has come up in other contexts over recent months and I do not want to foreshadow anything. First of all nothing has been committed, as I understand it.

**The Hon. K.J. MAHER:** As part of this new policy, there has been no commitment for expenditure of funds from this policy to date.

**Mr TEAGUE:** Got it. We are all racing to catch up with an announcement that has been made only a few hours ago about the rescheduling of the election. But in those circumstances, is it anticipated that the money—\$1 million—will be spent this financial year in the context of consulting with the Voice, settling on the subjects of the monuments and making further progress?

**The Hon. K.J. MAHER:** It is possible but it may be carried over further. As I have said, there was a nominal allocation across the first two years since the election of the \$1 million, but it may well

be that there is a carryover further into the next year. This is certainly an area where I think many people, including myself, are determined to get it right and not do it in undue haste that would jeopardise that name.

**Mr TEAGUE:** Just in rough terms, if we follow that course through, we are anticipating the possibility of broadly all those funds maybe finding themselves in a 2024-25 budget in those circumstances. Not much has been spent, in other words.

**The Hon. K.J. MAHER:** Yes. Certainly, there is a majority of it remaining, and we will see how it develops this year. But, as I have said, this in particular is an area where we very much want to consult with Aboriginal people and, importantly, consult particularly with families of some of the people who might be nominated before we—

**Mr TEAGUE:** Has there been any work done at all in that regard? Is there anything that has actually been done that can be presented to the State First Nations Voice?

**The Hon. K.J. MAHER:** There was a whole body of work that was done during the course of last year in terms of consultations that visited places in South Australia, or online consultations. So, yes, there is a body of work that—

**Mr TEAGUE:** Did that come at a cost?

**The Hon. K.J. MAHER:** A very small cost.

**Mr TEAGUE:** Whatever cost it was, it was coming out of the first 500; is that right?

**The Hon. K.J. MAHER:** No. I am happy to double-check this, but my advice is that the functions of work performed there did not come at a cost to the first 500. I am happy to double-check that. It is either very, very minimal or no cost, but I am happy to take that away and double-check it.

**Mr TEAGUE:** Staying with those election commitments, I am still at Budget Paper 4, Volume 1, page 18. The second dot point under highlights for 2022-23 is as follows:

Explored mechanisms to underpin Treaty process and a Truth Telling process.

I will try to word it accurately, but broadly the election commitment was to spend \$2 million on what has been described as restarting a Treaty process.

**The Hon. K.J. MAHER:** Sorry, it is \$2 million on a response to the Uluru Statement, on an SA basis. So that is Truth, Treaty and Voice.

**Mr TEAGUE:** Let me perhaps be clear on what I am drawing that from. It is a turnabout, but on the face of the Labor Party's policy document, election commitments, I read: 'A Malinauskas Labor government will, over our first four years, invest more than \$2 million to restart the Treaty process.' That is a standalone item. I realise it is expressed in a—

**The Hon. K.J. MAHER:** Again, we do not have the benefit of referring to it here, but I would be surprised if it was not referred to in last year's budget papers as the Uluru Statement from the Heart.

**Mr TEAGUE:** I take that on board.

**The Hon. K.J. MAHER:** Certainly, a not insignificant component of that is restarting a Treaty process—that is very correct.

**Mr TEAGUE:** I take that on board. I am perhaps referring to it for my own benefit to explain the use of the word 'restart'. The fact is that it is here described, at least, as a standalone item—restarting the Treaty process and \$2 million applied to that—and we see, as a highlight of 2022-23, the exploring of mechanisms to underpin the Treaty process. Is it possible to identify what those were, the extent of the work and the cost of doing so and therefore get a handle on how that \$2 million is being spent and to what portion?

**The Hon. K.J. MAHER:** I am happy to take it on notice to get a bit more detail for the honourable member. Certainly, that has been applied, as I have said. I think it is the case that it would have been described in last year's budget as the state-based implementation of the Uluru Statement from the Heart. The three elements in the statement—Voice, Treaty and Truth—are

defined sequentially, as we have from many of those involved with the Uluru Statement and from those who are involved since in starting with the Voice. Work undertaken by the Commissioner for First Nations Voice certainly has been part of the budget allocation for the Uluru Statement from the Heart.

It is something that we have said on numerous occasions. It is on the public record in a number of places that we have agreed with the vast majority of delegates, those 250 delegates at Uluru who met in May 2017, and in much of the writing and the thinking that has occurred since there is a very strong logic in the Voice in sequence being the logical starting point.

There has been work that has already started, particularly around looking around Australia and internationally at those other two aspects of Treaty and Truth to inform us, but we are keen to have, as I said, the logical sequence, as most people have agreed, the Voice in place that can then help provide some advice about the processes that we follow for those other aspects of it.

**Mr TEAGUE:** I realise it is discursive in terms of when we are talking about highlights and targets, but I do not see there a target for 2023-24 that is, as it were, a corollary to the highlight of 2022-23.

**The Hon. K.J. MAHER:** I would not take targets as being an exhaustive list of all that governments or departments are ever going to do or that is all that they can ever be confined to doing in that particular year. That sort of reading down I do not think is how these things are intended.

**Mr TEAGUE:** A sage observation, and one that I think we might all adopt. It certainly was not the intent, but I suppose, given the fact that there has been this \$2 million identified and a highlight identified for 2022-23, the question might then expand beyond to, as the minister says, those aspects of work that might not be there described. Is it possible to identify an amount of the portion of the \$2 million that is anticipated to be spent? If so, for what deliverable?

**The Hon. K.J. MAHER:** A very simple answer is not yet. Certainly, I think the honourable member referred to restarting the Treaty process. In I think it would have been the end of 2016 the then Weatherill government committed to a Treaty process. A lot of work was undertaken by a Treaty commissioner in discussions with Aboriginal nations across South Australia. Again, like our Voice, at the time that was Australia-leading work that really did not have a precedent. We were doing things for the first time in South Australia in that space.

Of course, since then we have had a change in government and a change in priorities. A new government did not see that as a priority and stopped the process. We have done work since we have come back to government looking at other jurisdictions, particularly Victoria, which is more advanced in the Treaty space, but also jurisdictions like the Northern Territory, which has had a Treaty commission report, the Treaty commissioner.

Queensland has announced progress in this work. New South Wales with a change of government has committed to this. There are aspects of elements of agreements in Western Australia: the South West Noongar agreement in WA has a lot of features that academics and others have seen as very Treaty-like, even though the word is not used in that agreement.

There has been some dedicated work undertaken since returning to government about what has happened over the last four years, five years in Australia in terms of the Treaty discussion and the Treaty process, but also internationally. New Zealand and parts of Canada, particularly British Columbia, are possibly the most analogous to the Australian situation about how we would look to the work that had already been undertaken, primarily in 2017, to use that work to inform us but with a close eye now on what other jurisdictions are doing in the Treaty process.

As I said not long ago, most people who have thought about this and written about it since the Uluru Statement have thought the sequence of Voice first is the logical place to start, as we do, and that can help inform us about the processes that we would undertake with the other parts of it. I do not want to give a misapprehension that an elected Voice body will be a Treaty negotiating authority. That is not the intention. That is more analogous to parts of what Victoria are doing, but we think it would be worthwhile seeking an elected First Nations body's views about the process we might use to continue with and restart Treaty discussions in SA.

**Mr TEAGUE:** I take that as some extrapolation on the second dot point in terms of highlights for 2022-23 and as an exploration of mechanisms, and that might have gone—

**The Hon. K.J. MAHER:** That is primarily the work that has been undertaken in 2022-23, that jurisdiction comparison. One of the things that will happen in 2023-24 is that we will have that elected Voice in place and will be able to talk to the Voice about the process that we undertake to continue the other two elements of the Uluru Statement.

**Mr TEAGUE:** Or listen to the Voice, I suppose.

**The Hon. K.J. MAHER:** Yes, indeed. That is the whole point.

**Mr TEAGUE:** I refer back to the last estimates in this regard. In terms of the mechanisms to underpin the process, I think the minister indicated that it is likely to be a whole-of-state treaty or the possibility of a continuation of individual group treaties, as was the case in 2016-17. I think your indication then was that it might be too early to say, and it sounds like it is still too early to say and that the establishment of the state First Nations Voice has become, as it were, a precursor to many things that—

**The Hon. K.J. MAHER:** We just think it is a logical sequence in our commitment to the three tenets of the Uluru Statement from the Heart—as I think the vast majority of people involved in this place do.

**Mr TEAGUE:** Is the short point there that the bulk, if not all, of the \$2 million that has been allocated to restart the Treaty process remains intact?

**The Hon. K.J. MAHER:** I undertook to take it on notice to get further details, but a part of that has been expended on the preparations for the Voice, the consultations that have occurred for helping set up the Voice. There would have been part of that \$2 million that has been expended on helping to set up the Voice. I am happy to take on notice the—

**Mr TEAGUE:** I am somewhat surprised that that is distinct from the \$2 million to restart the Treaty process.

**The Hon. K.J. MAHER:** I do not have the budget from last year in front of me but, as I say, I am pretty sure that the budget and the papers I have talked about the \$2 million being for the commitment for a state-based response to the Uluru Statement from the Heart: Voice, Treaty, Truth.

That is \$2 million over four years, and part of that would have been expended on the preparations and consultations for setting up of the Voice. There will certainly be a significant amount that will be remaining once the Voice is established and, as we traversed less than hour ago, there are fresh budget allocations for the election of the Voice, for the Electoral Commissioner to conduct elections, and there are fresh and new budget allocations for the administration of the Voice.

But part of that \$2 million over four years for the Uluru Statement from the Heart has gone towards the necessary work that has been developed, over and above the ordinary course of the business of government, in setting up the consultation and preparations for the Voice.

**Mr TEAGUE:** I do not understand that answer to refer to a fresh budget allocation an hour ago; you were referring to the analysis an hour ago in terms of—

**The Hon. K.J. MAHER:** Yes, sorry. I just want to be clear that the cost of running elections does not come out of that \$2 million, and the cost of the five FTEs we talked about does not come out of that \$2 million.

**Mr TEAGUE:** No, there is no suggestion of that. If there is a question or a proposition that that all might make good, it is a question as to what if any of the \$2 million has been spent at all. I am certainly not suggesting that part of it has been spent on any of the other things we have interrogated.

**The Hon. K.J. MAHER:** Some has been spent in the preparation for the Voice, the Commissioner for First Nations Voice, the consultations that have taken place. However, as I say, I am happy to take that on notice and bring back a reply.



**Mr TEAGUE:** Thank you; and that is with a view to the possibility to particularise what is left in the kitty, as it were.

**The Hon. K.J. MAHER:** We will provide the costs so far that have been taken out of there and then what we will do is we will get \$2 million and then we will put a little minus sign and we will punch that number into the calculator and provide it for you.

**Mr TEAGUE:** Good, thank you.

**The Hon. K.J. MAHER:** You're welcome.

**Mr TEAGUE:** At Budget Paper 4, Volume 1, page 19, I refer to expenses, supplies and services, which is the second line item under expenses, which is in the second half of that table at about point 3 or 4 on the page. There is an estimated result coming in under budget for 2022-23 at \$2.8 million, as opposed to the budgeted amount of just over \$3 million, and the budget for 2023-24 is just short of \$4 million. Do you agree with that?

**The Hon. K.J. MAHER:** Yes, I am reading numbers you are reading.

**Mr TEAGUE:** I might have a relevant date, but SA Health declared an outbreak of tuberculosis in the APY lands in or about the early months of the year of approximately 10 cases confirmed as at 3 March; that was the date I was looking for. The Chief Public Health Officer said that the TB service clinical director, Dr Simone Barry, visited the APY lands to meet with community leaders and service providers, schools and the Nganampa Health Council in response. Was there support that finds accounting in response to that outbreak provided by Aboriginal affairs?

**The Hon. K.J. MAHER:** My advice is the response to the tuberculosis outbreak on the APY lands and around Central Australia is being run out of a group within SA Health.

**Mr TEAGUE:** So it is entirely an SA Health matter?

**The Hon. K.J. MAHER:** Certainly, Aboriginal Affairs and Reconciliation—as they do regularly, and it is one of the great strengths of having an organisation that has been for many years, certainly for the 20 years I have been involved in Aboriginal affairs in South Australia, very connected to the community. Aboriginal Affairs and Reconciliation have been able to provide advice on who to contact, who to talk to in communities, the best way to get to places, how to travel and accommodation.

It is certainly one of the great benefits of having a lot of experienced people like Nerida who have built up that community knowledge and contacts to be able to provide that advice and support for other agencies when they need to in areas like the APY lands. It is not always easy to know who to contact, who is around in communities or how to go about engaging the communities.

**Mr TEAGUE:** We have referred to those line items in terms of supplies and services, which is the best point of connection for that particular question. In terms of the budget provision generally, we have seen that item more or less double from budgeted in 2021-22 to budget 2023-24. In terms of how that is directed, is there any indication of the application of those additional funds? Interestingly, the FTEs have fluctuated, but it does not seem to be explained by the additional FTEs alone.

**The Hon. K.J. MAHER:** When the member asked about doubling the 2021 actual figure of \$1.936 million compared with the budgeted figure, a large part of that will be things we talked about at the very start: it will be funding the substantial increase in funding for Closing the Gap. Things like the increased effort for Closing the Gap, the extra FTE for the impact on the River Murray, the Aboriginal Justice Agreement, these areas will impact on the spending here. In terms of other areas, I am happy to take that on notice. It may be the case that there is grant funding that flows through the department. I do not have an answer readily available, but I am happy to take that on notice to double-check.

**Mr TEAGUE:** I refer to Budget Paper 4, Volume 1, page 18, and the first dot point under targets 2023-24. We have covered some of this ground with the Electoral Commissioner.

**The Hon. K.J. MAHER:** You covered all of it. There is nothing more.

**Mr TEAGUE:** Well, there might be two sides to the coin. Perhaps there might be an Aboriginal affairs point of view. The number one target for 2023-24 is:

Work with the Electoral Commission of South Australia to enable the inaugural election for South Australia's First Nations Voice to Parliament and support Local and State Voices once elected.

Firstly, as an overarching question, given the timing of the national referendum—it may be that it is a question answered by today's announcement—what if any allocation has been made for promotion or co-promotion of the referendum in the course of preparing for the State First Nations vote?

**The Hon. K.J. MAHER:** I might point out that if there is not a dot point or a target here it does not mean it is not something the department—it is not an exhaustive list. The dot points are not usually or always in order of importance. If it is the first mention, it does not mean it is most important, although this is extraordinarily important.

**Mr TEAGUE:** I think for the committee's purpose we get preoccupied with identifying where things are on the page.

**The Hon. K.J. MAHER:** In relation to the question that has been asked, the funding that the Electoral Commission is using is in relation to the State First Nations Voice election—how to enrol, how to vote, how to nominate. The state does not have a funding allocation for the federal referendum. That is something the federal government is doing.

**Mr TEAGUE:** Again, it is a matter of clarity, I suppose. Anecdotally, over the time that these processes have overlapped, the subject matter has overlapped and various things. For example, if I can put it by way of a more direct question, the Commissioner for First Nations Voice is engaged in a process of necessary work in the lead-up to the State First Nations election. To what extent is that work overlapping with any work that might be done in relation to the referendum and funding associated with that?

**The Hon. K.J. MAHER:** In terms of the overlap question, that is probably the primary reason for the decision to postpone our South Australian election. It became very clear to me in discussions with the Commissioner for First Nations Voice and the Electoral Commissioner that, particularly since the federal parliament passed the referendum enabling bill a couple of weeks ago which set down that deadline, that window between two and six months for the federal referendum to happen, I think that has crystallised the time frame that is expected, in October or November, for a federal referendum.

Having nominated September for our State First Nations Voice election, there had been a level of confusion, that having a process that would have had Aboriginal and Torres Strait Islander South Australians voting for their own people on a State Voice body risked being confused with all South Australians on the electoral roll voting in a federal referendum to decide whether to change the constitution to establish a federal body.

Certainly, that was something that was brought to me by both commissioners (the First Nations Voice commissioner and the Electoral Commissioner) and lines up with views that, particularly recently, have been expressed to me by Aboriginal leaders and Aboriginal elders across South Australia. Of course, the federal parliament having passed their referendum-enabling legislation, they have a time frame.

They have a two to six-month window to hold it in. There is not a discretion to have it at another time, which is why, based on representations and advice, we made the decision to change the date of our referendum to give both those processes clear air to avoid, as I say, that confusion that some were having. I can easily anticipate, and it had been suggested to me, you might have non-Aboriginal South Australians turning up to the First Nations Voice referendum wanting to vote for the change to the Australian Constitution, for example.

To avoid any confusion, it was suggested to us that we should delay our election. It was not, I do not think, practical to delay our election to later this year to, say, December. December is a very busy time for most people. Particularly in very remote South Australia, December is a time when people for various reasons, particularly cultural reasons, will not be able to attend polling booths. Many of those reasons persist until the first month or two into the new year during the summer period, particularly in the Western Desert region of Australia.

Sensibly, the suggestion was to have that election delayed until March, which we have done. I think 16 March, that Saturday, is a nice round way to have it almost to the date that a state election would have been. Given the second election is going to coincide with the state election, it will be around two years of the body being elected before the next election and the next state election.

**Mr TEAGUE:** Were any of those representations or advice coming to you from outside the state?

**The Hon. K.J. MAHER:** I reckon in the development of our SA Voice to Parliament I would have talked most weeks particularly to Linda Burney, who I have known for a number of decades, about how we were developing to make sure that what we were doing in South Australia had the best possible chance of fitting into anything that was being developed federally. I think there is a reasonable prospect that, should the federal referendum be successful—which I very much hope it will be, and I will be spending a lot of my spare time over the next few months doing everything I can to ensure that is the case—

**Mr TEAGUE:** So Minister Burney thought it would be a good idea if—

**The Hon. K.J. MAHER:** After having had representations, I cannot remember exactly when it was, I let Minister Burney know this was what we were thinking of doing, just as a matter of courtesy to tell them. There was a general level of agreement that, yes, that did sound sensible, given there is a reasonable prospect they may only be weeks apart.

**Mr TEAGUE:** In terms of that range of considerations, on the face of it it might appear at first blush somewhat odd that the South Australian process that has been in train for some time—I appreciate on a secondary view the synchronicity of a March date, bearing in mind the lining up with future state elections. The point is that we were on a train to a particular arrangement, and much might have been made of the idea that we were first and all that sort of thing. To what extent was it receptive to the submissions or requests from Minister Burney and others?

**The Hon. K.J. MAHER:** The reason that we have decided to do this was representations that members of the Aboriginal community, elders and leaders have made to me—particularly through the Commissioner for First Nations Voice and also the Electoral Commissioner—about the increasing possibility and even likelihood of confusion between the two processes, given that the federal government had passed the referendum enabling bill.

I would like to think that the commonwealth would make way for us and that we are all-important, but I think that might, unfortunately, overstate our relative importance in the commonwealth. I am still pleased that, when we have these elections in March, we will become the first place in Australia to create a body that is an elected body that can make representations for Aboriginal and Torres Strait Islander people to make representations to their parliament and to their government.

In an ideal world, we might have had a referendum early next year and we could have gone ahead with the trajectory that we had planned to have our body set up and functioning by the end of this year. However, as I have said, I take on board and I agree with the representations that have been made, that it would be almost perverse or irresponsible to be creating a body to create a Voice for Aboriginal South Australians and then, when Aboriginal South Australians suggest when the date would be, ignore those voices.

**Mr TEAGUE:** I am not sure I follow that last part, but I am conscious of the time.

**The CHAIR:** Thank you for your response. The allotted time having expired, I declare the examination of Aboriginal Affairs and Reconciliation completed.

*Sitting suspended from 16:01 to 16:15.*

#### **Membership:**

Mr Batty substituted for Hon. D.G. Pisoni.

**Departmental Advisers:**

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

Ms J. Barbaro, Director, Workplace Integrity, Office of the Commissioner for Public Sector Employment.

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

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

Mr S. Johnson, Director, Enterprise Bargaining, Industrial Relations and Policy Branch, Attorney General's Department.

**The CHAIR:** Good afternoon. The portfolio under examination is the Office for the Public Sector. The proposed payments for the Attorney-General's Department remain open for examination. The minister appearing is the Minister for Industrial Relations and Public Sector. I call on the minister to make a statement, if he wishes, and to introduce his advisers. I will then call on the lead speaker for the opposition, who I understand is the member for Colton, to make a statement, if he wishes, and then go into questions.

**The Hon. K.J. MAHER:** I do not wish to make a statement; however, with me I have Erma Ranieri, Commissioner for Public Sector Employment, and Simon Johnson, Director, Enterprise Bargaining, Industrial Relations and Policy Branch. Behind me I have Caroline Mealor, Chief Executive of the Office of the Attorney-General's Department; Josie Barbaro, Director, Workplace Integrity, Office of the Commissioner for Public Sector Employment; and for the last time in his 25<sup>th</sup> golden year, Andrew Swanson, Chief Financial Officer, Attorney-General's Department—no, it may not be the last time; he is here again.

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

**Mr COWDREY:** Questions. I draw your attention to Budget Paper 4, Volume 1, page 64, in regard to forward budgets and the expected result this year for the office. The original budget for the office was \$2.938 million this financial year. The estimated result is \$3.195 million. Are you able to please provide the committee an explanation as to the budget blowout experienced by the office for this financial year?

**The CHAIR:** I will allow the question, but what the member for Colton meant was the variance in the two amounts.

**Mr COWDREY:** Overspend, variation on.

**The CHAIR:** Because the other thing would be commentary, which would not be allowed in the question.

**The Hon. K.J. MAHER:** Is the question: what is the \$200,000 difference?

**Mr COWDREY:** Yes.

**The Hon. K.J. MAHER:** It appears it could be the Skilling SA program, but I am happy, if it is not and there are other explanations, to take that away and confirm the difference of \$200,000.

**Mr COWDREY:** It is closer to \$300,000 from my—

**The Hon. K.J. MAHER:** If it is closer to \$300,000, I will focus my attention even more diligently on it to find the answer.

**Mr COWDREY:** Your evidence so far is that it is the skilling fund.

**The Hon. K.J. MAHER:** That is the advice I have. If there is something else—

**Mr COWDREY:** As in you have had more uptake of people wanting to be trainees in the office?

**The Hon. K.J. MAHER:** Yes, I am advised it is a time-limited program.

**Mr COWDREY:** No, but there is an overspend of nearly \$300,000, not an underspend.

**The Hon. K.J. MAHER:** I will have to take that on notice and bring back a reply.

**Mr COWDREY:** With all due respect, you cannot provide any explanation for the \$300,000 overspend within the department over the last financial year?

**The Hon. K.J. MAHER:** As I said, I am happy to take that on notice and bring back a reply.

**The CHAIR:** Do you have another question, member for Colton?

**Mr COWDREY:** I have plenty of questions, but I am just not entirely sure of the purpose of estimates if there can be no explanation of budget lines in the paper and any understanding of—

**The CHAIR:** Member for Colton, we have had a very civil committee today and that is the way I would like to keep it. You can be probing if you wish to, that is fine, but I suggest you keep some of your commentary to yourself and just stick to the questions.

**Mr COWDREY:** My follow-up question was going to be does the commissioner believe that the level of funding her office is receiving in the following financial year, that being in the order of \$3.062 million—a decrease on the overspent amount this year but an increase on the original budget from this year—was adequate but, given there is no understanding of what has caused the blowout, I think it would be difficult to still pose that question.

**The CHAIR:** Member for Colton, can you rephrase your question, because questions have to be addressed to the minister not their advisers.

**Mr COWDREY:** I did not pose it to the adviser.

**The CHAIR:** You did.

**The Hon. K.J. MAHER:** I am happy to be able to further advise that much of the budget is in relation to services that are provided on a cost-recovery basis. Just for the member's benefit—I understand he has not been involved in parliament as long as many others and he is very new to the portfolio—sometimes when invoices are issued, and then costs are recovered, there can be discrepancies in timing that can account for differences. But I am happy to go away and bring back a reply for the new shadow treasurer for his benefit.

**Mr COWDREY:** Minister, does the government have a clear plan and time line in place for staff who are working from home to return to the office and, if so, can you please table that?

**The Hon. K.J. MAHER:** Staff have been returning and continue to return to the office post COVID.

**The CHAIR:** There is no provision for the tabling of documents in estimates. You can actually circulate, if the minister wishes to, but there is no scope for the tabling of documents.

**The Hon. K.J. MAHER:** Is there a budget line that we are referring to?

**Mr COWDREY:** We are talking about the Office for the Public Sector, employment in that. There is a reference of, specifically, give or take seven lines in the budget paper. Usually, it has been past practice that there has been a degree of discretion provided in regard to the questions being relevant to the activities undertaken by the commissioner.

**The Hon. K.J. MAHER:** Workers who have been working from home during COVID have been returning and continue to return.

**Mr COWDREY:** Are there any targets that have been set by the government in that regard?

**The Hon. K.J. MAHER:** I can inform the member that around 88 per cent of the public sector workforce worked from their usual workplace as of June 2022.

**Mr COWDREY:** When you say 'usual workplace', is home part of that for some people?

**The Hon. K.J. MAHER:** This reflects the fact that around two-thirds of the public sector workforce are in frontline roles, and many back office roles directly support those frontline workers. Many of these roles cannot really be performed away from purpose-built workplaces.

**Mr COWDREY:** Of those 88 per cent that you have referenced, are they working from the office or their primary place of work full-time?

**The Hon. K.J. MAHER:** Yes, that 88 per cent figure I have given is working at a purpose-built workplace and not from home.

**Mr COWDREY:** They are working full-time?

**The Hon. K.J. MAHER:** I am not saying every single one of those is a full-time worker or what the nature of their engagement is and whether they are part-time or casual. That was not the question I thought that was being asked, but I am happy to answer the question.

**Mr COWDREY:** Would you like me to rephrase?

**The Hon. K.J. MAHER:** Yes.

**Mr COWDREY:** Is the full percentage of the work that they undertake—whether it be full-time, part time or casually—is that 88 per cent figure reflective of those employees working 100 per cent of their allocated hours from their particular place of work?

**The Hon. K.J. MAHER:** The answer I am advised is yes.

**Mr COWDREY:** So 88 per cent of the Public Service are working full time from either the office or their particular place of work, whether that be a school, an ambulance—

**The Hon. K.J. MAHER:** No, I do not know if they are full-time workers, part time or casual. I am not aware of this.

**Mr COWDREY:** Has the proportion of staff working from home, working from the office or from their primary place of employment changed over the past 12 months?

**The Hon. K.J. MAHER:** My advice is this is the first year that that figure has been collected and that is why we were able to provide the figure of around 88 per cent of public sector workforce work from their usual place of work as at June 2022. I am not able to give the member a comparison as to how that compares over recent years because as I have said this is the first time I am advised these figures have been collected.

**Mr COWDREY:** Has the office undertaken any work to measure staff productivity or efficiency as it relates to remote working?

**The Hon. K.J. MAHER:** No. I am advised that there are not those figures, and as I have said this is the first year the figures have actually been collected about the people who are working from their usual workplace.

**Mr COWDREY:** In the State of the Sector report that was provided by the commissioner earlier in the year, the 2022 report—

**The CHAIR:** What page are you on? I am trying to find the reference to what you are about to raise.

**Mr COWDREY:** We can talk about highlights, the release of the leadership framework, and all of these highlights are contained within the State of the Sector report.

**The CHAIR:** No. If you want your question put, you need to give me the reference.

**Mr COWDREY:** The commissioner's report indicated that—

**The CHAIR:** No—in the budget papers. You need to give me a reference from the budget papers.

**Mr COWDREY:** I just provided it to you: the highlights section on page 51 of Budget Paper 4, Volume 1.

**The CHAIR:** Just hold on a sec and let me just find it. Which dot point?

**Mr COWDREY:** 'Consulted public sector agencies on new diversity, equality and inclusion and anti-racism strategies'.

**The CHAIR:** Right, thank you. What is your question?

**Mr COWDREY:** The commissioner's report indicated that Aboriginal South Australians make up 2.12 per cent of the public sector workforce. Is there any update on this figure and what measures are being implemented to further increase the number of Aboriginal South Australians in public sector employment?

**The Hon. K.J. MAHER:** As the member stated, as of 30 June 2022, it was estimated there were 2.12 per cent of the total workforce being Aboriginal employees. I am informed that that is now the highest number of Aboriginal public sector employees that has been recorded. It also should be noted, as the commissioner has pointed out to me in our regular meetings where this is often a topic of discussion, as it traverses my role not only as Minister for Industrial Relations and Public Sector but also as Minister for Aboriginal Affairs, there is a very good chance that this is an under-reported figure as it relies on employee self-identification, which it does not always have.

It is reported at 2.12 per cent of the public sector workforce, whereas Aboriginal South Australians make up something a lot more akin to 2.9 per cent of the South Australian population, and it is likely to be a figure that is lower than it actually is. I know the Office of the Commissioner for Public Sector Employment has created a new role of director of Aboriginal workforce participation, which occurred mid to late last year, to partner with Aboriginal community-controlled organisations (ACCOs) to help with their workforce needs.

The office of the commissioner, in conjunction with Tauondi College, is delivering Aboriginal trainee programs, aiming to recruit 100 new Aboriginal trainees by 30 June 2023. I am informed that as of May, when the last statistics were available, 69 of those places have been filled. That program, delivered in conjunction with Tauondi College, combines a certificate III qualification with on-the-job training and provides dedicated mentoring and wraparound support services.

The South Australian public sector employment register enables agencies to recruit from a pool of Aboriginal candidates, and I know that an Aboriginal leadership program was designed to deliver facilitators to encourage leadership of Aboriginal people in the public sector. I know I have had the great fortune of addressing a number of the participants in the program that the commissioner has put in place about the importance of Aboriginal people in our public sector workforce.

**Mr COWDREY:** I have one further question on the same budget line. In the report, the commissioner also raised concerns relating to people with a disclosed disability only making up 1.37 per cent of the public sector workforce. As you would be well aware, reported public figures show that people with a disability make up 20 per cent of our population. Are further efforts being made to lift that figure? In particular, you referenced disclosure as being one of the primary issues with that. Has there been any further work done to try to promote further disclosure within the public sector?

**The Hon. K.J. MAHER:** Yes, it is something I know the commissioner is very active about. As the member points out, with it being 1.37 per cent of the public sector workforce yet almost 20 per cent of the community, it is well under-represented. The SA public sector diversity, equity and inclusion strategy 2023-2026 will be released within the next financial year. It has a vision to build a public sector where everyone belongs and their uniqueness is valued. When it is released, it will provide support to agencies from the Office of the Commissioner for Public Sector Employment to make sure that the strategies that individual agencies are using connect across the public sector workforce. Notably, the strategy will include a disability employment target for the public sector.

**Mr COWDREY:** I refer to the same page, the dot point referencing the management of misconduct and completed consultations. Minister, can you advise how many code of ethic investigations were undertaken this year and what agencies were involved?

**The Hon. K.J. MAHER:** I am advised that the State of the Sector report has the number of breaches. We do not have that report in front of us, but it is a public report so the information is likely to be available. I am advised that the number of breaches is published in the State of the Sector report.

**Mr COWDREY:** Yes, but it does not identify the relevant departments, though.

**The Hon. K.J. MAHER:** I am happy to take that on notice and, to the extent that I am able or permitted, see if that can be broken down further.

**Mr COWDREY:** I am not sure if the commissioner is looking to—

**The Hon. K.J. MAHER:** As I said, the State of the Sector report provides some figures that are publicly released. I am happy to go and see if we can find further and better figures, if they are able to be reported.

**Mr COWDREY:** In regard to the same budget line, can the commissioner provide any update in regard to the progress of establishing a workplace investigations panel?

**The Hon. K.J. MAHER:** I am advised that the Workplace Investigations Panel has been established for some time now. It has been established for somewhere in the order of 18 months.

**Mr COWDREY:** How many investigations have been conducted by the panel to this point?

**The Hon. K.J. MAHER:** Twenty-six.

**Mr COWDREY:** Are you able to advise how many of those have happened in the past financial year?

**The Hon. K.J. MAHER:** No.

**Mr COWDREY:** Are you able to advise how many of those investigations relate to relevant departments?

**The Hon. K.J. MAHER:** No. If it can be reported, I am happy to take that one on notice.

**Mr COWDREY:** Are you able to provide any information to the committee in regard to outcomes of any of those investigations?

**The Hon. K.J. MAHER:** I do not have that information. Again, I am not certain, given the nature of investigations that may remain active, what I can or cannot provide, but again I am happy to take that on notice and, if I can, provide an answer.

**Mr COWDREY:** You are not able to give any information in regard to potential terminations or any resultant action taken by government in regard to any of the investigations?

**The Hon. K.J. MAHER:** Of the 26 investigations, I do not have information as to the outcome and what happened as a result of the investigations. I do not have that. I might just add that one of the reasons I have not said I will take that on notice is that they will be matters for the agencies concerned. It will not be a central keeping of records as to what happened as a result of those investigations. They will be conducted and they will be looked at by the individual line agencies, I suspect.

**Mr COWDREY:** So, in terms of the process involved, the investigation is conducted by somebody within the panel. That information is then provided to the relevant chief executive to then make a determination as to the behaviour, or is that information provided to a more junior—

**The Hon. K.J. MAHER:** My advice is that it is as the member has outlined: it is provided to the chief executive of the relevant agency.

**Mr COWDREY:** Is there any follow-up from the commissioner's office in regard to ensuring that appropriate actions have been taken on the back of investigations?

**The Hon. K.J. MAHER:** The involvement of the commissioner's office is the establishment of that panel, not the investigations themselves. That is the responsibility of each agency.

**Mr COWDREY:** So the commissioner's office has no interaction whatsoever with ensuring that appropriate action has been taken by a relevant department post the investigation being completed?



**The Hon. K.J. MAHER:** No, the commissioner's office role was in relation to the establishment of the panel, the actual investigation, and the result and the follow-up from the investigation is a responsibility of the agency.

**Mr COWDREY:** The commissioner, though, takes in the initial complaint or amount of evidence, I imagine?

**The Hon. K.J. MAHER:** The answer to that, I am advised, is no.

**Mr COWDREY:** So it is provided directly to the panel?

**The Hon. K.J. MAHER:** My advice is that the relevant agency would select someone from the panel. As I have said, that has been the involvement of the Office of the Commissioner for Public Sector Employment. The point is the establishment of the panel.

**Mr COWDREY:** It has been the establishment of the panel only, but there is no further interaction from the commissioner in regard to any of the actions undertaken via the investigation?

**The Hon. K.J. MAHER:** It is anticipated that in the State of the Sector report in the future the Office of the Commissioner for Public Sector Employment may report on the effectiveness of the panel but, as I have said, the individual nature of the establishment of the investigation, the results and the follow-up action are the responsibility of that particular agency that has used someone from the panel.

**Mr COWDREY:** In the commissioner's report, she also outlined that 17,849 public sector employees received separation packages in 2022. That was an increase of 31.

**The Hon. K.J. MAHER:** So we can reference that, what budget line are we looking at?

**Mr COWDREY:** I am happy if you do not wish to take the question. It is in regard to the commissioner's—

**The Hon. K.J. MAHER:** Is that a budget line?

**Mr COWDREY:** I am happy to move on. In regard to chief executive appointments, which is a question that has been put before this committee in previous years and this year, again we are working with seven dot points here, so please forgive me and provide some degree of discretion in regard to the questions that you are willing to answer.

**The Hon. K.J. MAHER:** That is entirely out of my hands; it is the Chair who decides these things.

**The CHAIR:** If you can you tell me which ones, I am happy to see if I can exercise some discretion and allow those questions to go forward. Which dot point is the closest one—

**Mr COWDREY:** If you would like to perhaps reference dot point 3, which is the release of the Leadership Excellence Framework. This question would involve leadership within the public sector.

**The CHAIR:** I have read that dot point now. I will hear your question and we will see how we go.

**Mr COWDREY:** Was the office involved in any recent recruitment of chief executives across government agencies?

**The Hon. K.J. MAHER:** This comes up occasionally—

**Mr COWDREY:** It does every year.

**The Hon. K.J. MAHER:** —in these sorts of committee hearings, and I suspect the questions will continue to be asked and the answers will continue to be given in a very similar manner. In relation to the engagement of chief executives, as a general proposition that is in the province of the Premier. It is not unusual for the commissioner to be asked to help manage recruitment processes, which the commissioner does. If it is on the relevant merits, reasons or otherwise for individual chief executives, that is not something I can answer or take advice to answer in this particular committee.

**Mr COWDREY:** To give advice in regard to past recruitments, whether there has been involvement from the commissioner's office?

**The Hon. K.J. MAHER:** As I said, it is not unusual for the commissioner to provide advice in terms of the management of the recruitment process. If there is something in particular where the commissioner provided advice in terms of the management of the recruitment process, I am happy to see if there is anything that can sensibly be added.

**Mr COWDREY:** So the office has had no involvement in regard to engaging firms in regard to any recruitments in the past 12 months?

**The Hon. K.J. MAHER:** The office does. The office helps manage various recruitment processes. If there is one in particular the member wishes to ask about, I am happy to see if there was involvement from the commissioner in terms of providing advice about a process. As I have said, the commissioner—

**Mr COWDREY:** Well, I am only aware of one chief executive appointment over the last—

**The Hon. K.J. MAHER:** I have not been talking over you, so I would appreciate a little bit of that same courtesy. As I was saying, I am happy to see, if there is a particular area or particular process, if the commissioner provided any such advice or helped with the recruitment process, but the actual awarding of those contracts is not something the office does.

**Mr COWDREY:** To provide a specific question to you, Attorney, was the office involved with the recruitment of the new Chief Executive of the Department for Child Protection?

**The Hon. K.J. MAHER:** Yes, the commissioner provided help and advice in relation to that recruitment process.

**Mr COWDREY:** What help and advice was provided by the office?

**The Hon. K.J. MAHER:** It was help and advice.

**Mr COWDREY:** There was no consultant engaged by the office for the recruitment?

**The Hon. K.J. MAHER:** I am advised that the Office for Public Sector Employment was involved in helping with proposals, quotations and selection of recruitment firms for that particular public sector recruitment.

**Mr COWDREY:** Are you able to advise who was successful in being appointed for that recruitment, the recruitment agency?

**The Hon. K.J. MAHER:** I can advise that in relation to recruitment for the Chief Executive for the Department for Child Protection, proposals and quotations were sought from five recruitment firms, three of which were South Australian firms. The firm Robert Walters Adelaide was selected to undertake the recruitment process.

**Mr COWDREY:** I have one final question in regard to industrial relations, which I am hoping you will be happy to take on notice, as it was done last year in regard to Budget Paper 4, Volume 1, page 43, highlights, negotiated public sector enterprise agreements. Are you happy to provide, on notice, a breakdown of EB arrangements across the public sector and their expiration dates?

**The Hon. K.J. MAHER:** I can take that on notice and see what can be provided, certainly.

**The CHAIR:** The allotted time having expired, I declare the examination of the Office of the Commissioner for Public Sector Employment completed. I advise that the proposed payments for the Attorney-General's Department remain open for examination.

#### **Departmental Advisers:**

Mr M. Francis, Chief Executive Officer, ReturnToWorkSA.

Mr G. Farrell, Executive Director, SafeWorkSA.

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

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

**The CHAIR:** I now open the portfolios of ReturnToWorkSA and SafeWorkSA. The minister appearing is the Minister for Industrial Relations and Public Sector. Minister, do you wish to make a statement?

**The Hon. K.J. MAHER:** No, I do not wish to make a statement. I might use the opportunity to introduce the people who are not quite with me yet but are in the process of joining me. As we speak, joining me are Michael Francis, the Chief Executive Officer, ReturnToWorkSA and Glenn Farrell, the Executive Director, SafeWorkSA. Continuing on are Caroline Mealor, Chief Executive of the Attorney-General's Department and Andrew Swanson, Chief Financial Officer, Attorney-General's Department. We have a number of other officials from both ReturnToWorkSA and SafeWorkSA should we need their assistance in our endeavours today.

**The CHAIR:** Member for Colton, as lead speaker for the opposition, do you wish to make a statement? If not, feel free to proceed with questions.

**Mr COWDREY:** Budget Paper 4, Volume 1, page 45, the first dot point progressing the government's election commitments: with the election commitment around the review of SafeWorkSA, the government obviously recently released their response to that particular review. Are you able to provide any update in regard to the implementation of the 25 recommendations that the government either wholly or in part or in principle agreed to?

**The Hon. K.J. MAHER:** I think there were 39 recommendations from the review that was conducted into SafeWorkSA. Of those 39, the vast majority were accepted, accepted in principle or accepted in part. When the review was handed down, I think there were some four or five recommendations considered by government that we did not accept.

The table I have in front of me is colour coded green, red and orange, which should be self-explanatory in terms of what was accepted or otherwise. There were 25 accepted either wholly or in part, there were four that were not accepted and there were a further 10 in my very nicely colour coded table that are orange that were for further consultation.

One of the recommendations from the Merritt Review was to establish a tripartite committee made up of representatives of the workers, union representatives, representatives of business organisations, as well as SafeWorkSA, ReturnToWork and the Commissioner for Victims' Rights. I have attended a number of those meetings and that has been an exceptionally productive forum, looking at, in particular, the sorts of reports and statistics that SafeWorkSA produces that are maybe even more beneficial and useful both to employers and employees.

One of the roles of this committee so far is considering those further 10 recommendations that were for further consultation. No decision has been made yet on those recommendations but I am very pleased with the work of that committee in further considering those 10 recommendations that were marked for further consideration and we certainly will have more to say about some of those in the not too distant future.

**Mr COWDREY:** Who sits on that committee?

**The Hon. K.J. MAHER:** As I said, I will see if we have further details about the exact people who sit on that committee, but it has broad representation, as I said, as a tripartite committee of employer and employee groups and government agencies.

The exact membership of the committee is Kendall Crowe from Business SA, with the deputy to that position, Karen van Gorp; Susan Babidge from the Ai Group, with Amanda Green as her deputy; Estha van der Linden from the Master Builders Association, whose deputy is Will Frogley; Ronan O'Brien from the Motor Trade Association, whose deputy is Katrina Belgrove; Dale Beasley from SA Unions, whose deputy is Kristen Rogers; Mary McCarthy from the United Workers Union, whose deputy is Liz Dooley; Marcus Paré from the CFMEU, whose deputy is Peter Russell; Tanya Newell from the Australian Nursing and Midwifery Federation, whose deputy is Ross Hewlett.

Bronwyn Killmier, the Commissioner for Victims' Rights, is represented. There is a representative from the work health and safety professionals' body, being Craig Schopp from the

Australian Institute of Health & Safety, whose deputy is Dr Valerie O'Keeffe. There is a representative of ReturnToWorkSA, who is Michael Francis, the chief executive officer, whose deputy is Alice Sobie. There is a representative of AGD, who is Caroline Mealor, the Chief Executive of AGD, and Glenn Farrell from SafeWork SA is an ex-officio member of the committee.

**Mr COWDREY:** You have no concerns with the CFMEU being represented on that committee?

**The Hon. K.J. MAHER:** The CFMEU represent many workers who face serious work health and safety issues. I have to say, from the two meetings I have attended and from reports of meetings before that, the representatives from that particular union, who are SA-based members of that particular union, have been very constructive members of that committee.

**Mr COWDREY:** In regard to those 10 recommendations that you have referenced, is that the only consultation that has been undertaken in regard to those 10 recommendations taken for further consultation? Has it been done more broadly?

**The Hon. K.J. MAHER:** I am happy to take that on notice. I am quite certain, amongst those 10 other recommendations, that would have been the main avenue for further consultations, given the broad representative nature of that SafeWork SA Advisory Committee, but there will have been other consultations on some of those aspects, but I am happy to take on notice to see if there is anything more that can be provided.

Certainly, as with many areas in industrial relations that have included stated policies we took to the election, including industrial manslaughter and wage theft, we have consulted extraordinarily broadly with forums, so consultations will not be limited to that group, but it certainly has been a very useful avenue to further focus our mind and get views of employers, employees and regulators.

**Mr COWDREY:** In regard to target for 2023-24 on page 45, 'Contribute to the work injury reduction trend in South Australia', one relevant to our workplace here, the Premier this morning in his evidence referenced that SafeWork SA had undertaken an investigation in regard to the material that fell from the worksite directly opposite the courtyard to the parliament here. Can you confirm whether an investigation has taken place or not in regard to that incident?

**The Hon. K.J. MAHER:** I am advised that SafeWork has been involved in making inquiries about the incident to which the member refers.

**Mr COWDREY:** Has a formal investigation been undertaken?

**The Hon. K.J. MAHER:** I thank the member for his question. I do not want to be pedantic about what constitutes a formal investigation. SafeWork SA officers have made inquiries and have conducted inquiries in relation to that incident. It has not been referred for a formal workplace investigation to the investigations team.

**Mr COWDREY:** Are you able to explain why that was the case?

**The Hon. K.J. MAHER:** My advice is that those initial inquiries have not led to establish a breach of a duty by any particular party, but if they do then that is when I am advised it may be referred to a formal investigator as part of the investigations team.

**Mr COWDREY:** It was just a circumstance that something fell 25 storeys onto this workplace?

**The Hon. K.J. MAHER:** The member obviously has a lot more knowledge of this than I do. He has made his own inquiries and ascertained it was a 25-storey fall of something.

**Mr COWDREY:** I am just going off the public reports in *The Advertiser*.

**The Hon. K.J. MAHER:** If the member has that information, I would strongly encourage him to provide that information to SafeWork. If he knows exactly where it came from, he might also know the circumstances, so if it has fallen 25 storeys I am sure SafeWork would be more than happy to take evidence from the member.

**Mr COWDREY:** I am simply referring to the publicly available reporting that has been in *The Advertiser* here, minister.

**The Hon. K.J. MAHER:** That something fell definitively 25 storeys? Okay.

**Mr COWDREY:** Is the minister looking to take any further action or provide any further direction in regard to that incident?

**The CHAIR:** Minister, I actually allowed the member quite a bit of latitude in this area. I think it is beyond the scope of this committee. The member has other forums where those questions can be asked and answered, and this is not it. Can I suggest you move on. I am ruling it out of order.

**Mr COWDREY:** You are ruling it out of order now, having taken four questions on the matter?

**The CHAIR:** Like I said, I gave you some latitude hoping you would get back to it, but you are getting even further wider. I have actually now said that is as wide as you are going to go.

**Mr COWDREY:** Minister, in regard to SafeWork's performance indicator on page 46 of Budget Paper 4, Volume 1—in particular, the number of compliance and enforcement visits undertaken by SafeWork this financial year—there have been concerns raised by Business SA publicly and others, I believe, to you directly as well, in regard to resourcing around SafeWork SA inspectors. As you can see, the projected visits and enforcement and compliance activities were to be in the order of 17,000 this financial year; the estimated result is 5,000 this financial year—just on close to 30 per cent of what was projected. Is there a reason for that significant difference between the projection and the estimated result?

Secondly, last financial year there were 9,200 enforcement visits and compliance activities undertaken, so not only have we had a significant miss in terms of the projection for this year but we have had a significant decrease from the activities undertaken last year. Is there a resourcing issue around inspectors within SafeWork SA?

**The Hon. K.J. MAHER:** I am happy to provide an answer that comes in a number of forms. Firstly, in terms of the 17,000 that was the 2022-23 projection, I am advised that that was an overestimation based on a system error in terms of how things were recorded, that recorded activities that are not deemed to be enforcement visits incorrectly as part of that projection, so I am advised that that was a mistake.

**Mr COWDREY:** What should that number have been?

**The Hon. K.J. MAHER:** That was a mistake that was made. In terms of the number it should actually be, my guess is it would be closer to the 10,000 mark than the 17,000 mark because, as we can see, that is a huge variance from what has happened over the last few years. I completely accept that these sorts of computational system or the boundaries over how things are defined—errors can be made, and I am informed that that was responsible for the incorrect projection figure of 17,000.

I am also informed that there are vacancies that remain in terms of the inspectorate due to difficulties in recruitment. As the member would be aware, it is not just in the public sector regulatory agencies; the labour market is such across the public and private sector that there are difficulties in recruitment and there are vacancies that exist. I am advised that in 2023, SafeWork recruited a further 21 inspectors, which is a very significant recruitment program to help drive their inspector development program, who will be able to contribute to higher enforcement visits hopefully in future years.

**Mr COWDREY:** How many inspector FTEs were on the books in 2021-22?

**The Hon. K.J. MAHER:** For 2021-22 or 2022-23?

**Mr COWDREY:** Both years, if that is okay.

**The Hon. K.J. MAHER:** The most useful information that I have in front of me that I can give the member is in terms of FTE employees in the compliance and enforcement part of what SafeWork do. The actual for 2021-22 was 98.2; the estimated result for 2022-23 is 102.9.

**Mr COWDREY:** Is that inclusive of the 21 additional recruitments you mentioned?

**The Hon. K.J. MAHER:** In terms of the 2023-24 budget, the FTE equivalent employment for compliance and enforcement is budgeted at 117, so that extra 21 will obviously form part of that target for 2023-24.

**Mr COWDREY:** So between 2021-22 financial year, when there were 9,200 compliance and enforcement visits undertaken, there were 98.2 FTEs, and the following year, this financial year, there are 102.9 FTEs, so over or very much on the boundary of five additional FTEs, yet the compliance and enforcement visits nearly dropped by half.

**The Hon. K.J. MAHER:** I am advised that the reason the anticipated result has dropped is that it is related to the information I have just previously given on advice of the new inspectors. There was a large turnover of inspectors, and the training required for inspectors to perform compliance and enforcement visits is such that there is a not insignificant lag before they can do that. All the new ones who are going through the process will not be in a position to have all the powers and functions that a fully qualified inspector who has gone through all the training will have.

**Mr COWDREY:** Are you confident that the 10,000 estimated projection for next financial year will be met?

**The Hon. K.J. MAHER:** I am advised by the agency that that is their ambition, yes.

**Mr COWDREY:** In regard to compliance notices, I refer to the same table and the next line down. Perhaps I will ask it this way to make it easier: is there any explanation that is any different than what has been being provided in terms of the FTE contribution for the reason of missed projection in terms of compliance notices issued?

**The Hon. K.J. MAHER:** My advice is that the member is characterising it correctly, that is, for the very same reasons we have explained before: new inspectors are coming on, the powers of inspectors and the turnover in a tight labour market are reflected there. One will notice in there that what is different are the projections for 2022-23 and 2023-24. What we have been talking about in terms of compliance and enforcement visits, where it was 17,000 down to 10,000, we do not see that replicated there. As I explained, the system error that wrongly put down the projection of 17,000 does not occur for the one below.

**Mr COWDREY:** In the last 10 minutes, I might move to ReturnToWork.

**The Hon. K.J. MAHER:** They thought they were getting off scot-free.

**Mr COWDREY:** Michael never had such a run unfortunately.

**The Hon. K.J. MAHER:** I did just tell Michael I might dock his pay this afternoon for not having any questions asked.

**Mr COWDREY:** I have one final question in regard to SafeWork. Are there any additional plans in terms of additional inspectors for the coming financial year? How many of that FTE still remains unfilled? You talked about aiming for 117.

**The Hon. K.J. MAHER:** Yes, I am advised that recruitment is underway for a further two inspectors and a further two investigators.

**Mr COWDREY:** Would you also provide on notice, given you do not have it here, a separation of the compliance branch numbers and the actual inspector numbers for FYs 2021-22, 2022-23 and 2023-24?

**The Hon. K.J. MAHER:** I am happy to take that away and see what I can provide.

**Mr COWDREY:** Chair, this is one where I may need your forbearance because I think there is one single reference to ReturnToWork in the whole of the budget papers, as we find each and every year.

**The CHAIR:** What, you mean you want me to be really kind to you?

**Mr COWDREY:** You can interpret that as you wish, Chair. In regard to ReturnToWork—

**The CHAIR:** Give me the reference first and then I will decide whether the question is okay.

**Mr COWDREY:** At page 78 of Budget Paper 3, ReturnToWork Corporation—the one and only reference to it in the budget papers—are you able to confirm the total headcount and actual FTE for the organisation as of today?

**The Hon. K.J. MAHER:** I am advised that the budgeted FTE count for June 2023 is 275. I am further advised that the actual FTE count as of May 2023 is 270.

**Mr COWDREY:** There are five unfilled vacancies.

**The Hon. K.J. MAHER:** Yes, budget for June 2023 of 275; actuals of May 2023, 270.

**Mr COWDREY:** Are you able to advise what the current scheme funding ratio is?

**The Hon. K.J. MAHER:** My advice is that as of 31 December 2022, the scheme funding ratio was 92.7 per cent. I am advised that the forecast for the end of this financial year is 93.5 per cent.

**Mr COWDREY:** When was the last time that Finity provided actuarial advice to ReturnToWorkSA?

**The CHAIR:** Which dot point is that?

**Mr COWDREY:** There is only one dot point.

**The CHAIR:** In the whole budget paper?

**Mr COWDREY:** Yes.

**The CHAIR:** I am not sure how that question relates to the full-time equivalents.

**The Hon. K.J. MAHER:** I am advised that Finity as the actuaries provide twice yearly advice to ReturnToWorkSA on the scheme, but I am advised that they have regular advice about various aspects of the scheme that is provided. But the major advice and the valuation in relation to the scheme occurs twice yearly.

**Mr COWDREY:** And the last time that occurred was December?

**The Hon. K.J. MAHER:** Yes, December 2022, giving rise to the figures that I have mentioned as to the funding ratio of the scheme.

**Mr COWDREY:** Yes. In regard to unfunded liability, have there been changes there? Are you able to outline for the committee the unfunded liability as at December 2022?

**The Hon. K.J. MAHER:** We can take a few minutes getting numbers or I can provide that on notice, but it will be 92.7 per cent of whatever the full funding of the scheme is. I am happy for you to ask questions, and if we can get it by the time we finish I will provide it. If not, I will bring that on notice if the calculators work quick enough before we finish.

**Mr COWDREY:** Would you be happy to take on notice as well the number of claims that have been received this financial year compared to last?

**The Hon. K.J. MAHER:** We might have those. Yes, in fact I can provide advice for the member that, as of December 2022, at the scheme funding ratio of 92.7 per cent, the net liabilities of the scheme were \$307 million. Sorry, the question was number of claims for this year compared to last year?

**Mr COWDREY:** Yes. So the unfunded liability was \$307 million?

**The Hon. K.J. MAHER:** \$307 million at a funding ratio of that 92.7 per cent.

**Mr COWDREY:** Do you have the projection for end of year?

**The Hon. K.J. MAHER:** The projection for the end of the year is a funding ratio of 93.5 per cent. Again, we may get the answers by the time we finish of what the scheme—

**Mr COWDREY:** Claim numbers are probably more important, if you are able to provide the final result for last financial year and estimated result for this financial year.

**The Hon. K.J. MAHER:** It might be that I have to provide the actual numbers for the member. What I can provide is, to the end of May, the claim numbers are 0.5 per cent—so half of 1 per cent higher this year than at the same period last year, so it is very similar to last year. I do not have the absolute numbers but I am happy to go away and look for them. In fact, I can give the actual number—13,183 for the year to date, as at the end of May.

**Mr COWDREY:** I take it the government is still committed to ensuring that the annual premium remains under 1.9 per cent?

**The Hon. K.J. MAHER:** As we have said in the past, the changes that this parliament decided to make I think were a bipartisan endeavour. The advice we received at the time was that the combination of those changes, which included the ability for the combination of injuries—as the Supreme Court in the Summerfield case had said—to happen under the legislation as it stood, combined with the increase in the whole-person impairment threshold from 30 to 35 per cent. As we said at the time, our advice was that that should be capable of seeing the scheme remain under that figure.

The board determined a rate of 1.85 per cent last financial year, which was substantially under what the actuarial advice said it was capable of remaining under. That was a result that I think bore out what the advice was at the time.

**Mr COWDREY:** In regard to Budget Paper 3, page 77 again, the section 18 review currently underway, when do you expect to have legislation before parliament regarding that review?

**The Hon. K.J. MAHER:** As the member has pointed out, we announced last year that we would be reviewing section 18, that is, that part of the act that deals particularly with returning people to work and the parameters around that. A number of roundtable discussion papers and forums have been held. I would expect legislation certainly this year in relation to the Return to Work Act section 18 review we have undertaken.

**The CHAIR:** Minister, thank you for your response. The allotted time having expired, I declare the examination of ReturnToWorkSA and SafeWork SA complete. The examination of the proposed payments will continue on Tuesday. I would like to thank the minister and his advisers for their attendance today, and I would like to thank members of the committee for attending to ask their questions today. I would also like to thank the parliamentary staff, who have wonderfully supported me throughout the day.

At 17:16 the committee adjourned to Friday 30 June 2023 at 09:00.