

HOUSE OF ASSEMBLY

Tuesday 16 June 1998

ESTIMATES COMMITTEE B**Chairman:**

The Hon. G.M. Gunn

Members:

Mr M.J. Atkinson
 Ms F.E. Bedford
 Mr M.L.J. Hamilton-Smith
 Mr K. Hanna
 Mr R.J. McEwen
 Mr E.J. Meier

The Committee met at 11 a.m.

 Courts Administration Authority, \$56 275 000
Witness:

The Hon. K.T. Griffin, Attorney-General, Minister for Justice, Minister for Consumer Affairs.

The Hon. J.J. Doyle, Chief Justice, attended on behalf of the Courts Administration Authority.

Departmental Advisers:

Mr J. Witham, State Courts Administrator.
 Mr T. O'Rourke, Manager, Resources.
 Mr M. Church, Manager, Finance.

The CHAIRMAN: A relatively informal procedure is traditionally adopted. There is no need for members to stand to ask or answer questions. The Committee will determine the approximate time for consideration of proposed payments to facilitate the changeover of departmental advisers. I understand that the Minister and the Opposition spokesman have agreed to a timetable. Changes to the composition of the Committee will be notified as they occur. Members should ensure that they have provided the Chair with a completed request to be discharged form.

If the Minister undertakes to supply information at a later date, it must be in a form suitable for insertion in *Hansard* and two copies submitted no later than Friday 3 July 1998 to the Clerk of the House of Assembly.

I propose to allow the lead speaker for the Opposition and the Minister to make opening statements, if they desire, of approximately 10 minutes. There will be a flexible approach in giving the call and asking questions, based on three questions per member. Members may also be allowed to ask a brief supplementary question to conclude a line of questioning, but any supplementary questions will be the exception rather than the rule.

Subject to the convenience of the Committee, a member who is outside the Committee and who desires to ask a question will be permitted to do so once the line of question-

ing on an item has been exhausted by the Committee. An indication to the Chair in advance from the member outside the Committee wishing to ask a question is necessary.

Questions must be based on lines of expenditure as revealed in the Estimates Statement on page 15. Reference may be made to other documents, including Portfolio Statements (Parliamentary Paper 16). In referring to programs, members must identify page numbers of the relevant financial papers from which their question is derived. Questions not asked at the end of the day may be placed on the next sitting day's House of Assembly Notice Paper.

I remind the Minister that there is no formal facility for the tabling of documents before the Committee. However, documents can be supplied to the Chair for distribution to the Committee. The incorporation of material in *Hansard* is permitted on the same basis as applies in the House of Assembly; that is, that it is purely statistical and limited to one page in length. All questions are to be directed to the Minister, not to the Minister's advisers. The Minister may refer questions to his advisers.

I also advise that for the purposes of the Committee some freedom will be allowed for television coverage by allowing a short period of filming from the northern gallery.

I declare the proposed payments open for examination and refer members to pages 91 to 94 and 103 to 105 of the Estimates Statement and to the Portfolio Statement 1998-99 Budget Paper 4 Volume 1. Minister, do you wish to make an opening statement?

The Hon. K.T. Griffin: I do want to make an opening statement and then, as I usually do, I want to talk for a few minutes about the Courts Administration Authority and its unique role. But as this is the first occasion on which the two Justice portfolio Ministers in their new capacities, and also the various Justice portfolio agencies, have attended before the parliamentary Estimates Committee, I want to provide a brief opening statement to the Committee which details the structure and organisation of the Justice portfolio. While the Minister for Police, Correctional Services and Emergency Services is not here at the moment, he will be here for that part of the portfolio for which he has specific responsibility.

Following the Premier's post election announcement on 20 October 1997 of the new Cabinet portfolio structure, the Justice portfolio was brought into existence and comprises the Attorney-General's Department, the South Australian Police Department, the Department of Correctional Services, the South Australian Metropolitan Fire Service, the South Australian Ambulance Service, the Country Fire Service, the State Emergency Services and Fire Equipment Services SA.

As Attorney-General, I also have a ministerial responsibility for the Courts Administration Authority, which is a statutory authority independent of the Executive Government and which provides administrative services to the courts. In a moment, when we get to that part of the portfolio, I will provide a little more detail about the relationship of the Courts Administration Authority to the Executive Government.

Within the Attorney-General's Department are the Crown Solicitor, providing legal services for the whole of Government, the Director of Public Prosecutions, who cannot be directed by me as Attorney-General unless I give a public notification of any direction—

Mr Atkinson interjecting:

The Hon. K.T. GRIFFIN: You can raise some issues later if you want to. You do not seem to know the law at times—and the Equal Opportunity Commissioner, who is a

statutory officer. In light of the interjection of Mr Atkinson, it is probably appropriate to note that neither I nor my predecessor has sought to give directions to the Director of Public Prosecutions on specific issues. My predecessor, the Hon. Mr Sumner, gave a direction which was on the public record in relation to certain policy issues relating to victims.

As members would be aware, I was sworn in on 20 October 1997 as the Minister for Justice, which was a new ministerial title and I also retained the existing ministerial title in the roles of Attorney-General and Minister for Consumer Affairs. Pending the passage of the necessary amendments to the Constitution to give effect to the new Cabinet and ministerial portfolio arrangements, I was also Minister for Police, Correctional Services and Emergency Services.

Following the passage of the Statutes Amendment (Ministers of the Crown) Act 1997, which was assented to on 11 December 1997 and which came into operation on 17 December 1997, the Hon. Iain Evans was appointed on 17 December 1997 as the Minister for Police, Correctional Services and Emergency Services and I ceased to hold that portfolio responsibility although, as Minister for Justice, all the relevant Acts are committed to me but delegated to the Hon. Mr Evans in the exercise of those ministerial responsibilities. Mr Kym Kelly was appointed as Chief Executive, Department of Justice on 23 October 1997 and he also remains Chief Executive of the Attorney-General's Department.

It is important to understand that, in the Justice portfolio, no changes have been made to any of the structures in any of the administrative units—the Correctional Services Department and the Police Department, both of which are governed by separate pieces of legislation, and the Attorney-General's Department, or to the Emergency Services agencies, which cover a diverse range of legal entities, which I will briefly describe.

The Country Fire Service was established by the Country Fires Act 1989 and a majority of the CFS Board is appointed by the Governor on the nomination of non-government bodies. The CFS board is responsible to the Minister for the administration of the Act but is not subject to the control and direction of the Minister.

The South Australian Metropolitan Fire Service is created by the South Australian Metropolitan Fire Service Act 1936, and the corporation is the Minister. Persons employed under the Act—the officers, firefighters and other employees—are not public servants employed under the Public Service Management Act.

The South Australian Ambulance Service is an incorporated association, incorporated under the Associations Incorporation Act 1985, and receives statutory recognition in the Ambulance Services Act 1992. The governing body of the association has three members out of 10 nominated by the Minister, but there is no other capacity for direct intervention by the Minister in the affairs of the association. Its employees are not public sector employees and cannot be transferred to the Public Service by proclamation.

Fire Equipment Services is a Public Corporations Act subsidiary of the Minister, established by the Public Corporations (Fire Equipment Services) South Australia Regulations 1996. It is subject to the control and direction of the Minister, and its employees are public sector employees, who may be transferred to the Public Service by proclamation.

Finally, State Emergency Services SA is an administrative unit established by the Governor, pursuant to the Public Sector Management Act.

I also emphasise that no changes have been made to the chief executives of any of the administrative units or statutory authorities. The chief executives of all the other agencies within the justice portfolio are as follows: the Commissioner, Mal Hyde, of the South Australian Police Department; Mr John Paget, Department for Correctional Services; Mr John Derbyshire, South Australian Metropolitan Fire Service; Mr Ian Pickering, SA Ambulance Service; Mr Stuart Ellis, Country Fire Service; Mr Brian Lancaster, who is the Acting Chief Executive of the State Emergency Service; and Mr Tony Park, Fire Equipment Services SA.

Very early in the life of the new Government, both the Hon. Iain Evans and I visited all the agencies comprised within the justice portfolio, and we took that opportunity to emphasise that the role and functions of each of the agencies within the justice portfolio were to continue but that the bringing together of all the agencies within the portfolio grouping offers opportunities to examine whether common services across the portfolio can be better coordinated and rationalised so as to provide even better services to meet the specific needs of agencies within the justice portfolio as they provide their services to the community.

Accordingly, a very careful examination of most of the corporate services areas of the justice agencies—excluding at this time the Metropolitan Fire Service, CFS, SES, FES and the Ambulance Service—is being undertaken to determine what, if any, services should be shared or coordinated across the portfolio. That project is not yet complete, and it is thus premature to declare any outcomes as to this investigation, which has been the subject of a specific consultancy with Arthur Andersen and Associates.

However, I would anticipate that probably by the end of July we will be in a position to determine more precisely how any shared services concept might be implemented and how the overall portfolio services might be best coordinated. Until these tasks are complete, no officers, other than the Chief Executive Officer, have yet been appointed to or transferred to the Department of Justice.

Administrative and support arrangements for both Ministers are serviced through a single ministerial administration office, located adjacent to my ministerial office on the eleventh floor, Mercantile Mutual Building at 45 Pirie Street. The offices of the Minister for Police, Corrections and Emergency Services are located on the sixth floor of the Mercantile Mutual Building, and the Minister is serviced by two ministerial staff only.

Strategic advice and assistance on a wide range of justice and emergency services issues have been provided to both Ministers through the newly established Justice Strategy Unit, presently located in the Attorney-General's Department. Legislative initiatives are handled partly by the relevant agency and partly by the Legislation and Policy Division of the Attorney-General's Department, particularly with the Legislation and Policy Division as the initiatives move towards Cabinet consideration, drafting and introduction into the Parliament.

In general terms, corporate and administrative support for whole of portfolio issues has been provided by the existing Corporate Services Section of the Attorney-General's Department and by the Deputy Chief Executive, Kate Lennon, and the Justice Chief Executive, Kym Kelly.

Some of the many corporate portfolio issues which have been tackled include: the Year 2000 Task Force, the Procurement Review, a youth employment initiative, budgetary reform issues and whole of Government accommodation plans. The Chief Executive and Deputy Chief Executive also provide coordination and feedback to portfolio chief executives and agencies on a number of issues from relevant agencies in respect of a range of existing cross-portfolio, cross-agency and cross public-sector bodies, including the Senior Management Council; the Emergency Management Council, which I chair; the Prudential Management Group, which the CEO of the justice portfolio chairs; the Justice Executive Group; and the Justice Information System Board of Directors. That is an across portfolio perspective which I hope members, particularly those who are new to the Parliament, might find useful in giving them some overview of the structure of the portfolio.

In terms of the Courts Administration Authority, I reiterate that it is an independent statutory authority created by State statute. It is independent of the Government in the sense that it cannot be given directions. Nevertheless, it depends for its financing upon a budget which must be approved in the first instance by me as Attorney-General and ultimately by the Parliament in the Appropriation Bill.

The Courts Administration Authority is overseen by the Judicial Council, which comprises the Chief Justice, the Chief Judge of the District Court and the Chief Magistrate. That body acts very much like a board of directors of a normal corporation. It ultimately has the responsibility to take decisions on behalf of the Courts Administration Authority. It has responsibility for managing the administration of all the courts in the State with, I think, one or two minor exceptions. The Chief Executive Officer is Mr John Witham, who is the State Courts Administrator.

As you have indicated, Mr Chairman, I will be primarily responsible for answering questions, but those members who have been participants in this Committee before will know that I am not too reluctant to refer questions to either the Chief Justice or the State Courts Administrator or other officers in respect of this segment or to other officers in respect of other segments. As members know, the questions will come to me, but if I feel it is appropriate I shall be happy to refer them on.

Mr ATKINSON: I think it should be noted that, owing to the rearrangement of the Ministry so that we now have 10 Cabinet Ministers, the examination of the budget by the Estimates Committee has been considerably curtailed and many hours have been lost. I thank the Attorney for not deviating from his usual practice of making a long-winded statement of the bleeding obvious, taking 10 minutes out of the examination of his portfolio—and I am sure he will do that in every area.

I refer to the program entitled 'Administration of justice in the appellate jurisdiction'. Section 6(3) of the Legal Practitioners Act provides:

An undertaking by a legal practitioner to practise solely as a barrister or to practise solely as a solicitor is contrary to public policy and void.

The Supreme Court requires candidates for Queen's Counsel to sign the following undertaking:

I hereby undertake that if I practise in future as a solicitor or in partnership or association with a solicitor, I will not while so practising use or permit my partners or associates to attribute to me in connection with any such legal practice the title of QC or Queen's Counsel or any other indicia of the office of Queen's Counsel.

I heard last year from the Attorney-General and the Chief Justice what an excellent idea the undertaking was on policy grounds, and that is not a matter I want to explore on this occasion. My question is: is the undertaking compatible with section 6(3) and, if so, why?

The Hon. K.T. Griffin: This is a hoary old chestnut.

Mr ATKINSON: But it is a good one.

The Hon. K.T. Griffin: That is a matter of judgment, Mr Chairman. I do not have any difficulty with the undertaking. I know that my predecessor had considerable difficulties with it, but he clashed with the former Chief Justice about that undertaking. There is a lot of history to this and, of course, there are differing views as to whether Queen's Counsel, when appointed, should be allowed to be members of legal firms, whether they should be at the separate bar, whether they should be entitled to be committed to particular clients or be available at large. I take the view that they should be disengaged from any legal firm.

Mr ATKINSON: That is not what I asked.

The Hon. K.T. Griffin: I know that you have not asked it, but I am giving the background so your question can be put into context. In fact, I believe they should not be the captive of any one legal firm or the clients of that particular legal firm.

As I say, I do not have a difficulty with the undertaking, but the Chief Justice has raised it again with me recently. I have undertaken to have another look at it, particularly in the context of some reviews that are currently being undertaken in respect of the Legal Practitioners Act, and it may be that ultimately we decide to seek to repeal the provision in the Legal Practitioners Act so that we can get the question off the Estimates Committee agenda. I invite the Chief Justice to make any other observations on it.

The Hon. the Chief Justice: I believe the undertaking is consistent with the terms of the Act, but I recognise views could differ. I have raised the matter with the Attorney-General for that reason and invited him to consider whether an amendment should be proposed, and I am awaiting a response on that. I consider that it is consistent but I recognise one could—as Mr Atkinson probably does—legitimately take a different view.

Mr ATKINSON: I thank the Chief Justice for that answer. Obviously, if the Chief Justice is going to insist on the undertaking it would be desirable that the Act be amended so there is no conflict.

The Hon. the Chief Justice: I agree and that is one reason why I raised it with the Attorney-General. I did not feel comfortable about the situation. As I acknowledge, the position may be debatable and I would prefer it be cleared up one way or another.

The Hon. K.T. Griffin: Mr Chairman, as I have indicated, I am looking at it in that context.

Mr ATKINSON: Under the heading 'Support Services', it is there mentioned that the construction of the new Adelaide Magistrates Court has been completed and that in the next financial year the redevelopment of the Adelaide Youth Court will be completed. As these major projects were completed under the auspices of our Attorney-General, will he tell the Committee what input he had into design and aesthetics, and whether he will be proud in 20 years of these monuments to his stewardship?

The Hon. K.T. Griffin: The Youth Court has not yet been finally approved by the Adelaide City Council. There are a couple of difficulties with that and a couple of difficulties with the Public Works Committee in relation to the Youth

Court, but the normal processes with respect to the Youth Court have been followed to ensure that it is dealt with consistently with the legal processes required. Hopefully, we will have that sorted out with the council and the Public Works Committee in the not too distant future. In terms of aesthetics, I do not have any role to play in that. Essentially, my role is to ensure that the building is progressed because there is a very significant shortage of space in the Youth Court.

Since the new juvenile justice package came into operation at the beginning of 1994, we now have family conference teams, juvenile justice co-ordinators and a range of people involved in the new system and many are located in places away from the court. I have a strong view that that is undesirable and we ought to bring them together. It is critical that we get the Youth Court building up as soon as possible. The Lord Mayor is reported to have made some comment about the aesthetics of it. I am not in a position to make a judgment about that.

In terms of the Adelaide Magistrates Court, my role was to ensure that it was built. It was delayed for several years under a previous Labor Administration. The accommodation of the magistrates until the time they moved into the building was shocking and I and this Government take credit for having got the building to the point where it is now occupied. I realise that there are some controversial aspects of its design. I had no part in the design. We did ensure that local artists were involved in some of the work—the windows and some of the form work and panelling. Even that will be controversial, but it is a good thing for South Australia for South Australian artists to be involved in public projects. Whilst we may have differing viewpoints on how it has all shaped up, I do not have a problem with it.

Some people have been critical of the design of the Magistrates Court, but I know that the Chief Magistrate was delighted with the way in which it came together, certainly from working inside it. We can agree to disagree on the aesthetics. I make no judgment about what it will be like or how it will be regarded in 20 years' time: I will not be in politics.

Mr ATKINSON: I refer to the 'Statement of outputs' on page 4.43 as follows:

- provide public understanding of and confidence in the courts.

On talk-back radio the courts are so regularly criticised that there seems to be an assumption among the audience that the judiciary is incompetent or has elitist values at odds with the ordinary right thinking South Australian. When will a plain spoken member of our judiciary or the Courts Administrative Authority take the responsibility of listening to some of these programs and wading into debate to defend the court system and the rule of law from time to time?

The Hon. K.T. Griffin: I do not agree with the perception. It may be the perception of a few and certainly of those to whom Mr Atkinson might seek to communicate at times through radio 5AA. If that is a perception he has it might be a perception to which he has contributed in some of the remarks he has made about the courts. There are differing views about the way in which the courts approach their task and the way in which they may sentence, but it is not helped by members of Parliament being critical about particular instances when they do not know all the facts.

Since those observations one can reflect upon the fact that many judges and magistrates are out there attending justice, law and order or other public forums. The Chief Justice,

Justice Mullighan and other District Court judges and magistrates who go on circuit are constantly meeting with local community groups about the administration of justice. The Chief Justice himself goes on talk-back radio. That is a good way in which they can communicate to the public a broader perspective than that which sometimes Mr Atkinson might wish to communicate or which might be communicated by some people in the public media. Having said that, I will flick-pass the matter to the Chief Justice, who is in a much better position to deal with that issue than I.

The Hon. the Chief Justice: Judges do speak quite a lot to community groups, which I think is equally relevant. I cannot accept all the invitations I get. When I am making the choice I tend to prefer to select groups other than what you might call the professional groups—the sort of people you would usually bump into—and I think other judges do the same. So we do make a real effort to communicate with people who have an interest in the system and, as I said, who are representative of the ordinary community.

As far as Mr Atkinson's question goes, I think that, frankly, if every time something cropped up on talkback radio that appeared to reflect on the judiciary and we bit back it might be counterproductive. That is the real problem. As he knows, I have considered appearing on some of the programs where more extreme points of view are expressed on talkback radio, but there are obviously reasons why that might not be desirable either because, to put it bluntly, you can get into an undignified wrangle and, if it gets to that point you either back off, and to many listeners it will look as if you have lost, or you join what is an undignified wrangle.

Personally I regard talkback radio as an excellent way of communicating with the public. I thoroughly enjoy doing it and the impression I get from the calls that come through are that the people who are listening enjoy it, too. So, I am sympathetic to what he says generally but I do not think it would be productive for us to be unduly defensive. I think, probably like members of Parliament, we have to put up with a certain amount of flack and just say that it goes with the territory.

Mr MEIER: I refer to the program description for the Courts Administration Authority under the program title 'Administration of Justice in the Criminal Jurisdiction'. I notice that under 'Specific Targets/Objectives' there is the wish to create a new penalty management organisation to manage the improved fine enforcement process which resulted from the review of the current fines enforcement system for payment of infringement notices, court fines and orders. Can the Attorney advise the committee of the current progress towards the new fine enforcement scheme and outline the role of the penalty management organisation?

The Hon. K.T. Griffin: I have previously made some public statements about a new system directed towards ensuring that there is a higher level of payment of fines and expiation fees. Legislation is currently being drafted in relation to that and I would hope that, if not in the first week hopefully in the second week back, we might have legislation into the Parliament so that all members will get an opportunity to see the scope of that legislative initiative.

The object of the new system is to strengthen the integrity of the fines and expiation of the system. We estimate that in the first full year of operation of this we should be able to recover something like an additional \$27 million in fines and fees unpaid. If one looks at it as a matter of principle one could feel justified in arguing that if you were the subject of a fine or a penalty and you paid it on time, or even paid it

over a period of time but ultimately met your dues, you would feel some sense of injustice if there were those who could get away with not meeting their legal commitment to society.

So it is important to ensure that there is a system which does have integrity. It will, I think, minimise enforcement actions. One of the things we are also trying to do is to ensure that we keep as many, if not all, fine defaulters as possible out of court. The last thing we want to see is imprisonment being used as the ultimate sanction for fine default. There is a cost to the community and there is also a cost to the individual in allowing default to be served in prison. There will be a streamlining of administrative procedures for collections. In the Courts Administration Authority a new Penalty Management Unit is being established which is undertaking a pilot project to seek to recover a number of unpaid warrants.

We estimate that for an expenditure of about \$300 000 we should be able to recover about \$1 million during this pilot period. That pilot call centre is to be established in the Port Adelaide Magistrates Court precinct, and it will be a valuable means of testing the proposed new system. Under the new system, which will be reflected in the legislation, we also intend to ensure the appointment of Aboriginal justice officers, and their role will be to provide information to Aboriginal people on the new penalty management systems, to assist Aboriginal defendants in court and to explain to Aboriginal people receiving fines their payment responsibilities and options. We are hoping by that method to keep a significant number of Aboriginal fine defaulters out of the system, yet ensure that they meet their obligations to society.

Mr MEIER: My second question relates to the administration of justice in the civil jurisdiction. Under 'Issues and trends' it is stated that a court annexed managed mediation program is being trialled in the higher courts, with a view to settling a greater number of matters at an earlier stage in proceedings. Will the Attorney outline this initiative and advise the benefits to potential litigants?

The Hon. K.T. Griffin: I will ask the Chief Justice to deal with this question; it is very much within the day-to-day responsibilities of the courts.

The Hon. the Chief Justice: All three of the main courts—the Supreme Court, the District Court and the Magistrates Court—actively encourage mediation. In a nutshell, if it is successful it can get cases out of the system sooner, and that means that the court no longer has to concern itself with the case. It can mean lower costs to the parties, because it means a settlement. In some cases it can mean a better result, in that the parties mediating can agree on a more flexible outcome than the court can provide by a court order. In the Supreme Court judges have been doing a fair amount of it, but they have to fit it in with their other work, so it is somewhat *ad hoc*.

In the District Court the Chief Judge has not found it practicable to make judges available do it, because of the greater amount of work there. We felt that, because we should be encouraging mediation, we should try to provide it in the District Court and see what call there was for it. There is an issue of principle there: we believe very strongly that if people bring a case to court we should not tell them that they must mediate outside the courts at their expense. So, we were looking for a way of doing it within the court system at no added expense to the parties, other than the time in coming along and of course the presence of their own lawyers.

We proposed to the Attorney, and he agreed, that we would draw on the auxiliary fund, which is a pool of money

we have for bringing in retired judges. When there is a backlog or we need to catch up we bring them in on a daily rate and use them to hear cases. We have set up a small pool of retired judges, including the recently retired Chief Judge of the District Court, Don Brebner—people who are trained as mediators—and we are providing them at no expense to the parties, with the costs being met through the auxiliary fund, to conduct mediations where the parties ask for them. We are not putting every case through that process; we simply do not have the resources to do it, but we are doing it when either the judge who looks at the case or the parties suggest that mediation would be worthwhile. That has been in operation this year, so it is too early to tell how successful it will be. It is unlike the system in some States, where they put every case through mediation at a very early stage. We are doing it a bit later in the piece, when the parties or the judge who looks at the case think it may be appropriate.

It is a very worthwhile move, but I cannot say that it will achieve any miracles. Apparently, 14 mediations have taken place under the scheme so far this year, and seven of them have resulted in settlements. In the Supreme Court our own experience has probably been a higher settlement rate, but probably there most of our mediations come closer to trial, when you would expect in any event to get a slightly better settlement rate. That is the position. At the end of this year we will review that program and, being realistic, if it seems to be successful and is not too costly to run, we will continue to provide that service free to litigants before the court.

Mr MEIER: I refer generally to the program descriptions. Recently the media have reported on the number of car accidents involving members of the judiciary. Will the Attorney inform the Committee of the number of vehicles allocated to the courts and the accident incident costs of cars damaged in motor vehicle accidents?

Mr Conlon interjecting:

The Hon. K.T. Griffin: I am not sure what that interjection means; perhaps there will be scope later for exploring what it means. I ask the Chief Justice to deal with that issue.

The Hon. the Chief Justice: There are 75 or 76 vehicles allocated to the judiciary. It is part of the salary package, so we pay for them from our package, depending on the car, from about \$9 000 to \$12 000. Media criticism seems to come about once a year related to the accident rate, and I will make a few comments about that. The vehicles are available for private use and for use by members of the family of the judiciary, so they are in use potentially seven days a week and all hours of the day, compared with some departmental vehicles that would be in use only during working hours. It has been said in the media that the judiciary have the second highest accident rate. As a result of that cropping up again I asked to have a closer look at the figures, and I have gone through them with care.

The first thing I want to say is that what is reported there are not accidents so much as incidents. A number of them were simply incidents where a person left their car at a supermarket and came back to find it was scratched. They put the car in to State Fleet to be repaired and that is reported as an incident. When I went through the figures I found that about one-third of these reported matters were unattended vehicles. Another group were situations where the driver claimed that the driver was not at fault. I also found that one single accident—a car roll-over in the South-East—had accounted for almost one-third of the total dollar damage. When I went through the figures I could not find any signs of persistent bad driving, and that is why I took the view that

was reported in the *Sunday Mail* that it was not appropriate to consider requiring drivers routinely to go through driver education.

It seemed to me that that would be a waste of public money when these statistics were rather meaningless because, first, we are talking about mere incidents and, secondly, on the statistics that were given to me, while the judiciary were identified as the second most incident prone group, I have no idea of the basis on which they have been drawn up. In other words, they do not appear to be per kilometre travelled. I would have thought that, unless you get down to a ratio such as that, the figures do not tell you anything.

Referring to a comment in the *Sunday Mail*, I likewise did not see any evidence of recalcitrant drivers there. That is why, while I would prefer that the judiciary had the best record, whatever was the measure (and it appears that we do not), I do not consider it to be in the public interest or an intelligent use of public time and money to require drivers to undergo training whenever their vehicle is involved in an incident.

Mr HANNA: I refer to the program titled 'Administration of justice in the civil jurisdiction' and the reference to mediation of minor civil claims being extended to general civil claims. Acknowledging the theory of mediation as espoused by the Chief Justice this morning with which I totally agree, can the Attorney-General say what is the success rate of the mediation program in practice in the general civil jurisdiction in the magistrates courts?

The Hon. K.T. Griffin: I do not have the figures, but we may be able to bring back some information. I ask the Chief Justice to comment.

The Hon. the Chief Justice: We do not have figures but we will see what figures can be obtained. My belief is that, in the minor civil claims jurisdiction in the Magistrates Court, the program in which Mr Cannon has taken a particular interest has been very successful, but I do not know that mediation has been pursued as vigorously in the general civil jurisdiction in the Magistrates Court. Mr Hanna might know, but I am not sure. We are talking mainly of the minor claims, and I will have to get figures on the success rate. While I believe mediation is worthwhile, the figures we are able to get have to be interpreted with a good deal of caution. If we look at settlement rates, they do not tell us a great deal because we know that in any event a large proportion of the cases will settle and it is only a matter of when they settle. I have been unable to think of any way in which we can determine reliably whether we are producing settlements earlier than they would have otherwise occurred. We believe we are and there are reasonable grounds for that belief, but I would not pretend that we could prove it statistically.

Membership:

Mr Conlon substituted for Ms Bedford.

Mr HANNA: I desire to ask a supplementary question. Will the Attorney-General say whether he has any assessment mechanism for the mediation process in the Magistrates Court? How is it to be evaluated, given the remarks of the Chief Justice?

The Hon. K.T. Griffin: It is a good question. One of the difficulties is to try to ensure that one recognises that the courts are independent, yet at the same time to encourage new initiatives. I must say that the relationship between the Executive and the courts is a quite healthy one and we do have mutual respect for each other and we do in fact adopt suggestions. If the Chief Justice or other judges make

suggestions about reform to the law, we consider them and frequently make changes to the law. We had a Bill in the Parliament in the past few weeks which addressed issues raised by the courts in relation to sentencing, and vice versa, if there is an issue that I wish to have explored and there is some good reason for doing it, it will be done.

In terms of mediation, I have not got a mechanism for evaluating the value of mediation. Mr Cannon, one of the magistrates, who has a primary responsibility for it, has undertaken some reviews of it. He recently published a paper which I think gives some evidence of the success of the program, but I have no program in place myself in relation to evaluation.

The Hon. the Chief Justice: Mr Cannon did a masters degree, I think in court administration, and, as part of that, he made a close study of mediation in the civil claims jurisdiction. We could probably get a copy and provide it to Mr Hanna. I read it some months ago and it was certainly interesting reading.

On the more general issue of assessing mediation, one of the reasons is what I call a qualitative reason, namely, causing the parties to think at the end of the process that they are more satisfied with how the process went because they find that sort of negotiated settlement better than the doorstep rushed settlement on the morning of trial or a settlement simply negotiated between the lawyers. When you are down to individual satisfaction, it is hard to measure that.

The harder measure would be the savings of costs but, as I said, when you get data it is hard to prove what the costs would have been if the case had not been mediated as against the cost of mediating. All I can say is that in that area there is a fairly general belief that there are cost savings for the parties, but I have yet to see a study that verifies it.

Mr HANNA: I refer to the program 'Administration of justice in the civil jurisdiction' and the reference to long or complex cases in the higher courts. Is the Attorney-General aware of the multiplicity of complex defamation suits brought by Tom and Wendy Chapman with whom he would be familiar as parties with whom the Government is negotiating in relation to Hindmarsh Island Bridge?

The CHAIRMAN: Is that matter still before the court?

Mr HANNA: It is still before the court, but I do not address the nature of the claims themselves. It is only a matter of administration.

The CHAIRMAN: I suggest that the member be careful. There can be no discussion of any matter before the court. I will allow the member to continue but I will be listening carefully.

Mr Conlon interjecting:

Mr HANNA: I do not think the Chairman is one of the defendants, although there are about 20 of them.

The CHAIRMAN: The member should be careful going down that line, too.

Mr Conlon interjecting:

Mr HANNA: The member for Elder is spurring me on, but I will leave that to one side.

The CHAIRMAN: I am sure that the honourable member does not need any coaching from Mr Conlon, either.

Mr HANNA: I am learning a lot from him, Sir! Have the Attorney and the Courts Administration Authority factored in these numerous defamation actions by the Chapmans as long as complex cases? They should be well known to the Government and I query whether they have been built into those estimates of long and complex cases which will take up

much court time and, I suppose, hundreds of thousands of dollars of public money to deal with.

The Hon. K.T. Griffin: In a moment I will ask the Chief Justice to comment but, from the information I have, they are not in the Supreme Court—and certainly not in the Supreme Court long and complex cases list that I have seen. They may be in the District Court but I do not have any special knowledge of them because I am not a party, nor is the Government, to any of those claims, and one should probably leave it to the courts to administer them.

However, one cannot get away from the fact that whoever the litigants are and however much one might agree or disagree with the litigants in taking actions, they have a right to take them, and those issues will be managed through the court processes without interference from me or any other member of the Government. The member should recall that we did take the initiative last year to settle some significant long and complex cases involving the State Bank which have taken much pressure off, but there are still a number of others where there is pressure and the challenge is to manage them effectively. I ask the Chief Justice to make some observations.

The Hon. the Chief Justice: I have no knowledge of the cases. It may be that they are in the District Court. If they were in our long and complex list I would know of them because I keep a printed list of all cases in that list. I suspect that is the court they are in. At the end of the day, if people bring their cases to the court, we have to hear them and, provided that the case is not obviously unmeritorious, it is entitled to go to trial and we have to deal with it.

Mr HANNA: I am not commenting on the lack of merit. In relation to the performance indicators in the higher courts where clearly, despite the best efforts of His Honour and the other judges, there are still considerable delays and a number of cases not meeting the published performance standards, the question really is for the Chief Justice: is there a need for one or two more Supreme Court or District Court judges to deal with those delays?

The Hon. K.T. Griffin: I will answer the question first and then invite the Chief Justice to respond. The difficulty is always to determine what should be the appropriate standards. Standards were fixed by the courts back in the time of my predecessor, the Hon. Mr Sumner. My understanding is that he was not involved in setting those or in advising or being consulted on those standards, but I may be wrong.

I have always had the view that if the courts seek to set that standard that is a matter for the courts, it is not necessarily a standard which in the broader political perspective one would necessarily agree with, although the records in South Australia in relation to this position of cases, particularly in the criminal jurisdiction, are quite good. So far as the additional judicial resources are concerned, I will ask the Chief Justice to respond.

The Hon. the Chief Justice: The short answer to the question is, 'No, I do not think we need more judges.' I will explain why. In the Supreme Court, the standard is for 100 per cent of civil cases to be disposed of within 52 weeks of the issue of proceedings. In 1995-96, 34 per cent of the cases met that standard. This year, it is predicted that only 23 per cent will, and it may seem odd that I am saying that I do not think we need more judges, given that we are going backwards. My own view is that that standard is probably unrealistically optimistic, having regard to the sorts of cases with which we are dealing. In one sense a year is a long time, but 52 weeks from go to whoa for 100 per cent of Supreme

Court cases is, as I said, very optimistic. Many of the cases that come to us take a long time to prepare.

In the District Court, the standard is 90 per cent of cases disposed of within nine months of service of the summons. In 1995-96 they achieved 60 per cent. In the current year, it is predicted to be 50 per cent—again, even there, the standard is a bit optimistic.

We are finding that, to a considerable degree, the problem is not a lack of judges but the parties' not being ready. I am not saying that, if everyone got their case ready, we would have the judges available to hear them all straightaway. To a considerable degree we are trying to manage the cases to get them ready for trial sooner than they otherwise would be. We have to strike the right balance there.

In modern terminology, if you use value adding, we could manage the cases really intensively. However, overseas experience suggests that all we would do there is increase the costs to the parties through constantly bringing them up to court, explaining where the case has got to and why it has not moved faster.

We have to strike that balance of not trying to inflict pointless cost on the parties in the pursuit of excessive speed but at the same time getting the cases to court as quickly as we reasonably can. At the end of the day, if we had another judge or two, there might be some very marginal improvement, but by and large we are able to cope with the cases that want to be listed. We cannot always give people a listing the minute they want them, and we have difficulty with the long and complex cases—cases listed for four weeks or more—because most of our rosters work on a monthly basis, and I will not bore the Committee with that detail.

The other major problem that is affecting our efficiency is that over 50 per cent of these longer cases—and I do not have precise figures relating to this—go for up to twice as long as the estimates we are given. We find it extremely disruptive that, if we are given an estimate that a case will run for, say, four weeks, we start it and then, as is not uncommon, it goes for six, eight or nine weeks, because that judge will have previously, some months in advance, been rostered to move onto other things after the four weeks. A lot of cases in that category are throwing our roster out of kilter.

In the criminal jurisdiction, the time standard is 90 per cent of cases for the trial to start within 90 days of first arraignment. In 1995-96, we achieved that with only 17 per cent; in the current year we predict it will be 11 per cent. We are starting to catch up there, although I could not pretend it is necessarily due to our virtues: the number of lodgments has gone down—although, again, lodgments are a rather unreliable indicator. What you really need to know is how many of the lodgments are likely to go to trial. Through a committal unit that the Attorney-General has established, we are finding that more of the chaff is being winnowed out, but it does not necessarily mean that you are significantly reducing that hard core of cases that will go ahead.

However, we are starting to catch up in the criminal jurisdiction. Again, the picture is much the same there: that, by and large, if the DPP and the defence could get their cases ready sooner, frequently we could hear them sooner. Once again, while increasing the number of judges might have some affect on the disposition rate, efforts to ensure that the preparation is a conducted more efficiently and expeditiously are more likely to be productive, and this is where we are focussing. We have to work with the profession, and that is what we are trying to do. I am not saying that it is their fault. However, we must try to work together in both the civil and

the criminal jurisdictions and find ways of preparing the cases as quickly and as efficiently as possible.

Mr HANNA: If the performance indicators are unduly optimistic, based on the past few years of experience, has any thought been given to changing those indicators or desired results and, if so, who would initiate that? I understand that question will be taken on notice.

Mr ATKINSON: The Hon. C.J. Sumner wrote to the Attorney-General and the Chief Justice on the point of section 6(3) of the Legal Practitioners Act on 20 August 1997. When will either of the gentlemen grace the Hon. C.J. Sumner with a reply? Referring to the administration of justice, in the civil jurisdiction under 'Issues/Trends', I notice that civil lodgments in the Supreme Court are down 16 per cent in a year. In the program titled 'Administration of Justice in the Appellate Jurisdiction—Issues/Trends', I note that criminal appeal disposals have decreased by 18 per cent in comparison with 1996-97. What are the reasons in each case?

Staying with the same lines, it is said the changing nature of matters coming before the courts has led to more lengthy trials and also an increase in the number of trials of 10 days or more being listed. Just what is the changing nature of these matters, and how much can be attributed to complicated legislation?

The final dot point under 'Issues/Trends' says that two large organisations—SA Water and ETSA—have been pursuing outstanding debts through the Magistrates Court Division in the past 12 months, lifting significantly the number of civil lodgments. Why this flurry by SA Water and ETSA, and how did they collect their debts in the court system previously?

In respect of the same program title, under 1998-99 specific targets and objectives, it is stated:

Consideration is to be given to the provision and establishment of a high technology courtroom.

What will be different about such a courtroom? In respect of the program title 'Coroner's Investigations', under 1997-98 specific targets and objectives it is stated:

Reviewed charges and arrangements for conveyance of deceased persons in country areas with no change to current fee structure.

What was the outcome of that review? I might add that during the debate in the House over whether the Estimates Committees should be contracted owing to the reduced number of Cabinet Ministers, the Deputy Premier gave an assurance that we would be able to place Questions on Notice during the Committees.

Mr CONLON: My first question relates to an 18 per cent reduction in the disposal of criminal appeals. Has the reduction in legal aid funding had anything to do with that? My second question relates to the 19 per cent reduction in the production of transcript. What does that mean, and why has it been reduced by 19 per cent?

The CHAIRMAN: There being no further questions, I declare the examination of the vote completed.

State Electoral Office, \$2 162 000

Departmental Adviser:

Mr S. Tully, Electoral Commissioner.

The CHAIRMAN: I declare the proposed payments open for examination.

Mr ATKINSON: I refer to the State Electoral Office on page 4.65 of the Portfolio Statements Volume 1. In the Attorney's opinion, does the Commissioner have any jurisdiction under the Electoral Act over political material that is distributed and likely to be read before an election is announced?

The Hon. K.T. Griffin: Is the honourable member asking about material that might be published before the writs are issued?

Mr ATKINSON: Yes, before the writs are issued. For instance, a few years ago I asked a question in the Estimates Committee about Southern Expressway material issued by the Government which the Labor Party regarded as misleading political material. It was ruled by the Government not to be misleading for the purposes of section 113 of the Electoral Act because it was issued before the writs. Do we still have that same rule?

The Hon. K.T. Griffin: The law has not changed. Amendments were made to the new Electoral Act in 1985 and during the last Parliament which changed the law relating to misleading advertising. But it is my understanding that, in so far as it relates to material published before the writs were issued (whether it relates to material that candidates have not authorised or otherwise), the law has not changed—at least not that I am aware of. I will ask the Electoral Commissioner to expound on that matter.

Mr Tully: I took legal advice on this matter prior to the last State election in October 1997. I am happy with the advice that I received which depends very much on the interpretation of the terms 'electoral advertisement' and 'electoral matter'. 'Electoral advertisement' means an advertisement that contains electoral matter; and 'electoral matter' means matter that is calculated to affect the result of an election. The effect of the advice which I received and with which I am happy to work is that until an election is announced it is not proper to consider that there is matter calculated to affect the result of it and that the definitions apply only during an election period.

Mr ATKINSON: I refer to the judgment in the Supreme Court case of *King v Electoral Commissioner* delivered on 5 March 1998. On page 2 of that judgment, Mr Justice Prior stated in reference to material issued for an independent candidate in the State District of Davenport:

The second pamphlet was said to be authorised by B. Nicol, of 67 Heather Road, Stirling. Barbara Eva Evans says she authorised the leaflet. Her maiden name was Nicol. Mrs Evans admits that she served on Mr Iain Evans' campaign committee and says that some 9 000 copies of this leaflet were distributed on or about 8 and 9 October through Australia Post. Mrs Evans does not seek to explain why she did not disclose her married name on the leaflet she admits responsibility for, nor does she claim that this was something she has done on other occasions. The Electoral Commissioner has made some inquiries with respect to the complaint about this material. Perhaps some legislative action is needed to control conduct of this kind in future.

Does the Attorney propose to accept Mr Justice Prior's invitation to stop long disused maiden names from being used to authorise electoral material? This is already the case with attempts to insert long disused maiden names on the ballot paper.

The Hon. K.T. Griffin: The King matter is still before the courts. Mr King has sought leave to appeal, and I do not intend to enter into any debate about what may or may not have been said by Mr Justice Prior. We can deal with those issues once the High Court has dealt with this case. The Electoral Commissioner informs me that he has sought leave

to appeal before the High Court. Those matters are not brought on quickly; sometimes you must wait six months to have them heard in the High Court. Those members who are legal practitioners will know that the High Court—

Mr Atkinson interjecting:

The Hon. K.T. Griffin: The honourable member is referring to the content of the case.

Mr ATKINSON: What a cover-up!

The Hon. K.T. Griffin: It is not a cover-up. If we throw barbs backwards and forwards we will never get this matter resolved. The case is before the court. What the honourable member suggests is discriminatory. I think he will find that it is offensive to many married women who prefer to use their maiden name for professional or other purposes. He ought to rethink his proposition.

Mr ATKINSON: Irrespective of the merits of the King case, in the abstract, is the Attorney-General willing to consider amending the Electoral Act to stop long disused maiden names from being used to authorise electoral material, given that the Electoral Commissioner has already ruled in respect of the State District of Coles that a woman who tried to use a long disused maiden name on a ballot paper was unable to do so because it was misleading? That woman's name was Lynch.

The Hon. K.T. Griffin: I am told that Mr Atkinson's recollection of the facts of that case is wrong. Rather than a quick reaction now, I will undertake to give a considered response.

Mr McEWEN: It is recorded that the last State election cost around \$5 per elector, a total of \$5.1 million. Has that been benchmarked and how does it stand with similar State elections around Australia? Therefore, are there some efficiencies in reviewing those costs?

The Hon. K.T. Griffin: I will ask the Electoral Commissioner to respond initially to that.

Mr Tully: The costs for the election are as indicated, around \$5 an elector. The nearest comparison for us to use is Western Australia which has about the same number of electors as this State. It has an Upper House and Lower House configuration whereas Queensland, for example, does not have to contend with that. To the best of my knowledge, the costs in South Australia are about \$1 per elector under those of Western Australia and are generally recognised as one of the most efficient in Australia.

To give a fuller explanation, election costs are especially appropriated. The State Electoral Office works with a core staff of 16 full-time equivalents. The Western Australia office has the benefit of working with at least double that number for about the same amount of work.

Mr McEWEN: I have a supplementary question. Is the Attorney-General therefore considering expanding the number of staff available?

The Hon. K.T. Griffin: No; while they can do the job with the resources they have, there is no reason at all to be generous.

Mr HAMILTON-SMITH: My question relates to page 4.65 under the heading 'Introduction'. In the sixth paragraph, reference is made to the fact that electoral education will remain a priority during 1998-99, which will be the first full year of operation for the Joint Australian Electoral Commission and State Electoral Office Education Centre. Could the Attorney-General elaborate on this initiative?

The Hon. K.T. Griffin: I will ask the Commissioner to talk about it. I have a very strong view that every opportunity

ought to be taken to inform the electorate about the laws and practices relating to the electoral system and the principles upon which it is founded. As a result of the Australian Electoral Commission establishing larger premises at 1 King William Street, there will be an opportunity for the State and Commonwealth to support a Commonwealth-State education centre which will provide a great deal more information about the electoral systems than has previously been available. I will ask the Electoral Commissioner to add to that.

Mr Tully: The plans and development of the education facility are well advanced and we are anticipating completion some time in July, with an opening either in July or some time later in the year. As the Attorney-General has mentioned, the opportunity arose because the Australian Electoral Commission moved its premises in Adelaide to the AMP Building and as part of that relocation was able to acquire a large area suitable for an education facility. Similar facilities exist in other States and in Canberra. We have been able to use much of the know-how gained from the Canberra experience in the module development of the touch screen technology and, therefore, develop it at a significantly reduced cost.

We are excited about the facility which contains seven computer screens. We have used a local graphic designer to deal with the static components of the display. As a result of the different levels of inquiry which can be made on the automated technology, it will provide a great deal of interest to those who have a superficial interest and to those who want detailed information. A support group has been put in place which consists of not only Federal, State and local government representatives who have an interest in electoral administration but also representatives from Parliament and the Department for Education and Training. They will continue to work on and to encourage a collaborative approach to dissemination of electoral education material.

Mr ATKINSON: Staying with the same section of the Portfolio Statements and returning to the King case, the Attorney-General may recall that the King case was seeking orders to have the result in the State District of Davenport set aside. It was not a prosecution by the State. However, an aside was made by Justice Prior in the case and that aside is not the subject of any appeal and, therefore, is not *sub judice*.

The CHAIRMAN: It is getting very close.

Mr ATKINSON: It is a bull's roar away.

The CHAIRMAN: That is not the view of the Chair.

Mr ATKINSON: I know that the Chair is an expert on *sub judice*.

The CHAIRMAN: I do not think that there is any need for you to carry on in that rather childish way: just ask your question.

Mr ATKINSON: Justice Prior concludes his judgment in reference to material issued by the Liberal Party about preferences, namely, 'Thanks to preferences, an Independent candidate or a Democrat candidate gives you Mr Rann,' by writing:

Prosecution of persons authorising, causing or permitting the advertisement may be appropriate.

Have Justice Prior's remarks been followed up by referring the electoral advertisement to the Crown Solicitor for an opinion about whether it breaches section 113 of the Electoral Act; if not, why not? If so, what was the Crown Solicitor's opinion?

The Hon. K.T. Griffin: I will ask the Commissioner to respond to that question because he has the responsibility for

dealing with that issue, but I would suggest that this is very much a matter before the High Court. It is directly relevant to the substance of the issue that Mr King asserted made the election one which should be overturned. If leave to appeal is granted, it may be that is an issue which the High Court may ultimately determine was not correctly described by Justice Prior. I will ask the Commissioner to respond briefly about what advice he might have taken, but not necessarily to say what the advice is on the basis the matter is still before the court. I disagree with Mr Atkinson about his interpretation of what may or may not be before the High Court.

Mr Tully: The procedure that I have used to handle complaints has been in place for some time and was commended in the Legislative Council on 3 August 1989. I do seek the advice of officers of the Crown Solicitor's office in dealing with complaints, and in dealing with the new legislation on misleading advertising that required, in my view, a speedy response prior to the election. A number of complaints were issued prior, during and after the last State election. All of those have been referred to the office of the Crown Solicitor and I had some advice back as early as yesterday on some of them and I will be considering my response to that advice in the next week or so.

Mr ATKINSON: I refer to page 4.69, 'Specific Objectives for 1998-99' as follows:

- continue liaison with the Australian Electoral Commission and interstate authorities on role update mechanism.

The State Electoral Department has invoiced me, and perhaps other MPs, \$300 for annual access to country of birth, birth date range and sex of electors for, in my case, the State district of Spence. Alas, this service is not worth a cracker because of the difference between Australian Electoral Commission elector identifiers and State Electoral Office elector identifiers. However, if the State Electoral Office were to supply a list of both identifiers for a single update, the data could be converted automatically at no extra cost and the information about country of birth, birth date range and sex of electors sold me and others by the State Electoral Office rendered useful. Is the Electoral Office willing to provide a single update that contains AEC elector identifiers and SEO elector identifiers and, if not, why not?

The Hon. K.T. Griffin: I will have to ask the Commissioner to respond.

Mr Tully: There appears to be a number of issues involved and I may need your help, Mr Chairman, in sorting them out. I take it that Mr Atkinson is making a representation in relation to the provision of certain information to members which was contained in an amendment to the Electoral Act, in particular section 27A. This followed the Parliament agreeing to certain information being provided to members of Parliament in terms of sex, country of origin and age span. I have not been advised otherwise, so I understand that this information has been provided to Mr Atkinson in his monthly extracts since mid-February 1998 and that therefore we have complied with the intent of the legislation in making certain information available to him.

There were some problems with the changes in the program that Treasury runs because it is responsible for providing the facilities and platforms for the information, but I understand that the program changes were installed on the equipment at Mr Atkinson's office on 22 May and that we will seek to charge for this information from 1 June 1998. That is my understanding of how that information is being made available. I am grateful that the legislation provided for

the office to recoup some of the costs associated with making this information available. There were programming changes that had to be made, new enrolment cards that had to be printed that all caused expense to the State Electoral Office and the charge of a fairly modest fee was seen as appropriate to try to recover the costs that the office would otherwise have had to bear.

The Hon. K.T. Griffin: If there are issues which Mr Atkinson has raised that have not been addressed we will ensure that they are examined and there will be a response in accordance with the requirements of the Committee in due course.

The CHAIRMAN: I declare the examination of the vote completed and thank the Commissioner.

Attorney-General's Department, \$40 959 000
Administered Items for Attorney-General's Department,
\$21 436 000

Departmental Advisers:

Mr K. Kelly, Chief Executive Officer, Department of Justice, Attorney-General's Department.

Ms K. Lennon, Deputy Chief Executive Officer.

Mr K. Penniford, Director of Finances.

The CHAIRMAN: I declare the proposed payments open for examination.

Mr CONLON: I have questions in relation to the Police Complaints Authority. The Attorney's opening statement referred to a review of emergency services and the fact that no measures would be taken until the review had been completed. In light of that, will the Attorney explain why a Bill has been introduced to change certain aspects of the Police Complaints Authority before the inquiry of Judge Iris Stevens is complete?

The Hon. K.T. Griffin: The issues raised in the Bill before the House of Assembly are issued largely unrelated to the review being undertaken by Mrs Iris Stevens. That review is to examine and review generally the operations and processes of the Police Complaints Authority. It is not related to issues of the burden of proof in relation to disciplinary matters to which that Bill primarily directs itself. It is to:

1. examine and review generally the operations and processes of the Police Complaints Authority, the Commissioner of Police and the Internal Investigations Branch in relation to their statutory functions in investigating and reporting on complaints against police officers under the Police (Complaints and Disciplinary Proceedings) Act, and report upon the effectiveness and appropriateness of those operations and processes;

2. without limiting the generality of paragraph 1 above, examine, review and report upon the following practices and procedures of the Police Complaints Authority:

- responses by the Authority to inquiries by complainants;
- the provision of reports of investigations, assessments, or other materials to complainants, police officers the subject of complaints and the Commissioner of Police;
- the relevance of the principles of natural justice to the exercise of statutory functions by the Authority; and
- complaint handling mechanisms within the PCA office.

This review arose out of concerns expressed to me by the Police Association about processes, some of which I have identified in those terms of reference. On the basis that this issue had been running on for a long period—ever since I have had responsibility for the Police (Complaints and Disciplinary Proceedings) Act, this issue has been a conten-

tious one—I took the view that a person of the status and experience of Mrs Stevens ought to look at those processes with a view to making a response.

The Minister for Police, Correctional Services and Emergency Services, indicated in his second reading speech, if not ministerial statement on the two Bills—the Police Bill and the Bill to amend the Police (Complaints and Disciplinary Proceedings) Act—that, if issues arose from the consultation process, it may be appropriate to consider amendments to both Bills.

In terms of the Bill for which I have primary responsibility—the Police (Complaints and Disciplinary Proceedings) Act—if there are issues which arise as a result of discussions we may need to either make some amendments to the Bill or bring in a new Bill, but in terms of this review it does not impinge upon the substantive issues raised in the Bill and before the House of Assembly.

Mr CONLON: I am at a loss to understand how the burden of proof faced by a police officer in a complaint being brought against him or her is not part of the process that Mrs Iris Stevens will be looking at.

The Hon. K.T. Griffin: It's a substantive issue.

Mr CONLON: It's a very substantive issue, I would have thought. Will you give an undertaking that the report of Mrs Iris Stevens will be publicly available and, if not, why not?

The Hon. K.T. Griffin: I did indicate at the time that I hoped that that would be possible, but I am not in a position to give an unequivocal commitment to that until I see what is in the report, remembering that Mrs Stevens may well be talking about particular cases and naming individuals—whether they be police officers who are the subject of complaints or members of the public who have made complaints. I would have thought that the honourable member would recognise that there may be some sensitivity about those sorts of issues being out in the public arena through no fault of any of those individuals, whether the complainants or the persons about whose behaviour complaints have been made. I am sensitive to the need to have as much out in the public arena as possible. Whilst I would hope that that would be the case, I am not in a position to give an unequivocal commitment at this stage to do so. However, I will endeavour to do so if that it is at all possible.

Mr CONLON: I am surprised by that answer, too, because we were told that Mrs Iris Stevens would not be looking at cases.

Mr Hanna interjecting:

The Hon. K.T. Griffin: I haven't got a crystal ball. I do not talk to Mrs Stevens about what she is doing on a day-by-day basis. It is a matter for her. How she presents the report is a matter for her.

Mr Atkinson interjecting:

The Hon. K.T. Griffin: I'm just responding. If members make statements to which there needs to be a response, I will make it.

Mr Conlon interjecting:

The Hon. K.T. Griffin: Mrs Stevens is not looking at the burden of proof. I do not have a crystal ball. I do not know the form in which Mrs Stevens is reporting. I have indicated one obvious area where law-abiding citizens—innocent members of the public and innocent police officers—may have their names referred to. I do not think anyone in this Committee—at least I hope no-one in this Committee—would want that information out in the public arena under parliamentary privilege.

Mr CONLON: On the matter of changing the burden of proof that has to be made out in terms of the Police Complaints Authority, has the Law Society made any submissions to you on that and do they agree with the Government's approach?

The Hon. K.T. Griffin: I am not aware of that. That question will be answered in due course because it has been raised in the Estimates Committee and, in any event, in the course of debate in both Houses.

Mr Conlon interjecting:

The Hon. K.T. Griffin: The honourable member asked, 'Has the Law Society written to you and has it expressed a view?' I do not know if the Law Society has written to me. I am answering the question honestly. I do not want to get hoist on my own petard at some later stage by frivolously and foolishly answering a question to which I do not know the answer.

Mr MEIER: I refer to the Law Reform/Law Policy section. I notice that one of the specific targets there is to review legislation affecting victims of crime. I recall that the Attorney recently announced this review and I would ask whether he can outline the current progress and perhaps the likely completion date?

Mr Hanna interjecting:

The Hon. K.T. Griffin: It's not intended to be an uncharitable review. The honourable member has only been a member in the House of Assembly for a short time and he will get to know very quickly what does or does not happen and the basis for it. A whole range of people over the years—Opposition members themselves have raised issues about criticisms of the Criminal Injuries Compensation Act and Mr Atkinson, the shadow Attorney-General, has in fact agreed to support at least one amendment, if we bring it forward, relating to offenders—

Mr ATKINSON: That was about a year ago.

The Hon. K.T. Griffin: Well, the review is being undertaken and we are going to do it as a whole; we are not going to do it on not a piecemeal basis. There are a number of areas where we are looking at support to victims and criminal injuries compensation legislation and it will identify improvements that can be made to improve the efficiency and effectiveness and the way Government supports victims of crime. The review has three major areas of focus: consideration of the declaration of victims' rights as currently endorsed by the Government, and members may remember that that was incorporated in *Hansard* by my predecessor, the Hon. Chris Sumner, so it is, in a sense, a public statement but not enshrined in law; a review of the operation of victim impact statements, which has been the subject of some public discussion; and a review of the operation and objectives of the Criminal Injuries Compensation Act.

The review team is conducting interviews with key stakeholders prior to receiving written submissions. Further stakeholders will be interviewed and consulted following consideration of their written submissions, and submissions were invited from over 40 organisations. The intention is to rationally and reasonably look at the way in which we provide services to victims of crime and whether or not there ought to be any amendments to legislation.

The whole scheme has been in operation since its earliest inception in 1969, with the substantial reviews in about 1978, and nothing of major consequence until the former Attorney-General brought in a scaled approach to economic loss consistent with the legislation he brought in in relation to other areas of personal injuries for non-economic loss. So

there has been no substantial review of the principles and we want to ensure that there is a proper and effective review taking into account the views of all stakeholders. If the Opposition wishes to make a review before it sees the outcome then I would be happy for that to be taken into consideration. The Victim Support Service is supportive of the review. Members will know that the Government is supporting that this year with a payment of some \$366 000 to support the victims of crime service.

Mr CONLON: I have one further question on the review conducted by Mrs Iris Stevens. I understand that she has expressed concern that the Government has proceeded with the Police Complaints Authority Bill before the outcome of her review. Can the Attorney-General tell me whether that is the case?

The Hon. K.T. Griffin: I am not aware of any criticism from Mrs Stevens about the Bill.

Mr Conlon interjecting:

The Hon. K.T. Griffin: I don't even believe there were concerns raised about proceeding with the Bill. I will get some information for the honourable member in relation to that. My understanding is that there were questions of the relationship of the inquiry to the Bill but, as I understand it, they were not expressed in terms of concerns about proceeding with the Bill at the same time as the inquiry was being made.

Mr HAMILTON-SMITH: I refer to the program title 'Law reform; law policy'. One of the 1997-98 specific targets was to evaluate the Local Crime Prevention Committee program. Will the Attorney outline the outcome of the evaluation and the future for this program?

The Hon. K.T. Griffin: I am conscious that the issue of the evaluation of programs has been raised earlier in another context, but I have been very keen to ensure that the Local Crime Prevention Committee program is properly reviewed and evaluated. That has been done. The report has been published and, as a result of that, the Government has made a commitment to continue with the program. Some 15 areas were funded in the three year program from 1995 to 1998: Adelaide, Ceduna, Charles Sturt Council, Coober Pedy, Holdfast Bay, Marion, Murray Bridge, Tea Tree Gully, Onkaparinga, Playford, Port Adelaide Enfield, Port Augusta, Port Lincoln, Port Pirie and Salisbury.

The report, which is out in the public arena, produced the following key results: the program is best placed to address crimes such as graffiti; vandalism; property damage; social and physical disorder, including domestic violence; theft, including break and enter, retail theft, motor vehicle theft, etc.; offences associated with the consumption of alcohol; and concerns related to public safety.

The program has been effective in reducing and preventing crime, based on an analysis of the projects undertaken across the 15 sites. The role of councils is important to the success of the program; multi-agency involvement in committees is important to the success of the program; and the role of the project officer is central to the program. An open call has been made to all councils to submit to the program for the next triennial funding period of 1998 to 2001. Submissions close on 26 June 1998. The key policy directions for the program as a result of the evaluation are:

1. Problem solving approach to local crime issues;
2. Multi-agency relationship as the vehicle for the program at the local level;
3. The role of local government in sponsoring the program; and

4. The key objective of the program remains as crime prevention, with community safety incorporated.

Mr ATKINSON: I refer to program title 'Legal services to the State'. What is the amount spent on State legal support for police officers drawn into civil and criminal proceedings arising out of their duties? Has there been a reduction in the willingness of the Government to stand by police officers in court? I understand that the Attorney-General's Department used to pay for the defence of police officers and bill them if they were convicted or lost the civil case. I am told that the department now makes an assessment of whether there is a *prima facie* case against the officers and, if the department thinks there is, it will not back them. So, is the department saving money by trying to pick winners before the case is heard?

The Hon. K.T. Griffin: I am not aware that there was any change in the practice. The practice was that the Crown Solicitor would determine whether or not there should be an indemnity, according to guidelines which had been in operation for about 10 years. My understanding is that they have not been changed as a result of the change of Government in 1993. Some of those issues are contentious issues, where the advice from the Crown Solicitor is that there should not be an indemnity or direct representation by the Crown Solicitor's Office, but normally those matters are sorted out in a fair and reasonable way.

Representations were made to me last year by the Police Association in relation to the guidelines upon which the Government was operating. As a result of those representations Cabinet has approved alternative guidelines which are more generous to public servants. They apply not only to members of the Police Force but also across the public sector. I can arrange for a copy of those guidelines to be made available and also check with the Crown Solicitor and make available information about the amounts of funds which have been paid out in the past financial year in relation to support for police officers basically in the criminal justice process but also on occasions in the civil system.

Mr ATKINSON: I refer to the program title 'Law reform; law policy' and the broad objective/goal 'represent the Attorney-General and Minister of Justice on interdepartmental, intergovernmental and public committees to ensure recognition of the views of the Attorney-General and Minister for Justice'. What are the views of the Attorney-General on giving conditional privilege in a rape trial to rape counselling notes? What views have been expressed by South Australia to the Model Criminal Code Officers Committee on this; and when will the Attorney will be in a position to discuss this in Parliament in such a way that an Act may emerge from the deliberations?

The Hon. K.T. Griffin: It is a contentious issue. I have said publicly that the issue is currently being examined by the Model Criminal Code Officers Committee. A discussion paper was published on that and, as a result of its publication, public meetings were held around Australia. A public meeting held in Adelaide was designed to provide input to the Model Criminal Code Officers Committee about that issue.

The normal process with significant changes to the law—and this would be one of them—is that, where it is handled by the Model Criminal Code Officers Committee, there is a reference by the Standing Committee of Attorneys. The discussion paper is generally prepared and published, not always, if ever, with the imprimatur of the Standing Committee of Attorneys or individual Attorneys-General. There is then a process of consultation and discussion involving that

committee, which ultimately prepares a report, with final recommendations which are ultimately released by the Standing Committee of Attorneys-General. It is then a matter for each Attorney-General and each jurisdiction to determine whether or not the recommendations will be adopted.

We have had a report released publicly in relation to food contamination. I have indicated that we have been through the Government process and have decided to adopt the recommendations of that committee. However, in relation to the issue of privilege for rape counsellors' notes, that is an issue upon which the Model Criminal Code Officers Committee has not yet made its final report and, at the moment, whilst I am certainly sympathetic to the concerns that have been raised, I am not in a position either personally or on behalf of the Government to make a final decision on that issue. As I recollect, the Director of Public Prosecutions informed me that, although there was public debate on the issue, it is not an issue that has caused concern in the prosecution process.

Mr HAMILTON-SMITH: I refer to the program titled 'Prosecution services on behalf of the State'. The 1998-99 specific target states:

The office aims to implement as many of the 75 recommendations made in the Costello report as possible within the next three financial years within resources provided.

Can the Attorney-General advise of any additional funding being made available to the DPP?

The Hon. K.T. Griffin: The \$1.9 million will be made available over three years to the DPP to address the recommendations of the Costello report. That will include information technology support as well as management support. It is important that we have the review before making a judgment about the funds that will be made available. With the \$1.9 million a substantial improvement can be made in the delivery of services within the Office of the Director of Public Prosecutions, an improvement which is not said in any sense being critical of the DPP but which is an attempt to ensure that the best possible services, with the available resources, are made available.

We are also making sure that, as a result of the review, the DPP is not involved in any activities that could be regarded as non-core activities. In fact, the review indicated that that was already the position, but we wanted to ensure that it continues to be the position.

Mr Hanna interjecting:

The Hon. K.T. Griffin: Public statements are a matter for the DPP. If you read the DPP's annual reports, you will know that he has publicly expressed the view that there has been no attempt at political or other interference with the DPP. I do not attempt to interfere in any way with the DPP's making statements about issues in which he may have some interest or concern.

Mr Atkinson interjecting:

The Hon. K.T. Griffin: I invited him to make a judgment, which he was prepared to do. It is a matter for him. If the member thinks that that is influencing the DPP, he had better take it up with the DPP because I would feel confident that the DPP would take offence at that.

[Sitting suspended from 12.58 to 2 p.m.]

Mr HANNA: I refer to the program titled, 'Prosecution services on behalf of the State' which, under the heading 'Issues/Trends', states that the office has again had difficulties in managing its functions within its budget restrictions. Presumably that emanates from the Office of the DPP. Does

the Attorney agree with that statement and, regardless of whether he does, what will he do about it?

The Hon. K.T. Griffin: There will be \$1.9 million to the DPP in addition to what it is presently funded over the next three years. It is acknowledged that the DPP's office is in need of some assistance, and that is the extent of the assistance that will be made available.

Mr HANNA: That \$1.9 million referred to by the Attorney is the same \$1.9 million that the Attorney said, in answer to the member for Waite, would be used to implement the Costello report over three years. Obviously, the budget restrictions referred to in the 'Issues/Trends' part of that budget line covers a different set of issues. The Attorney-General cannot have it both ways.

The Hon. K.T. Griffin: That is not right. They cover the same issues. The Costello report and the difficulties that the DPP is experiencing are all one and the same. The \$1.9 million over three years is all directed to resolving those difficulties.

Mr HANNA: In relation to Dietrich applications generally and, again, under the same program title, what actions will the Attorney take in the coming financial year to address matters such as the businessman who was recently arraigned on numerous fraud and related charges and yet who was not brought to trial on the recent occasion because of his claim of impecuniosity, despite his living like a prince in a well-off Adelaide suburb?

The Hon. K.T. Griffin: My recollection is that that matter has gone on appeal, so I do not want to make any comment about that. I can make a couple of general comments about Dietrich. The numbers of applications for orders under the Dietrich principle have diminished more recently. It has been a matter of concern. We still have Souter as a defendant, in respect of which we have made \$120 000 available in order to defend the criminal proceedings. There is some suggestion from his side that this is inadequate, but that is a matter which is again being revisited by the Legal Services Commission, as well as the DPP. There are other cases where funds have been made available from one source or another but mainly administered through the Legal Services Commission where we tried to minimise the possibility that defendants would be able to avoid facing court.

There are some matters, such as the Fuller and Cummins matter, which is a Commonwealth matter, prosecuted by the Commonwealth DPP. Sometimes what might be referred to as a Dietrich order being made actually is an order made in respect of Commonwealth and not State matters. About 18 months ago, I introduced a Bill to try to crystallise some of the issues and give some directions to the court—not about the principle but about how it might be applied in practice. As a result of that, there were some more extensive discussions with the Bar Association and the Law Society in particular, and I am optimistic that there will be a fresh Bill, much more detailed than the previous one, available within the next few weeks. I cannot give a prediction as to when, but I would very much like to have it introduced and even dealt with in the current session of Parliament.

One of the difficulties we are finding is that, when orders are made, there is, for example, not a clear indication as to what level of funding might be required, that is, is it at Legal Services Commission rates or is it at the normal rates that lawyers charge? I have a very strong view (and this will be the tenor of the legislation, at least in respect of the issue of costs) that the legal services scale is the appropriate scale. If

people want to pay more and they are on the Dietrich order, they will not be able to do that. We are looking at issues such as, 'Whose assets and income do you take into account? Do you take into account only the defendant's?' Again, I have a strong view that, as with legal aid, you should be assessing the means of the defendant and those with whom the defendant may be associated such as spouse, children, and so on, and also take into account whether they have salted it away from easy access by the court.

I hope to have a legislative framework which the Parliament can consider and which helps to answer a lot of those questions and deals with a lot of those issues in a way which is seen to be fair and which will ultimately ensure that those who might initially be the subject of a Dietrich order might ultimately face the courts.

Mr HANNA: Under the program entitled 'Parliamentary Counsel', there is mention of the full realisation of potential benefits of computerisation and a legislative database. Of what benefit will that be to members of Parliament directly as opposed to MPs who are seeking advice from time to time from Parliamentary Counsel? Is there anything there for us MPs to have access to?

The Hon. K.T. Griffin: There is, but I do not have all the detail. I will take that question on notice. The whole object is to try to make it much easier to get access to information through Parliamentary Counsel, statutes, regulations, and so on. However, I will need to get some information and send back a reply.

Mr HAMILTON-SMITH: What is the size of the task in dealing with native title matters that finally end up in court?

The Hon. K.T. Griffin: Native title is one of the big issues for the Government in the future. Presently, 31 claims are lodged in South Australia. We have estimated that the cost to Government alone will be at least \$5 million per claim. I will give the Committee in a moment some additional information which might help put that \$5 million into perspective. Many of these claims will take a long time to go through the mediation processes under the national Native Title Act. Only two of them have been referred to the Federal Court so far. The Dieri Mitha claim was referred by the National Native Title Mediation Unit only in the past week or so; there is also one in the North, De Rose Hill, and there are many more to come. As part of the process, the Crown Solicitor and the Government will have to collate information which might ultimately be required to be presented in relation to tenure, history and a range of other issues.

My information is that current and historic land tenure documents are the core documents for each native title claim. It is estimated that in respect of the Dieri Mitha claim there are 6 000 land tenure documents. An ongoing scanning program of historical pastoral leases is being carried out by the Tenure History Research Unit of the Department of Administrative and Information Services. Whilst making discovery of the documents at the Pastoral Management Branch of the Department of the Environment, Heritage and Aboriginal Affairs relevant to the De Rose Hill claim, not including documents held by the Pastoral Management Branch at State Records, the Native Title Unit solicitors looked at approximately 6 000 folders, and included in the list of documents were approximately 3 000 documents from the Pastoral Management Branch.

Approximately 70 agencies, of which the Pastoral Management Branch is only one, may have relevant documents. It is likely that the discovery team will have to revisit

each agency in relation to each native title claim that is referred to the Federal court. I am told that State Records holds approximately 70 kilometres of documents. One department, whose documents will need to be discovered at State Records, is the former Department of Lands. According to the State Records index for approximately half of that department's records held at State Records there are approximately two kilometres of documents, 3 920 volumes of documents, 9 119 items, and 1 018 miscellaneous files.

I was a bit surprised to hear of the 70 kilometres of documents (not on end, but folded docket to folded docket, side by side). I made inquiries and I found that it will be necessary to go through all those documents because, for example, in one agency under 'Repairs to vehicles' it may be identified that several Aboriginal people were employed in different parts of the State. Part of the requirement will be to establish the movement of Aboriginal people, their relationship to particular areas, and so on. Through agreement with the other parties, we will try to limit that, but at the moment that is the size of the task.

To label the pages of all relevant files—and most of these are archival material—the Native Title Unit in the Crown Solicitor's Office is planning to order five million specially designed archival labels. We have also arranged to use level 9 of the Reserve Bank Building which, when properly fitted out, will be able to accommodate approximately 30 staff. Then there are databases and flow charts and a whole range of other things. I want to put that perspective on it because it demonstrates how we arrive at \$5 million per claim. The budget for next year for the Native Title Unit in the Crown Solicitor's Office is, I recall, about \$6.5 million, and that is growing. So, it is a big issue.

Mr HAMILTON-SMITH: In the light of that information, will the Attorney-General explain what changes may result from the passage of the Wik legislation which is currently before the Federal Parliament?

The Hon. K.T. Griffin: If the Wik 10 point plan is passed, we will still have to test every claim in the courts, but it will mean that the threshold test will be increased and it will mean more particularly that we can be innovative in this State. Those of you who have some involvement with native title issues and pastoral lands will know that two years ago we put out a draft pastoral areas local access agreement designed to try to deal at a local level with access issues from the perspective of both pastoralists and Aboriginal people.

Last year through the Crown Solicitor's Office we put out a draft area agreement which is designed to provide a great deal more certainty in the way in which we deal with issues of access for mining, infrastructure, development, Aboriginal people, and so on. That is still the subject of discussion. It has been positively received by Aboriginal people, pastoralists, the mining industry and local government. The passing of the 10 point plan will, amongst other things, enable us more easily to facilitate resolution of claims by such innovative approaches as area agreements.

Mr Conlon interjecting:

The Hon. K.T. Griffin: The area agreement does not extinguish native title.

Mr Conlon interjecting:

The Hon. K.T. Griffin: The 10 point plan does not extinguish native title either.

The CHAIRMAN: Order! We are not here to debate the merits of the 10 point plan.

Mr ATKINSON: I refer to the program title 'Law Reform/Law Policy' and the commentary on major resource variations in which it is stated:

Reduction in Commonwealth grants for Community Legal Centres in 1998-99 from the revised 1997-98 figures.

What are the principal recommendations of the Keys Young Report on Community Legal Centres and the Implementation Advisory Group report? Does the Government favour the idea of retaining the Parks Community Legal Service adding an outreach at the high rental Arndale Shopping Centre and closing the low rental Bowden-Brompton Community Legal Service; and, if so, why?

The Hon. K.T. Griffin: I hope it will not be too long before the report will be released publicly. It is a report jointly to State and Federal Attorneys-General. It is a matter of time—earlier rather than later, I hope—before that report is released. The Keys Young review was commissioned to identify and describe the nature of Community Legal Centres, remembering that they had never been the subject of review and had been established and grown in somewhat of an *ad hoc* manner.

The objective was also to examine those services with a view to increasing the efficiency and effectiveness of their operations; to assess the role and relationship of Community Legal Centres as part of a range of services responsible for ensuring access of people to legal services; to assess the role and relationship of CLCs as part of a range of services responsible for ensuring access of people to legal services; to assess the gaps in service delivery and the extent of need; to assess the appropriateness of the current distribution and use of resources; to evaluate the current management and coordination of structures in the State with a view to ensuring quality management coordination and linkages between services; and to examine the current resourcing and operation of the funding, administration and reporting arrangements to ensure their appropriateness and adequacy as an accountability and support system for these services.

There was very significant consultation between the consultant and all those who had an interest in community legal centres. I do not believe that legal centres are yet aware of the final decisions in relation to the outcomes on the report, so I would ask if I could take the question on notice and prepare a reply and get it back to the Committee as soon as possible.

Mr ATKINSON: Since the Attorney-General is taking it on notice, perhaps I could ask a supplementary question. How many hours of mediation services are to be lost to the Western Mediation Service by the changes proposed in the Keys Young report and the implementation of the advisory group report, and when will the latter report be made public?

The Hon. K.T. Griffin: The honourable member is making an assumption or concluding a presumption that may not necessarily be correct. I am waiting on the Commonwealth Attorney-General's office to give approval to release the document. As soon as I get that approval, the document will be released. Again, I will deal with that issue in the response.

Mr ATKINSON: I refer to the program title, 'Crime Statistics Services'. The Opposition is pleased with the service which was provided by the Office of Crime Statistics last year and which helped to bring to public view the high proportion of housebreakers convicted for the third, fourth or fifth separate housebreaking and who were avoiding impris-

onment. It is a pity that this excellent organisation should be described in the Broad Objective(s)/Goal(s) as follows:

... discouraging unwarranted fears in the community about the extent and threat from crime.

This description seems to me to taint this objective and helpful office with the notion that its duty is to select and publicise only those figures that suit our current Attorney-General. Why would the office not have a role in just providing the raw figures, or even alerting its readers to increases in crime about which we did not know, or confirming our justified existing fears, if that is what the numbers show? Why is there such a prejudicial description of the office's function? Why can't it have just an objective function?

The Hon. K.T. Griffin: It has an objective function. It believes in providing figures as they are and not as they may be distorted to be. The office is independent. I do not give it directions about what it can or cannot publish. It has a very high professional standing across Australia.

Mr ATKINSON: Staying with the program title, 'Legal Services to the State', I notice in Issues/Trends:

... there has been, and continues to be, an increase in major litigation.

In 'Commentary on Major Resource Variations' it states:

Increase in resources will be devoted to... major litigation.

Why this increase in major litigation at a time when the State Bank litigation is winding down?

The Hon. K.T. Griffin: Nature Title is one area where there will be major litigation, and there are a number of other cases including *Deep Sea Ark and Others v The State of South Australia* which is about fishing licences and abalone licences. There are 14 claims. It is before the courts so I will not go into detail, but there are a number of plaintiffs. It goes back a number of years, probably about 20 years from memory, and deals with fishermen who allege losses as a result of the owner-operator policy for fishing licences. There was a view by the State that if you were granted a licence, it could be held only by an individual and not by a corporation, and they are challenging the validity of that. It goes back to between 1969 and 1984. That is a very extensive one.

Mr ATKINSON: What is the liability to the State of that case should the plaintiff succeed?

The Hon. K.T. Griffin: I think \$100 million, but we believe that we have a good defence. I do not have a list of all the complex litigation, and some of it I do not want to identify here, but one example is Native Title. As you have already heard, Native Title will be extensive. Some State Bank litigation has not yet been finalised, but the major litigation is recovery action through the South Australian Asset Management Corporation—the smaller end of the scale rather than the auditors. I see reports on other litigation from time to time but we try to deal with them as a discrete entity within the Crown Solicitor's office so that they can be properly managed.

Mr CONLON: In the program title 'Prosecution Services on Behalf of the State' the last performance indicator states:

... actively negotiating appropriate pleas prior to trial date.

In my experience, that sort of activity depends more on the prosecutor than any standards that are set. Having said that, would you explain what in your view this means and, in particular, what is to be considered in negotiation to achieve an appropriate plea? Is it accepting a plea to a lesser offence

than the conviction that might be realised at trial and the matter of penalty in that?

The Hon. K.T. Griffin: Essentially, that deals with the committal unit to which the Chief Justice referred earlier today. Since 1 July 1997, the committal unit has been staffed by more experienced prosecutors than at any time since its inception. In the period from 1 July 1997 to 30 March 1998 the unit dealt with 815 defendants, a reduction of 121 over the corresponding previous period. Of these matters about 28 per cent were resolved summarily, about 17 per cent were withdrawn by tendering no evidence, 5 per cent were dealt with in the Magistrates Courts in other categories, about 38 per cent were committed for trial to the District or Supreme Courts and nearly 12 per cent were committed for sentence.

Further, in the corresponding previous period, 1 July 1996 to 30 March 1997, about 25 per cent were resolved summarily, about 16 per cent were withdrawn by tendering no evidence, about 5 per cent were dealt with in the Magistrates Courts in other categories, about 48 per cent were committed for trial and 6.4 per cent were committed for sentence. That is the principal reference in the program papers which might lead one to believe that there was plea bargaining.

Mr Conlon interjecting:

The Hon. K.T. Griffin: Well, it does look like it, but my understanding is that it is not. I will refer what I have said to the DPP to see whether there is some other explanation, but I do not believe there is plea bargaining. With a committal unit they determine, if they have been charged incorrectly, whether they will charge another offence. If it is preferable to deal with a summary offence rather than an indictable offence on evidentiary or other grounds—it may be there is a sensitive matter where there is a vulnerable witness where a trial might be too traumatic—it may be better to get a summary conviction than to put the matter to a jury with the trauma that that would bring for the witness. It may be that, having reviewed the evidence, there is an offer to plead guilty to a lesser charge, but the DPP makes a judgment based on the evidence as much as anything else. I do not think we have in this State any sense of plea bargaining as it might be understood in the United States.

Mr HAMILTON-SMITH: I notice under the program 'Law Reform and Law Policy' that a specific target for 1998-99 is to continue to develop crime prevention initiatives at local community level and with private sector organisations. I would imagine that one of those programs would deal with graffiti. Will the Attorney explain what we will be doing about this important matter?

The Hon. K.T. Griffin: Graffiti is one of those crimes that offends everybody because it is so visible. One of the real challenges of the community as much as Government is to find ways to reduce the incidence of that, if not to eliminate it. A newspaper report the other day stated that Campbelltown Council says that by the end of the year it would expect with its team of volunteers and paid officers that it will have eliminated graffiti in the Campbelltown area. A lot of councils are spending a lot of time and money on quick removal programs and on other innovations designed to prevent its occurring in the first place.

TransAdelaide, Transit Police, Department for Education, Department for Employment, Training and Further Education, Youth Affairs, Correctional Services and Human Services all play a part in programs which are run either through those agencies, through crime prevention committees or local councils and Neighbourhood Watch, all directed

towards innovative programs as well as removal of graffiti within 24 hours. So, we presently have, through the Crime Prevention Unit, a project on graffiti prevention which is undertaking qualitative research designed to help councils understand what is happening around the State and interstate and to provide support to them for ideas to prevent it in the first place. Obviously that is more productive than simply going around cleaning up after the graffiti has been sprayed. We are looking at better ways of using community service orders. We are currently reviewing the voluntary code of conduct for retailers in conjunction with the industry. The code of conduct deals with spray cans being under lock and key, identification of age and those sort of issues.

Mr HANNA: Under the program 'Ombudsman's Office', will the Attorney guarantee that the additional funding given to the Ombudsman's Office in the coming year will be sufficient to reverse any adverse trends of those performance indicators listed there, particularly the delays in investigations and reviews?

The Hon. K.T. Griffin: The Ombudsman's Office is getting \$112 000 extra this year and that will fund two extra positions to undertake freedom of information reviews. I am told that the impact of these positions on the backlog will not be felt for several months. The current backlog is 39 reviews compared with 29 at the end of last financial year; 73 reviews had been received for the current year to the end of April 1998 compared with 65 for all of the previous year. The money has been made available to the Ombudsman. I presume that that is what he will spend it on. If the honourable member has some information which might suggest that that will not happen, he had better let me know. Funds have been made available and they will be spent on those services.

The CHAIRMAN: We have reached the stage where the examination of this section of the Attorney-General's Department should conclude and, in keeping with the agreed timetable, we should now proceed to consumer affairs and business affairs. I will allow Mr Atkinson one more question.

Mr ATKINSON: I would like to place on notice some omnibus questions which the Opposition has on the Attorney's portfolio and this seems to be the most appropriate place to do so, under Attorney-General's Department, before we go on to specific areas such as consumer affairs.

In relation to all departments and agencies for which the Minister has responsibility, will he list all the consultancies let during 1997-98, indicating whether tenders or expressions of interest were called for each consultancy and, if not, why not, and the terms of reference and cost of each consultancy? Which consultants submitted reports during 1997-98? What was the date on which each report was received by the Government and was the report made public?

What was the cost for the financial years 1996-97 and 1997-98 of all services provided by EDS, including the costs of processing of data, installation and maintenance of equipment, including the cost of any new equipment, either purchased or leased through EDS, and all other payments related to the Government's contract to outsource information technology to EDS?

During 1996-97 and 1997-98 were there any disputes with EDS concerning the availability, level or timeliness of services provided under the whole of Government contract with EDS and, if so, what were the details and how were they resolved?

What were the names and titles of all executives with salary and benefit packages exceeding an annual value of \$100 000? Which executives have contracts that entitle them

to bonus payments and what are the details of all bonuses paid in 1997-98?

What are the names and titles of staff who have been issued or have access to Government credit cards, for what purpose was each of these cards issued and what was the expenditure on each card for 1997-98?

What are the names and titles of all officers who have been issued with Government owned mobile telephones, what arrangements apply for the payment of mobile telephone accounts and what restrictions apply to the use of Government mobile telephones for private purposes?

What was the total number and cost of separation packages finalised in the financial years 1994-95, 1995-96, 1996-97 and 1997-98? What is the target number of staff separations in the 1998-99 budget? How many TVSPs have been approved by the Commissioner for Public Employment for 1998-99 and what classifications of employee have been approved for TVSPs in 1998-99?

How many vehicles by classification were hired in each of the financial years 1996-97 and 1997-98 and what was the cost of vehicle hire and maintenance in each of these financial years? The Olsen Government has on many occasions given explicit support to the Howard Liberal Government's plan to introduce a GST.

The CHAIRMAN: These are very extensive questions. It may be beyond the capacity of the department to provide the information prior to the House sitting to incorporate it into *Hansard*. The honourable member will therefore have to understand that the department has other things to do than provide very extensive information.

Mr ATKINSON: It has been marvellous in the past and has always met its deadlines. Given the State Government's support for a GST, I therefore ask the Attorney-General: has he or any of the departments and agencies under his portfolio undertaken an analysis of the impact of the introduction of a GST at the likely rate of 10 per cent (or at any other rate) on the cost of delivering State Government goods and services for each department and agency within his portfolio? By how much will the cost of goods and services purchased increase on a likely GST rate of 10 per cent? For each department and agency within his portfolio, by how much will the cost of each service provided to the public need to rise to prevent an erosion of State Government revenues?

The CHAIRMAN: Members will have to understand that the department may have difficulty providing the information.

Additional Departmental Advisers:

Mr H. Gilmore, Commissioner for Consumer Affairs, Office of Consumer and Business Affairs.

Ms M. Cross, Deputy Commissioner, Policy and Legal.

Mr M. Spehr, Deputy Commissioner, Operations.

Mr CONLON: I refer to the program title 'Tenancies'. In South Australia there is now a tendency for people to live on what are known as caravan parks or trailer parks and basically to build permanent residences there and live there as they would in a normal residence. Given that people in retirement villages have access to the Residential Tenancies Tribunal, would you be averse to extending that to those who live permanently in what I assume would be licensed arrangements in caravan or trailer parks?

The Hon. K.T. Griffin: I do not want to make a policy decision on the run. I will give consideration to the matter raised by Mr Conlon. I think only a few States have legislated with respect to the tenancy relationship between park owners

and residents in such matters as tenants' rights and obligations and the security of tenancy park rules, fees, charges and rent increases. There is a limited coverage of caravans and mobile home parks under our Residential Tenancies Act because that Act defines a residential tenancy agreement as 'an agreement under which a person grants another person for valuable consideration a right to occupy premises for the purpose of residence'.

I am told that we have a low proportion of residents living in caravans compared with other States. I certainly have not had any plans to legislate to deal with this. At present we are dealing with rooming houses and lodging houses. Currently a discussion paper is going out on some regulations in relation to them, but there is nothing in relation to mobile homes. That is all I can usefully comment upon. I am happy to take the policy question on notice, although Mr Conlon should understand that it may not be possible to bring back a reply within the time frame that you, Mr Chairman, have set for responses to the Committee. However, I will endeavour to give some sort of response that might be helpful.

Mr CONLON: Under the program title 'Consumer Services' there is reference to conducting a successful compliance program to reduce the number of unlicensed second-hand motor vehicle dealers. The seat of Elder has a large number of motor vehicle dealers, as the Attorney might know. The difficulty that has been raised with me recently by a number of constituents is where a person properly licensed to sell second-hand vehicles from premises also conducts that business from other premises which are not the subject, as I understand it, of the licence. They say that very little is done in terms of compliance in regard to that, that local government does nothing about it and indeed that no-one else does much about it. Who should be enforcing compliance? Can the Attorney-General come back to me with a response to that?

The Hon. K.T. Griffin: We can give a bit of information and we will come back on the detail. If Mr Conlon has some information about specific premises, I would encourage him to make that information available to the Office of Consumer and Business Affairs. We now have a specialist compliance unit and it is having a measure of success. Licensed dealers are meant to identify all the premises from which they carry on business. In fact, we charge them a fee for premises other than their primary premises.

I am told that some dealers take vehicles home and sell them from home. Even if the premises is not registered, the consumer still has protection under the provisions of the Act. I would ask the Commissioner whether he has any additional comment to make.

Mr Gilmore: You are correct in saying that it is a local government matter. The use of residential premises for business purposes may be a council matter but we would like drawn to our attention where somebody is using a premises and has not paid the fee for those business premises being used in pursuit of second-hand vehicle dealing, and we will certainly go about seeking out these people and informing them of their responsibilities and seeking the fee that is appropriate to go with that particular activity.

Mr McEWEN: This is an opportunity for me to ask a general question about the program operating statement of the Attorney-General's Department. By way of example, and using the Consumer Services line, I have two questions. Why is it set out in such a way that sometimes there are appropriations and sometimes there are not? The bottom line is balanced but within it there are all sorts of ins and outs. I ask that specifically because it refers to an increase of three full-

time equivalents under the fair trading program sector, and I presume the expenditure for that is captured in that consumer services line? What has been forgone to pick up those three salaries? Why do you use this particular layout, because it is not particularly useful?

The Hon. K.T. Griffin: Next year we will have a different layout: we will be on full accrual accounting and there will be outcomes and inputs and all the rest of it for everybody to try to decipher. I ask the Commissioner to make an observation on the specific issue.

Mr Gilmore: The three additional FTEs that are referred to will be reflected in a higher expenditure in the Consumer Affairs Branch, because there are additional salaries. That is money that has been allocated by the Attorney-General's Department from within his entire portfolio. So, it is not an additional appropriation as such to the Attorney-General's Department or the Justice Agency: it is a reallocation of funds within the organisation. In past years that has been offset through increases in licensing fees, in particular for builders. You may recall that two years ago we increased the rate at which builders were paying their licensing fees in order to facilitate a higher level of compliance. So, overall, there is no net impact on the budget, but the allocation for the expenditure comes from within the Attorney-General's portfolio.

Mr McEWEN: Will it be in the consumer services line?

Mr Gilmore: Yes, it should be.

Mr McEWEN: How do you explain the net decrease in expenditure in that line from last year to this year?

Mr Gilmore: There may have been a one-off expenditure in the past; I will ask Mr Spehr to elaborate on that.

Mr Spehr: We received a once-off capital allocation this year to purchase a new vehicle for the trade measurement section for measuring weighbridge weights. We had assumed that we would spend that this year, but we will not. That will be carried on to the next year, so our expenditure next year will be higher than it has been this year, although the figures do not reflect that to that extent.

The Hon. K.T. Griffin: We will take that on notice and get a considered response.

Membership:

Ms Bedford substituted for Mr Conlon.

Ms BEDFORD: I refer to the program titled 'Customer services', and specifically in the policy area 'Protections of persons, their rights and property' under the program sector 'Fair trading'. Under 'Broad objectives and goals' point 3 discusses providing impartial advice to consumers to assist them in the resolution of disputes arising from the supply of goods and services. As outlined in 'Issues/trends' further down, how has the emphasis on a national approach been implemented, especially in relation to refunds on faulty goods purchased from interstate?

The Hon. K.T. Griffin: I ask the Commissioner to respond.

Mr Gilmore: In particular, as the honourable member would be aware, with electronic commerce becoming more and more frequent, there is a need for us to make sure that transactions across State borders can be conducted on common ground. So, the ministerial council has been working on producing guidelines for the smooth transaction of electronic commerce, which includes across borders and which includes proposals for common guidelines on issues such as refunds, identification of traders and the means by which people can get redress, as well as jurisdictional matters

such as cross-vesting of jurisdiction between States. A whole range of issues are becoming more important now that people can more easily conduct commerce between States electronically.

Ms BEDFORD: Further to an earlier question about motor vehicles, I was looking at specific targets and objectives, which at point 2 mentions the compliance program to reduce the number of unlicensed second-hand motor vehicle dealers. How many unlicensed dealers were removed from the operation or identified, and what further measures are being taken to improve the second-hand motor vehicle industry?

The Hon. K.T. Griffin: As I indicated, there is a new compliance unit. I am told that the figures for the current year to April are that, of 131 matters investigated, seven were completed in court; four are still in legal action and going to court; and 11 assurances were taken. Under the Fair Trading Act the Commissioner can require an assurance to be given that you will not trade in a particular way or do certain things. So, there are 11 assurances, 29 written warnings and five verbal or oral warnings. Then, a number of cases have been taken to court, where in some instances the penalties have been quite heavy. In a case where a husband and wife sold eight cars without a licence and misrepresented the history of three of the vehicles, 10 of the 11 counts were found proved by the court and a penalty of \$3 000 was imposed. Other penalties include where a person who was formerly licensed as a second-hand vehicle dealer and who was selling motor vehicles was fined \$6 000, plus costs. Some matters are still to be dealt with in court or where penalty is still awaited.

I think the compliance program has been fairly extensive. We have a whole range of people—one called Turner is awaiting sentence at the moment—but, with the compliance unit working in conjunction with the Motor Trades Association in particular, there is certainly a significant level of increase in activity above that which was present even six or eight months ago. The Commissioner draws my attention to the fact that, in the year ended 30 June 1997, 194 applications for new second-hand vehicle dealers licences were made, compared with 119 in the previous year. Some of that might have been related to the licensing of second-hand motor cycle dealers, but nevertheless there has been increased interest in vehicle dealers being licensed. That may well have been as a result of a couple of high profile cases getting publicity.

Mr MEIER: I wish to bring up a perennial question of mine in relation to scams. Will the Attorney advise the Committee of current initiatives undertaken by OCBA to ensure that consumers are warned of scams?

The Hon. K.T. Griffin: There are a number of these scams around, and this always causes concern. Last year the Commissioner circulated to members of Parliament—regardless of political persuasion—a list of scams known to him. It was a 20 page document, and some consideration is being given to revising and recirculating it so that, when they are asked by their constituents, members of Parliament will be able to look up the list quickly and, most likely, find the scam to which reference is being made. If members have information about a scam which might not be on the list or behaviour which they believe might be a scam, members are asked to get in touch with the Office of the Commissioner and draw those facts to his attention or to the attention of the relevant officer.

There are a number of these scams. The Nigerian scam is probably the one which gets the most publicity, but it has some fairly sinister and concerning outcomes for businesses

where some people, not discerning that it is a scam, ultimately pay over money. There was some publicity about a well known company where recently one of its officers got the invoice but paid it. The cheque was stopped and it was over a quarter of a million dollars. It is not just business but men and women and young people out in the community who perhaps do not have any special experience in being able to judge what is or what is not a scam and who make a decision based on rather lucrative returns which are promised and I think everyone would like to get rich quick but very frequently it only comes with hard work and even then perhaps it does not. But many people need to be alert to the concerns that we are expressing through Government in particular.

The only way we can deal with these frequently is not so much to prosecute, because frequently we do not have the evidence, although we do in a couple of cases where we have alleged breaches of the law at the moment (they are in court and I do not want to talk about them now), but it is helpful to have information that will enable us to pursue those who might be involving others in illegal pyramid trading schemes or other scams. Further, there is another brochure which the Commissioner has available but which will soon be on the Internet. It will deal fairly comprehensively with the issues and principles relating to scams and outline the help that can be given.

Mr MEIER: One of the issues/trends under 'Industry occupation regulation' I notice is to examine existing systems and procedures to simplify the licence application and renewal process for current and respective licences. Can the Attorney give more details on this initiative?

The Hon. K.T. Griffin: I will ask the Commissioner to respond generally. I have had a concern that there are about 70 000 licences administered by the Office of Consumer and Business Affairs and we have reviewed most of the legislation over the past three or four years but it is now two or three years at least since some of it was enacted, maybe longer, and we are revisiting it and looking to see whether the system is working; if it is not working, why is it not working; or, if it is working but needs fine tuning, what are the fine tuning changes that can be made? So, there is a review of the whole spectrum of occupational licensing directed towards ensuring efficiency of approach and the minimum of information being required of applicants and licensees on renewal. I invite the Commissioner to add to that.

Mr Gilmore: As the Minister pointed out, there is a licensing system that currently has in excess of 70 000 licensees on it. That system was developed from one which already existed and which had about 45 000 people on it. When we were handed jurisdiction for electricians, gas fitters and plumbers, over and above the existing jurisdictions we licensed, it effectively doubled the database. It increased the complexity of the licensing system in terms of the prerequisites that we asked people to provide us with when they applied for a licence. Because we had a large job just dealing with that intake of such a large number of additional licensees, our focus in the past year or two has been in getting people's licences up and running. We are now in a position where we believe we can actually start reviewing the processes we put in place in the first instance to make sure they are the most efficient.

The types of things that we are aware of, which people have constantly reminded us are not as good as they may be, include the speed with which we can process licences, and that is one aspect we will be looking at, that is, the time it takes to process applications. We will look at the quality of

the licences themselves because, at the moment, people are required to submit passport photographs which we affix to their licences and then we seal them in a plastic heat sealed container and you would have seen more sophisticated licences such as digitised licences and the like. We will look at the options for improving the quality and durability of licences.

Whilst the Minister has pointed out that we are not going to revisit the overall criteria for issuing the licences, some of the things we may suggest to the Minister that could change include the time periods over which a licence is valid. For example, contractors are required to provide us with information every year and resubmit their photographs every year, whereas workers with registration, rather than in the case of contractors' licences, are subject to a three year cycle. Obviously, that is a burden on those contractors in terms of the paper work involved, the time taken to process and the huge amount of work for my office as well. It may be that we could look at the timeframe and see whether there is a better compromise that could be adopted.

The paper work involved is fairly significant for individual contractors who are required to give us financial returns. We are going to consider options for achieving the same objective. The objective is to ensure consumer protection and we would prefer contractors to be financially viable and be able to offer a secure service to their clients. There must be other ways, other than just getting an annual financial statement from them, in order to try to give the community that protection. So, there are options that we are going to explore there. Given that there is such a wide variety of issues—technological, accounting and business process re-engineering issues—we have considered it most appropriate to put out a tender to the private sector to seek assistance with a review of the business process engineering aspects of the licensing system—I keep reiterating that—as distinct from the policy issues of who should be licensed and what licences should be issued. We are not looking at that but at the sheer mechanics of the licensing process.

We are also looking at the electronic side of things because many people like land agents, travel agents and sophisticated small business people could probably do their business electronically with us if we had our systems up to speed and capable of doing that. In stage 1 of the review we are looking at the big picture, the mechanisms and processes and ask, 'How can we get a licensing system that will be the most efficient and effective way of keeping the consumer protection elements there but at the least cost and as the least intrusive way of licensing small businesses in the community?' Stage 1 of this process is to draw a plan of what we would like our licensing system to look like. Stage 2, after we have consulted with the Government and got direction on which steps we can take and which we cannot take, will specify how we will get to that vision. Stage 3 will be where we actually start developing some of those improvements and systems which we hope will make the system much better for the community.

Mr HANNA: Under the program title 'Births, deaths and marriages' is a target of developing a system:

To allow the electronic transfer of birth/death data to and from other authorised Government agencies, subject to appropriate privacy protections.

To which agencies will data of that nature be transferred, for what purposes will it be used and what privacy protections will be put in place, particularly given media reports of public

servants having been prosecuted for profiting from disclosure of information over the past year?

The Hon. K.T. Griffin: Data is currently received from other Government agencies such as the South Australian Health Commission and the Coroners Court in a variety of hard copy formats and on computer diskette. As part of the proposed development of a system to allow the electronic transfer of birth/death data between Births, Deaths and Marriages, and hospitals, it will be necessary to install appropriate hardware and software to protect the data and to develop protocols for the management of data at both ends of the transfer. Transfers will not commence until these are in place. Several strategies are in place to protect the privacy of the subject of register entries: handling and storage of most records in a secure area at Chesser House or at the repositories of State Records; handling and storage of the most sensitive records such as adoption orders in a high security storage area at Chesser House; restricted levels of access to sensitive records for staff on a need to know basis; adherence to an access policy for customers wishing to obtain certificates from the register or to have a search of the register undertaken; staff of other Government agencies which are authorised under their own legislation to have access to the records must be nominated by their senior staff and must apply in writing for searches, verifications or visit the office where they are required to provide identification and authorisation; and information provided to other agencies such as the Australian Bureau of Statistics and the Australian Institute of Health and Welfare is released on condition that the privacy of subjects will be protected, and this is also required under the legislation controlling such agencies.

Applicants, including academics, who seek access to the records for medical, demographic or historical research must apply in writing to the Registrar, may need to be further interviewed and must undertake to protect the privacy of the subject of the records. Generally, their research concerns only aggregated data and is published without identifying particulars. That gives you the spectrum. If the honourable member can think of anything else that I have not answered, perhaps Mr Hanna can let us know.

Mr MEIER: What is the role of OCBA in relation to the year 2000 computer compliance problems?

The Hon. K.T. Griffin: I will get the Commissioner to make an observation about that. At the national level, the Ministerial Council on Consumer Affairs has nominated that issue as a national flagship project for 1998, and that is focused upon consumer issues—making sure the public knows what the difficulties are, what they will be, and what they could be. A Federal committee, called the Newman committee, is involved at the national level, and the Presiding Member of the Ministerial Council on Consumer Affairs has been asked to write to the Chairperson of the Newman committee to proceed urgently with a national public awareness campaign on the issue to reach the wider community. There has been a lot of talk about it at business level, in industry and certainly in the public press. However, consumers—with their computers and their vacuum cleaners and everything else, or anything which might have a chip in it—perhaps have not been made aware of what the problems are. There is a brochure which the Minister will be asked to authorise which distributes information about this, and we are linking in with other Government action in relation to identifying problems with respect to the year 2000 date change.

Mr Gilmore: The year 2000 issue is one that cannot be over emphasised in its degree of importance, both from a consumer and a small business angle. It would seem that big business and the Government are in a good position to understand and deal with what is a pervasive problem. People are only just beginning to realise that consumers can purchase so many products, be it a PC, video camera or a VCR—and they may even already have these at home—that has some sort of date chip or an Intel chip that governs the time of the machine allowing people to preset their video recorder or any piece of household equipment to come on at a certain time. It is quite possible that, come the year 2000, that piece of hardware—or even the software itself—will not operate appropriately. From a consumer angle, the issue is that people will have bought those products in recent years, and they would have expected to get at least four, five or even up to 10 years' life out of that product.

From the point of view of the courts and the retailers, that fact should not be underestimated. That people need to be educated now to ask the right questions when they are buying products is of the utmost importance. From now on, when they are buying any product—whether it be a car, a fridge, a washing machine, anything that has a computer chip in it—should be seeking to get in writing an assurance that the piece of equipment that they are purchasing is year 2000 compliant. At the moment, there is no way we as consumer agencies can go and test every possible consumer item and verify or certify to the community that the good that they are buying is year 2000 compliant. Neither would we want to do that, because that would put us in a position such that, if we were wrong, they would have recourse against us. The issue for consumers is that they need to be educated now. From today onwards they should be asking this question, so if they discover in the year 2000 their product does not work in the new environment, they have some recourse to go back to the retailer, manufacturer or whomever and seek some redress.

There are two sides to that transaction. That is why the kit that the ministerial council has asked us to put together also addresses the small business angle, which is to inform retailers, small manufacturers, and people providing services of this problem. An example is the man who does garden sprinkle installations and uses a computer timer to set off your garden sprinklers at the right time. It just so happens that the year 2000 will come upon us in the middle of summer, and it may be that a lot of those sprinkler systems will not work, and that poor installer will then have a lot of angry clients claiming that he has ruined their garden. As I am trying to illustrate, the issue is so pervasive that it is important we try to get the message out to consumers and to small business right from now that they should be asking the question, 'Is the equipment and software I am using year 2000 compliant, or do I have a written guarantee that it is that I can use for redress further down the track.'

I have been appointed to the State coordinating committee that liaises with the major Commonwealth committee. The media campaign from the Newman committee is scheduled to start in early July. Probably from about 9 July there will be a major national television campaign to alert people to this problem. We have sought our counterparts in Canberra to ensure that some of the advertising is consumer oriented. We know a lot of it is oriented at small business and business. As I have tried to illustrate, the problem really is one that people are grossly underestimating at the moment and one that could have significant consequences for litigation and consumers in the future.

Additional Departmental Adviser:

Mr W. Pryor, Liquor and Gaming Commissioner.

Mr HANNA: I refer to the program entitled, 'Racing, gaming and liquor' regarding the initiative in relation to the implications of electronic interactive home gaming—or home gambling as I would call it. How much revenue is the State missing out on as a result of the rapidly developing industry?

The Hon. K.T. Griffin: This is essentially a question for the Treasurer. I have responsibility for the Liquor Licensing Act and the Treasurer has responsibility for the Gaming Act. The Liquor Licensing Commissioner is now the Liquor and Gaming Commissioner, and that position is funded by the Attorney-General's Department, but in respect of his responsibilities in relation to gaming the Commissioner is accountable to the Treasurer. The Commissioner will be here again tomorrow to deal with gaming issues.

Mr HANNA: As I cannot be here tomorrow, I will put my questions on notice. My first question relates to the potential loss of revenue due to the development of electronic interactive home gaming. I note a trend towards an increase in the number of disciplinary actions pertaining to liquor licences. Why has that number increased and is it related to the introduction of gaming machines? Under 'Liquor Applications and Transfers', the figures provided show that applications will go down during the coming financial year but the number of transfers will rapidly increase. I seek a comment on that trend which clearly is related to gaming machines, especially as we are now entering a new era with a kind of monopoly game with pubs because of their vastly enhanced earning capacity due to gaming machines. Associated with those figures is a huge increase between 1996-97 and the current financial year and the coming financial year in people approvals, which I assume means people who can work in those venues. Finally, regarding complaints made about the Casino, the numbers seem fairly steady, but I seek advice on the general nature of those complaints.

The Hon. K.T. Griffin: I will take those questions on notice and ensure that they are answered by either me or the Treasurer.

The CHAIRMAN: The Attorney-General is aware of my concern on behalf of small country sporting clubs and shopkeepers about the administrative nightmare and significant costs caused by the detailed forms which have been circulated asking unreasonable and unnecessary questions. Will the Attorney advise me of what action he and the Commissioner have taken to rectify this bureaucratic nightmare?

The Hon. K.T. Griffin: I will ask the Commissioner to respond.

Mr Pryor: The Liquor Licensing Act 1997 came into operation on 1 October. Following representations from small clubs, that Act was amended. It now provides that small country clubs can apply to be a limited club. They no longer have to submit personal information declarations in respect of committee members. They must simply provide me with a list of the names and addresses of committee members, which I submit to the Commissioner of Police. They are deemed to be approved as responsible persons until such time as the Commissioner of Police intervenes. So there are no longer any onerous obligations on the part of small clubs. The form that we require to be filled in by applicants comprises two parts: one part in which I seek information, and the other part in which information is sought by the Commissioner of Police. We recently revised that form and reduced the

information required by the Commissioner of Police. I am currently working with the Commissioner of Police to see whether we can reduce that further.

The CHAIRMAN: Obviously, local clubs will be advised accordingly.

Mr Pryor: Local clubs were advised in writing when the amendments went through. We have also conducted training sessions throughout the State, so I would expect all licensed clubs would be aware of their rights.

Mr ATKINSON: On 24 February this year I asked the Attorney-General how many people during the past five years had been charged with violating dry areas established under section 131 of the Liquor Licensing Act and how many of those were Aborigines. Is the Attorney-General able to answer that question now?

The Hon. K.T. Griffin: I will have to take that question on notice. Statistics are not usually kept on the racial characteristics of offenders, right across the board, although we do know that Aboriginal people are over represented in the criminal justice system. In terms of breaches of dry areas, if the honourable member can be patient a little further, I will endeavour to chase up an answer to that question. It is my understanding that generally, except in the most extreme cases, police do not make an arrest for breach of a dry area and, if it is a serious case, they will make an arrest for a more serious offence than merely infringing the provisions of the dry areas declaration. Police tend to use the dry areas declaration as an educative tool rather than to arrest people and have them brought before the court. I will undertake to have any relevant information made available to the honourable member.

Mr ATKINSON: Under the 1997-98 specific targets and objectives it is stated:

Evaluation on the effectiveness of dry areas is being undertaken by the Crime Prevention Unit.

What was the outcome of that evaluation, and will the Attorney say whether there is anything distinctive about, say, Victoria Square that would make a dry zone in that area racist or morally repugnant compared with the dry zone at Port Adelaide to which no-one now seems to object? Is there anything distinctive about Victoria Square that would make consideration of a dry zone different from other areas where there were established dry zones, such as Port Adelaide or Port Augusta? Is there a distinction?

The Hon. K.T. Griffin: There are two issues. One is the evaluation, and during the second half of 1998 the Crime Prevention Unit will commence a review of the establishment of dry areas and that will be a specific crime prevention program. It will examine possible ways to improve the process for establishment of dry areas through councils. Rather than reviewing all dry areas, there will be a selected sample and an imperative will be to ensure that the selected areas represent the types of dry areas in South Australia; for example, one-off occasions such as New Year's Eve celebrations, and rural council/metropolitan council-targeted to particular population groups, for example, youth and Aboriginal people.

The only difference between Victoria Square and Port Augusta in the initial phase is that when Port Augusta Council applied for a dry area it was properly researched and presented, along with strategies designed to deal with social causes of the problems which arise in dry areas. The council applied for it. In the context of Victoria Square, the Adelaide City Council has not applied and unless we were to create a

precedent—which might be a matter of concern for the whole community if the Government started to make dry area declarations without local council involvement or approval; in effect, reflecting the views of local communities—then there will be no dry area in Victoria Square until the council applies.

The other point to be made is that Victoria Square has gained a notoriety for being a place where dangerous and offensive behaviour occurs from people largely of Aboriginal descent when, in fact, I think that that description has been quite unfairly applied. My information is that something like .5 per cent, that is, half a per cent, of all offences which occur across the City of Adelaide actually arise out of incidents in Victoria Square. There is no doubt that events occur in Victoria Square with which people are uncomfortable, but they occur in other parts of the city and suburbs as much as in Victoria Square. Whilst I am the first to say that people of whatever descent, Aboriginal or non-Aboriginal, should not be molesting, harassing and committing criminal offences, the fact is that Victoria Square, like Hindley Street, has a reputation which, if you look at the facts, it does not deserve.

Mr ATKINSON: Under the program 'Racing Gaming and Liquor' broad objective 'to minimise the harm from gambling abuse' and the 1997-98 specific target/objective 'to ensure more competitive liquor and gaming industries', has the Standing Committee of Attorneys-General discussed a draft regulatory control model for new forms of interactive home gambling and, if so, what is South Australia's position? Has legislation been drafted by the committee, on which the South Australian Liquor Licensing Commission was represented, to provide a framework for legalising interactive or Internet home gambling? On Wednesday 27 May, when asked a question like this in the Council, the Attorney said:

I have no recollection of the matter ever being on the agenda for the Standing Committee of Attorneys-Generals, certainly not in my time, but I will check in case my memory is faulty. I will undertake to have the appropriate Ministers and officers look at the matter and bring back a reply.

We have not yet had the benefit of his reply.

The Hon. K.T. Griffin: Hopefully, there will be a reply when the session resumes. I have not checked: my officers may have checked. My recollection is that this matter is being dealt with by Ministers responsible for gambling. In this State that is the Treasurer, not the Attorney-General. In other jurisdictions it is generally the Minister for Racing. My understanding is that the Treasurer has been involved in discussing these issues, mainly as a revenue issue, and that that is where the work has been done. My recollection is that nothing has been raised at the Standing Committee of Attorneys-General, but I will be happy to see if I can bring back a reply. If the Commissioner wants to comment, conscious that it is the Treasurer's responsibility, I do not mind. I think Mr Atkinson misread the appreciative countenance of the Gaming Commissioner, but it is confirmed that it is a matter that the Treasurer has been dealing with and that he is responsible for gambling.

Mr ATKINSON: Are we signed up to it?

The Hon. K.T. Griffin: I do not know, but I will take it on notice. Just as other questions that related to gambling are matters for the Treasurer, I will ensure that there is a reply.

Additional Departmental Adviser:

Ms Linda Matthews, Commissioner for Equal Opportunity.

Membership:

Ms Key substituted for Ms Bedford.

Ms KEY: My reference is Budget Paper 4 Volume 1, Justice Portfolio, section 4, page 4.7. In the 1996-97 report of the Commissioner for Equal Opportunity, the need to reduce the time taken to resolve complaints was identified. Will the Attorney-General advise on the progress of this matter in light of the performance indicators outlined in the budget paper, such as the staff-client ratio, the cost per case, time taken to refer and time taken to conciliate? I would be interested to know what the budget indicators mean in money terms.

The Hon. K.T. Griffin: I invite the Commissioner to respond.

Ms Matthews: I will have to take most of that on notice because I do not have the detail in the way that the honourable member has framed the question.

Ms KEY: Page 4.7 does have these indicators and, because we are discussing the budget, I want to know what actual money we are discussing. I also want to know about the number of staff. I do not know whether either the Attorney-General or the Commissioner can answer that question.

The Hon. K.T. Griffin: I can deal quickly with some information about complaints, but we will get the full information for the honourable member. There has been a 5 per cent increase approximately in the proportion of complaints conciliated by the commission. For the period April 1997 to July 1998, 34.6 per cent of complaints were conciliated, compared with 30.6 per cent for the same reporting period in the previous year. The number of written complaints received from July 1997 up to and including April 1998 was 357. That is a decrease of approximately 34 per cent when compared with the number of complaints made during the same period in the previous year. The decrease in complaints I am told is a national trend that is being monitored by both the Federal and State Commissioners.

The most common area of complaint (employment, 61 per cent) and the most common ground for complaint (sexual harassment, 24 per cent) have both declined as a proportion of total complaints received from the same period last year, namely, 76 per cent and 33 per cent respectively. Whatever information the honourable member wishes and to which I have not provided adequately I will ensure she gets in the normal way. In terms of staffing, we may have to take the question on notice.

Ms KEY: As the Attorney has given me the information on the number of complaints, does he have information available about how many of those complaints were related to accommodation or goods and services?

The Hon. K.T. Griffin: I will have to obtain that information.

Ms KEY: I refer to education and training, which I understand is a very important part of the Equal Opportunity Commission. How much of the whole budget is allocated to this area?

Ms Matthews: We will have to take that on notice also.

Ms KEY: It is another indicator in the budget. With the lack of other information it is difficult to understand exactly where the strategy for the EO Commissioner is going with regard to priorities.

The Hon. K.T. Griffin: Is the honourable member talking about education and training?

Ms KEY: In the budget the reference would be 4.7, if it had a number—Program Description. It is in paper number 4, volume 1. Under performance indicators, it is stated that education and training measures the effectiveness of education and training in encouraging unprejudiced attitudes and it includes a number of areas. Having had positive involvement with education and training in the past from the EO Commission, I was asking what percentage of the budget or amount of resources are put into that area.

The Hon. K.T. Griffin: I will get the information about the extent of the resources that go into that, but there is a level of information which I can give and which would at least partially answer the question. There are two kinds of education and training courses—internal and external. Internal courses are conducted at the commission on specific topics. External courses are developed on request from organisations for particular needs and they are generally conducted in the workplace. The commission's training programs remain high with a continuing trend for tailor-made courses for organisations rather than standardised packages.

From July 1997 to April 1998, 168 participants had attended internal training sessions and 2 306 participants had attended external training sessions. While the number of participants attending internal training sessions has remained almost constant compared with the period of July 1996 to April 1997 (that is, 175), there has been an almost 100 per cent increase in the number of participants attending external training for the same period, and that earlier period was 1 223.

Requests from large organisations for systemic training of all employees in the areas of sexual harassment and equal opportunity laws continues to increase. A range of organisations and individuals continue to consult the commission on a range of issues relating to the legislation.

The revenue generated from all the training programs as at April 1998 was \$ 40 893—a marginal increase from the previous reporting period. I will obtain some information upon the actual expenditure, which is set off against that revenue.

Ms KEY: I am an EO accredited trainer and have benefited from one of the courses of the commission, so I commend the commission, but I would still like an answer.

The Hon. K.T. Griffin: It will be answered.

Ms KEY: Thank you. I had a number of questions on notice to the Attorney about the EO Commission from Tuesday 24 March 1998. When I get those answers, I am sure I will have a better picture. I refer to the costs of relocation. I understand that the Equal Opportunity Commission Office is now relocated in with the Attorney-General's Office and has finally left the Wakefield House premises that we have known it to be in all these years. I want information on the cost of that relocation and whether any obvious problems have been identified with having the Commissioner for Equal Opportunity, which is seen as an independent office, being located with the Crown.

The Hon. K.T. Griffin: It may be that some people have a perception that there is some compromise by having the Commissioner for Equal Opportunity in the same building as the Attorney-General's Department, the Crown Solicitor, the Director of Public Prosecutions and others. That is an unfortunate perception which, if one looks at it objectively, is difficult to sustain. The Mercantile Mutual Limited Building has a number of tenants other than the Attorney-General's Department and the Minister for Human Services. It has a bank on the ground floor, AAPT Communications,

Norman Waterhouse (a legal firm) and some others, but a large number of floors are occupied by the Attorney-General's Department. The Commissioner for Equal Opportunity is on the second level. On that level is only one other small non-government tenant. So, for all practical purposes the office is separate and distinct.

In terms of access to information, provision of corporate services, pay-roll and library services (a much more extensive library service is available because of the ability to bulk up the resources of the Crown Solicitor's office), there are a number of advantages. Before I ask the Commissioner to add to that, if she so wishes, I am told that because the move by the Commissioner for Equal Opportunity was made prior to this financial year we do not have the figures here, but we will get the information.

Ms Matthews: We have not noticed any problems with people finding us or getting to the commission. We are getting a lot more inquiries now through our Internet page, which probably accounts for fewer people ringing up or coming in. We have had 12 000 hits in the quarter December 1997 to February 1998. I suspect that that accounts for a lot of the people who used to come in before. We have had no reports of any complainants or any other of our clients not being able to find us, so I am assuming that it is okay. We have much improved training facilities: in fact, they are highly sought after in the department. I cannot think of anything that has caused a problem for people being able to access the services of the commission.

Mr HAMILTON-SMITH: One of the objectives for 1997-98 is to improve the commission's communication and education functions through revamping of all promotion and publicity material and the more appropriate distribution of same. Can the Attorney-General elaborate on what has been accomplished in that area?

The Hon. K.T. Griffin: I ask the Commissioner to respond.

Ms Matthews: In 1996 I commissioned a report from a Professor David Sless to look at a number of communication and other strategies within the commission (this was not long after I took up the position), and he submitted a report which recommended reviewing a lot of our written information such as standard letters, pamphlets and brochures. In response to that and in accordance with his suggestions we have rewritten much of our information material. We have done eight fact sheets on sexual harassment, pregnancy discrimination, sex discrimination, racial discrimination and age discrimination, and completely revamped our material on how to make a complaint and how to respond to it, so that we can differentiate those materials. We have also done one on impairment. We tested those with a number of interested parties for their relevance and ease of understanding, and they are all published on our web site.

As I said before, the Internet is increasingly a means for people to obtain and exchange information, and we did develop our web site during the last year which has been very highly commended in terms of its presentation and relevance. We have had it accredited by the disability access standard web site design (Bobby Friendly is the name). As I said, our site received 12 000 visitors in the quarter December 1997 to February 1998.

A number of efficiencies have resulted from this. Pamphlets are now one page and easily produced, and organisations are encouraged to photocopy them so that they can have as many as they want for their internal use. We used to charge for them before and we think that this will get them out more

readily. Students, of course, have a lot quicker and easier access to information at any hour of the day or night that they might require it.

I think we expect that the increased use of the web site will continue. This is reflected in the decreased number of telephone information inquiries which we think is correlated with that. We are currently undertaking a three month study on the dissemination of information to obtain a clearer view about what information is in demand and how people are accessing that information.

Mr ATKINSON: I place the following questions on notice. Under the heading 'Issues/Trends' I note that 'the number of complaints received continues to decrease; however the complaints have become more complex and increasingly involve representation for both parties.' Why is this so? Is it because clients no longer have much confidence in the conciliation process?

Also, referring to the performance indicator 'proportion of complaints referred to the Equal Opportunity Tribunal', I presume that the Attorney's view is that the fewer the number of complaints heard by the tribunal the better. What is the waiting time now for a tribunal hearing and how does that compare with recent history?

The CHAIRMAN: There being no further questions, I declare the examination of the votes completed.

Police Department, \$295 788 000

Administered Items for Police Department, \$21 626 000

Additional witness:

The Hon. I.F. Evans (Minister for Police, Correctional Services and Emergency Services)

Departmental Advisers:

Mr M. Hyde, Commissioner of Police.

Mr D. Hughes, Director, Corporate Services.

The CHAIRMAN: I declare the proposed expenditure open for examination.

Mr CONLON: The only reference I can find to my first question in the budget papers is at point 1.1 of the capital works statement. I refer to a new emergency services radio network, which I understand will include the police. This network has a bit of history, and I will comment about its history. I understand it was first referred to in an article by the Premier's adviser, Alex Kennedy, in December 1996, when she said that a contract for the new system would have to be given to Motorola at a price of about \$60 million as a result of some incentive arrangements given to Motorola to come to South Australia. Then in December 1997 it was referred to in the *Adelaide Review*, where John Crier of Motorola suggested that the contract might be worth about \$134 million. I understand that it is the Starling system that was advertised in the police journal in April, but there is no explanation in the budget of what it will cost. What is the contract with Motorola worth and how will it be funded?

The Hon. I.F. Evans: I am not responsible for the contract with Motorola. That is the responsibility of Department for Administrative and Information Services, so the honourable member might want to refer that question to that department.

Mr CONLON: Perhaps your people can tell us what the police component of that contract is worth.

The Hon. I.F. Evans: When the Government radio network contract is finally tendered (and to my knowledge we have not yet received final tenders), ultimately it will contain some police component and we will be able to advise you at that stage.

Mr CONLON: Are you saying there is no contract with Motorola at present?

The Hon. I.F. Evans: I will take the specific question about Motorola on notice.

Mr CONLON: In your ministerial statement you said that the funding for this system would come from the new emergency services levy. Is that right?

The Hon. I.F. Evans: The part of the Government radio network costs that relate to emergency services could be included in the levy, but it has to be that cost which relates to the emergency services component.

Mr CONLON: So, the cost of the police radio network will not be met out of the new emergency services levy?

The Hon. I.F. Evans: As I said earlier, ultimately, the cost of the emergency services component of the Government radio network could be included in the levy. Ultimately, what is and is not to be included has yet to be resolved finally, as I think I said in my ministerial statement. We have made it clear that those costs that go into the levy will be only those that relate to emergency services as defined under the proposed Bill.

Mr CONLON: I want to make sure that the new emergency services levy is not picking up what is in essence capital expenditure for the Police Force in areas outside that area which traditionally would have been picked up by emergency services funding by the old system of insurance premium funding and fire services, for example. Can the Minister assure me that the new emergency services levy will not in fact be raising taxes to pay for capital expenditure in the police service?

The Hon. I.F. Evans: I am advised that the emergency services levy does propose to cover some costs of police search and rescue, and therefore there may be some component of radio communication costs somehow in proportion to cost of search and rescue. So, as the Government radio network contract becomes clearer over the next 12 months and the levy itself becomes clearer, we will then be able to clarify that. I make the point that the advice given to me is that the cost in proportion to the search and rescue component of some of the police activities may also be included in the levy.

Mr CONLON: I am not clear about the answer; are you saying that some proportion of the new radio network—

The Hon. I.F. Evans: Obviously, some of the radio network relates to police search and rescue. I have said in my ministerial statement that some areas of police search and rescue may be included in the levy. Some consideration may be given to including some proportion of that, but that decision has not been taken.

Mr CONLON: I understand, then, that not all the police network will be paid by the new emergency services levy. Where is the line in the budget for the capital expenditure on the new radio network? It does not appear to be disclosed anywhere.

The Hon. I.F. Evans: I am advised it is shown in the Treasurer's line, not necessarily in this line.

Mr MEIER: I know that a fair bit has been said about Focus 21 and the implementation of the Future Directions

Strategy. Will the Minister outline the strategy of Focus 21 and what progress has been made in implementing it?

The Hon. I.F. Evans: Focus 21 is part of the review process that the police are undergoing at the moment and have been for well over 12 months. In many areas of policing Sapol has been one of the pacesetters in providing what has been a fairly high standard of service to the South Australian community. This is reflected in recent surveys where about 78 per cent or 79 per cent of South Australians are generally satisfied with the services provided by the police. However, it is acknowledged by everyone that no organisation can be complacent about its future and any issues that challenge it. In order to deal with the issues and ensure that changes that Sapol make have a fundamental and sustained effect, the organisation's efforts need to be properly focused and directed, which is what Focus 21 is all about. To ensure this, Sapol has developed through its leadership a future directions strategy which basically looks at redefining its role, that is, what the police actually do, to establish a vision in regard to what police should aim for and also to outline the way in which police will achieve their vision, how they will go about it.

The year 2000 symbolises the turn of the century and a new age and Sapol has developed a new vision to focus on its services into the twenty-first century. Focus 21 was established in June 1997 as a major reform program to lead, manage and implement key elements in the South Australian Police Future Directions Strategy. The aim of the Focus 21 program is to improve substantially the quality and efficiency of police services and to place Sapol in a position to provide the best level of policing of the community into the twenty-first century. Focus 21 initially comprised (from memory) five key projects. The terms of reference include to review and re-engineer services delivered both internally and externally; review all aspects of Sapol's human resource management; review all aspects of managing and promoting ethical behaviour in accordance with best practice; making the best use of available and emerging technology, focused on service delivery; and developing and implementing a leadership program. During the program the following principles were applied, that is, that no section of Sapol would be excluded from review; all sections will operate on the basis of self service orientation; and the outcomes sought are to be achieved will be clearly outlined and designed to implement the core strategies.

Emphasis was on providing resources to operational areas. The number of police and non-police positions will obviously be reviewed. Duplication and unnecessary overlapping of functions and procedures will be avoided or eliminated. Flexible management of resources to meet demands was obviously a priority and decision making would occur at the closest point of service delivery and managers would be accountable for effective and efficient service delivery. That is the basic framework of the review. Focus 21 is being implemented by a high level project group reporting directly to the Commissioner himself and ensures that all projects are coordinated and integrated.

The program is being handled in-house by the establishment of a number of project teams, which all lead their own specific projects. Both police and Public Service personnel from within Sapol staff these various teams. A steering committee was established comprising senior police and also public sector representatives, who provided advice directly to the Commissioner of Police. It is anticipated that the implementation of the reforms will be actioned progressively

over two or three years, comprising a number of phases. Phase 1 was completed in December 1997, involving the redeployment of resources for the project. Phase 2 will be completed this month (in June 1998) and saw the development of projects and recommendations for implementation. Phase 3 commences next month and I hope it will be completed by June 1999. It is basically the implementation of projects developed under phase 2. Phase 4 commences in July 1999 and hopefully will be completed by June 2000. It involves the completion of outstanding projects, the implementation of any phase 3 projects approved and also the evaluation and continuous improvement aspects.

There is an emphasis on achieving results as soon as possible without waiting for the completion of each phase. It will not necessarily involve finishing one phase before the other can start. There will be some overlapping. Staffing arrangements for Focus 21 will be continually adjusted to meet current project requirements. About 40 Sapol personnel were involved in Focus 21 at the commencement of the program. Some staff have returned to their normal postings, having finished some of their work and about 23 personnel are currently involved. To date there have been about 23 projects undertaken. Some are completed and some are still ongoing.

Mr MEIER: I appreciate what the Minister said. Does the Minister believe that the Focus 21 changes are making a positive difference to the way that the police are providing services? The Minister just alluded to the amalgamations. It is proposed that there be an amalgamation involving Yorke Peninsula and the Barossa Valley. How advanced is that and how does the Minister think such changes will meet community needs?

The Hon. I.F. Evans: Sapol's strategy to address the amalgamations in part delivers flexible rostering and develops local service areas. On 16 May 1997 the Commissioner announced a major reform program to be undertaken within Sapol tied to Focus 21, which we have already addressed. The program encompassed very specific projects, including those centred on improving the quality and efficiency of police services and promoting high ethical standards. The first phase of Focus 21 proposed the deployment of police resources in line with meeting current and projected work load demands and population trends. The proposal called for the merging and relocation of five metropolitan bases and police stations and four other outer metropolitan stations. The reductions in staff involved three country police stations and the redeployment of some 64 police officers, and the employment of 100 additional operational police and 25 Public Service staff to support the operational police activities.

Those areas affected by the initial proposal included Plympton patrols being relocated to Glenelg, Payneham patrols relocated to Norwood, and Para Hills relocated to Salisbury. It was suggested that Henley Beach be relocated to The Parks, but I think that is under further discussion. Unley patrols were relocated to Sturt, Norwood CIB was relocated to Adelaide CIB, Lobethal and Summertown were relocated to Woodside, Clarendon was relocated to Sturt, Willunga was relocated to Aldinga, and there was relocation of four police positions from Peterborough, Clare and Riverton. Where patrol bases were relocated a new community police station was established. I refer to areas such as Thebarton, Firlie, Para Hills—and Henley Beach is still under discussion—and Malvern, to provide improved public access and service to the community. The new

community police stations operate during hours to meet local community requirements and the general police demand in the area. The impact and benefits to the community and the police from this initiative include greater flexibility of resources and delivery of service to the local community, improved placement of police resources and patrols and community police stations relocated to areas to improve public access.

The general philosophy behind all those changes is trying to make police resources match the demographics of areas and also the crime profile of the area, which will change from time to time, generation to generation or year to year, depending on the population of the area. New industries move in and they bring people and different requirements for the police. There will always be ongoing changes within Sapol as to where stations are and where staff are ultimately located.

Flexible rostering itself has been brought in on the back of this proposal. A trial roster replaced the five week roster and the five week roster has been in place for about 10 years. A flexible roster was brought in. The trial was conducted over the five metropolitan police divisions of Salisbury, Tea Tree Gully, Norwood, Sturt and Glenelg. It commenced in December 1997 and concluded following a complete 12 week cycle. The evaluation report of that trial was completed in May of this year and the report identified a number of factors that may have affected the overall evaluation process. It was clear from the evaluation that the trial roster did have some benefits to Sapol in general. We believe there is a growing commitment to the roster change process as people become more comfortable with it and get to understand the advantages to the work force of having a flexible rostering system. There is a growing commitment to that.

Certainly, that been supported and encouraged by Sapol management. Since April, a number of trial divisions such as Norwood and Tea Tree Gully, through a consultation process, have already implemented a modified flexible roster, and this includes changes to the roster cycle. The remaining trial divisions, through the consultative process, also moved to modify their rosters by the end of May. A number of areas not involved in the rosters have already indicated of their own free will that they would also like to be involved in this process, and discussions are being undertaken to involve them as well.

The honourable member referred to the local service areas in his electorate. As a result of research of both international and national trends in policing, they support this local service unit concept. These trends indicate that police organisations are becoming more accountable for their actions and the use of resources and outcomes relating to public safety and security. The service unit concept will help meet those accountabilities by focussing policing towards the following principles, which is really about crime production and also problem solving. The general philosophy behind it is trying to devolve more of the management closer to the local level, which is something to which I referred in an earlier answer.

Apart from crime reduction and problem solving, it is also about intelligence-led policing, which is ensuring the effective and efficient management of the organisation and for targeting of operational activities towards the achievement of certain outcomes. There are also community partnerships—the police working hand in hand with the community, and that is why they are looking at trying to devolve more of the management closer to that local community. They are some of the changes proposed at this stage.

Mr MEIER: Will there be more police on the beat—more police at the coalface—than there have been to date, or is this simply a reshuffle of police?

The Hon. I.F. Evans: The whole concept is to try to bring the management closer to the local level so that they can respond as a unit to the local demands of their area. The Commissioner might like to talk about how these local service units will benefit the local area.

Mr Hyde: The whole emphasis is to have police involved in developing local solutions for local problems. It is a matter of integrating resources to begin with. For instance, the CIB in the metropolitan area reports to the Crime Command at headquarters; so they do not report to their local area. This proposal involves integrating the crime into local area management so that the local managers have more control over the resources. They are able to design local solutions for local problems. If the problems require more police on the foot patrols, on the beat or at the coalface—however you like to describe it—that is what should happen.

Membership:

Ms Rankine substituted for Ms Key.

Mr Koutsantonis substituted for Mr Hanna.

Mr CONLON: I want to be absolutely clear on an answer the Minister has given me: he will provide me with details of the Police Services contributational component of the Motorola contract—is that right?

The Hon. I.F. Evans: As I understand it, I gave a commitment to that previously, yes.

Mr CONLON: In the *Australian* of 24 March, Acting Deputy Commissioner Jim Litster was reported as saying that the security industry would increasingly replace police in traditional areas of law enforcement, something he attributes partly to limited police budgets. Has the Minister or the Police Force had any meetings or discussions with the security industry regarding the security industry performing traditional police functions?

The Hon. I.F. Evans: I have had representations from the security industries about some of the functions currently undertaken by the police in the Securities Services Division. However, they were basically representations from their industry suggesting that they might be able to do certain parts of that that the police currently do. However, they have gone no further. I simply met with them to listen to what they had to say.

Mr CONLON: Have any uniformed members of the Police Force met with members of the security industry on these matters?

Mr Hyde: The arrangements that have taken place with the security industry are a reflection of the partnership approach that police adopt nowadays in working together with the community. It has been recognised that, working with the security industry and the police together, we can solve some crime problems. There has been a national working group, and it is on the national policing agenda, to develop good relationships and structures within the security industry. That includes adopting good standards within the security industry as well, recognition of the standards they should have, licensing, and also accountability mechanisms. Generally, it is something that is happening at the national level. Locally in South Australia, there has been a fairly good relationship with some of the key players in the security industry. It has not yet resulted in any programs between police and the security industry, but it has potential to do so.

Mr CONLON: Have you spoken to members of security industries about their participating in areas in which they do not currently participate?

Mr Hyde: Not to my knowledge. It is a general proposition rather than something specific.

Mr CONLON: The police Bill that has been introduced into the House of Assembly proposes to use contracts for the position of senior constable, with the ability to bring people into the Police Force from outside it at senior constable level and above. Can we be assured that there is no intention in that to facilitate the broader use of the security industry in traditional policing?

The Hon. I.F. Evans: The Commissioner has made it clear with his public statements that he would only be interested in using that contract provision in the Bill in very limited circumstances where the skills did not exist within the department. I think that clarifies it.

Mr CONLON: The current Commissioner is the current Commissioner, but does it create the capacity for people who are not members of the Police Force to become, for example, senior constables, it being therefore a form of contracting out police services?

Mr Hyde: There is no intention of employing as police officers people who are not suitable to be police officers. If the suggestion is that we lower the standard required for police officers by employing security officers as senior constables, that would not happen at all. Let me reiterate: that provision is there only for the limited circumstances where you do not have the skills within the organisation. Quite clearly, you would want to employ your local police for local jobs. If there was a highly specialised area of work for which you did not have skills within your organisation, you would look at bringing those skills into the organisation. If they were very specialised skills, it would make a lot of sense to have in place a term contract so that, at the end of the day if you no longer required those services, you would not have to try to find another position for the person whom you had employed.

Mr McEWEN: The Commonwealth specific programs grant for the firearms program has increased from \$1 million to \$16 million. I would have thought that most of that buy-back program had been completed, so why is there such a huge increase in that line?

The Hon. I.F. Evans: The increase has been made because of the possibility of further payments for firearms acquisition and compensation to eligible dealers. That increase reflects an estimate of what may be paid out to dealers who are still to be compensated under the scheme.

Mr McEWEN: I seek an update on the most important capital works line in the whole budget: the new Mount Gambier Police Station.

The Hon. I.F. Evans: As the honourable member knows, that matter has been before the Public Works Committee for some time, and the committee has requested some acquittals from various departments and agencies. My understanding is that those acquittals are almost in their final form to go back to the Public Works Committee. We hope that issue will be resolved in a matter of weeks rather than months. We will all be glad to see the most important capital works project in the honourable member's electorate proceed. We are keen as an agency to get it started, as it has been around the place for well over five years or perhaps even 10 years. It is a matter of finalising those acquittals, which I understand have almost been completed.

Mr CONLON: I note that Kate Spargo handed a report to the Police Commissioner in March in respect of, as it was most publicly reported, gender issues and sexual harassment in the Police Force. That report contained 13 recommendations and a summary. I note that none of those recommendations included a recommendation for the introduction of contract employment. Have any or all of those recommendations been acted upon?

The Hon. I.F. Evans: Kate Spargo, through Ryan Spargo Consulting, completed a review of equity and diversity in the Police Force in March this year. The issues which arose from that review were that: Sapol employees did not perceive that they were currently assured of a workplace which was free from discrimination on the grounds of age, sex, sexuality, and a number of other issues; some employees reported a relatively high incidence of bullying and harassment; and unsworn officers saw themselves at some disadvantage and felt that their work was possibly undervalued. So, a number of issues have been quite publicly and openly released.

We are not walking away from those issues. The police are taking the report seriously and are addressing those issues. Past reviews of Sapol have also indicated the need for equity and diversity training and development programs, including special sessions dealing with multicultural issues. They have also recognised a need for a policy framework, structures, and leadership and cultural change which support equity and diversity issues within the agency, and they have indicated a need for dedicated resources to provide a focus for equity and diversity issues and to provide the executive, managers and employees with reliable and readily accessible information and other support services related to equity and diversity.

In order to address these issues, as a result of the Spargo report, Sapol has developed an equity and diversity plan, which contains the following objectives: to raise awareness within Sapol of the importance of equity and diversity issues in operational practice and decision making; to provide a policy framework and effective and efficient mechanisms for Sapol's executive, line managers and general staff in implementing equity and diversity within the agency; and to administer an appropriate and efficient complaints resolution mechanism within Sapol.

To achieve those objectives, the following actions have been instigated within Sapol: the appointment of a temporary resource to fulfil the role of the Equal Opportunity Officer; and the appointment of a project team to design an Equity and Diversity Unit, including the design of the staffing structure for the new unit to write position information documents and present proposals to the Senior Executive Group, including the coalescence of existing and proposed related functions such as the consultative committee and its focus groups as well as Aboriginal recruiting.

They have also advertised and filled new positions and have sought advice from the Office of the Commissioner of Public Employment on how to classify positions, advertise them in the Notice of Vacancies and the Police Gazette and, where necessary, readvertise in the public press. They have also constituted a competent selection panel and interviewed and nominated preferred applicants for these advertised positions. They have located and defined appropriate accommodation for the new Equity and Diversity Unit to include consideration of the existing unit on level 2 of Police Headquarters and construction of new accommodation on level 9 of Police Headquarters adjacent to the Human

Resources Support Branch, and they have also established the appropriate IT services, etc.

They are also looking at finalising Sapol's equity and diversity and sexual harassment policies to include reviewing the May 1997 draft, comparing that draft with issues raised in the Spargo report to see how the current harassment and equity and diversity policies match with the Spargo recommendations and Focus 21. They are also looking at recent policies in the Police Force and checking to see whether they match with the Spargo report and at presenting proposals for the best practice policy to the Senior Executive Group through the Director of Human Resources. So, there is feedback direct to the Senior Executive Group on this issue.

They will finalise a complaints resolution process relative to matters of equal opportunity and equity including reviewing patterns of complaints, research of existing complaints resolutions processes in other jurisdictions and related mainstream agencies; and they will present proposals for a best practice design to the Senior Executive Group through the Director of Human Resources. So, they are very serious about setting up a proper complaints process on these issues right to the top.

They will hold a formal launch of the Equity and Diversity Unit within Sapol to make sure that everyone is made fully aware of what it is designed for and how to use it, and they will publish and widely distribute a plain language introductory document to Sapol members so that they are fully aware.

Those are some of the issues. They are also improving equity and diversity training and development programs suitable for delivery to Sapol recruits. So, they are picking it up at the recruiting level, building on it at the very base. They are looking at training current employees, line managers and executives, taking into account the needs and issues identified in the Spargo report. They are also looking at current best practice in adult education and the need to engender a conducive learning environment, and they are consulting with the Human Resources Development Branch to make sure that it is all properly coordinated.

They are also looking at reviewing all existing human resource policies and operation policies to ensure that they fit together with the equity and diversity policy that is now being developed, so there will be an integration of the policies—an underpinning of the policy in relation to equity and diversity. Further, there needs to be some monitoring process about the accountability and cross-checking of that, a monitoring of how they are travelling in relation to that issue, and their setting in place, under the equity and diversity plan, a way of monitoring and measuring how they have improved that issue. I do not know whether the Commissioner wants to add anything to that.

Mr Hyde: The only thing I would like to add is that we have made a very firm commitment to implement the recommendations of the Spargo report. We are interested in having a best practice organisation. We do, indeed, acknowledge the problems. When we undertook the research with Kate Spargo we did not expect that we would get a clean bill of health: we knew that we would get some bad publicity out of it. However, it indicates our commitment to making improvements. We want to ensure that we have sustainable change, and that is why we went to the trouble of getting the report, and we will carry it through.

Mr CONLON: I want to go to 4.96 of the Portfolio Statement, where it is indicated that as at June 1998 there are expected to be 4 276 full-time employees in the SA Police but that that will fall to 4 227 in June 1999. It was conceded last

year at the Estimates Committee that there had been an overall reduction in police numbers since the election of the Liberal Government in 1993. Last year, there was the election promise of 100 extra police and 25 extra public servants. Could the Minister explain how you could add an extra 100 police and 25 public servants in that period yet still drop a further 49 full-time employees?

The Hon. I.F. Evans: The budget shows a snapshot of police numbers as an estimate at 30 June this year compared with what is estimated to be the number at 30 June next year. It is a snapshot on that one day. The numbers vary daily as a result of retirements or intakes. For example, on 30 June 1994 approximately 95 cadets were in the system, but on 30 June 1996 there were only 26 cadets. So, the training program and how they fit has an effect on the one day when it is counted.

One needs to be careful comparing one date with another. If a recruitment program started, for example, on 1 July one year and you are comparing it with another year when the recruitment date was prior to 30 June, there would be a big variation in the numbers because of that reason. So, you need to be careful comparing numbers in that sense.

Further, the number of police is only one measure of a Police Force. To only focus on numbers is not the modern approach to judge how effective a Police Force is. You would look at other indicators to determine how successful a Police Force is at delivering its services—things such as the clear-up rate of crime, how safe people feel within the community, the confidence people have in the Police Force, its human resource management and things like the Spargo report, which was mentioned previously. All those issues are taken into account by people when judging the level of service that police deliver.

Everything that the police are doing at the moment in relation to its reviews is about delivering a better level of service to the community. We have had some discussion already about Focus 21 and the fact that it is looking at devolving management of the force closer to the local level, so that local service areas can better meet local demand. The Commissioner has referred to that. I think that about 23 different reviews under Focus 21 are looking at bringing better levels of service. There is also the corporate services review across the whole of the Justice Department, and we think there will be gains to enable Sapol to work more efficiently in that area. They are areas where gains can be made and, therefore, I suggest that those numbers, while they are there, are estimates.

Mr CONLON: I find it hard to accept that 49 numbers drop off over a year and it may not mean that there is a reduction in numbers. I may be a little simple but, it seems to me that if one year later you have 49 fewer personnel you actually have 49 fewer people. I understand that since 1993 the number of actual police has gone from about 3 800 to 3 550. At the end of the road, will you give an undertaking to maintain recruitment against attrition? We were promised the extra 100 in an election year. Do we have an undertaking that recruitment will be maintained against attrition?

The Hon. I.F. Evans: All those issues will be discussed in the budget context next year. As you are aware, we are presently going through an EB negotiation. We have made an offer. Our offer, from memory, was a total cost of about \$14 million and the Police Association is asking for something over \$40 million. At the end of the day, I cannot give a guarantee on those sorts of issues until we resolve the EB process. It will depend on negotiations over the next four,

eight or 12 weeks with the EB agreement. That is one issue that we will have to look at.

Further, there is the issue of civilianisation. Are there positions in the corporate service area or other areas that may be better handled by civilians? Previously, the area of motor mechanics was outsourced to Ultra Tune. So, those issues need to be taken into consideration.

Mr HAMILTON-SMITH: I am interested in the relationship between youth problems, alcohol and drug abuse, boredom and juvenile crime, and police programs to address those problems. I understand that the Blue Light program is one initiative that is addressing those problems, but would you elaborate on what police actions are planned for the future?

The Hon. I.F. Evans: The Blue Light program is one of the successful programs which is run to address those youth issues to which the member refers and they take a number of different forms of police involvement. All members have heard about Blue Light discos, which are organised essentially by off-duty officers with assistance from local families, service clubs such as Rotary and Apex, St John officers and other volunteers within the community who like to provide young people with entertainment and a venue free of drugs, alcohol and violence. That process needs to be encouraged.

During 1997-98 something like 137 Blue Light discos were held and just over 33 000 young people attended. They extended from Marla in the North to Naracoorte in the South-East, so they are spread right across the State. Those sorts of programs bring police closer to the youth of the district, and that ultimately builds confidence between the two groups which in the long-term is a good thing.

Further, there are the Blue Light Youth Camps which comprise trips undertaken by youths in the care of police officers and other adult support to locations away from their normal environment in order to partake in activities designed to meet special objectives. The camp may include one or more overnight stays and fall within a number of categories.

You might, for instance, have one designed for the high achievers to encourage them to achieve even further, and that would be about leadership and those sorts of issues. You may go the other end and take people at risk, whether at school, domestically or socially. You may take them and therefore promote a stronger working relationship between the police and that group, which can only bring benefits.

Also, young offenders are linked with the juvenile justice system and camps are involved in those areas. We also have camps involving hard core offenders. All those camps have programs designed for those individuals and they only bring benefits, so we obviously encourage them.

The at risk youth camps are held for youths considered at risk of entering the criminal justice system, and efforts are made to target high profile inner city street youths who are at risk of offending or being involved in serious anti-social behaviour. Country youths are also targeted. The whole idea is to prevent their getting involved in any serious way with the criminal justice system. Any preventive measure to keep them out obviously is of benefit to the individual concerned but also to the system itself because of the costs involved. Any program we can run to try to keep them out needs to be encouraged.

The at risk youth camps have the following objectives: to increase the self-awareness of all participants; encourage and assist in development of the participants social skills and personal competence; encourage the participants' sense of social responsibility and their willingness and capacity to help

others; and provide opportunities for participants to contribute to the development of a caring community itself. Each at risk camp is conducted and supported by volunteer police, youth and social workers and costs about \$2 500 to run.

The site at Iron Knob was opened in December 1995 and some 2 700 people attend that camp over a 12 month period. That is obviously has worked there. Plans to refurbish a new accommodation block and conference room at Iron Knob depend on some sponsorship finance and volunteer work from the local Lions Club members, which indicates the amount of community support that is involved there.

The South-East camp was opened to the general public on 28 April 1997 and about 200 people have attended there to date. That camp is now staffed by one full-time staff member. It is anticipated that some 12 000 young people will ultimately attend that camp over a period of 12 months.

The CHAIRMAN: The answers are interesting, but somewhat lengthy. I know you are wishing to be as helpful to the Committee as possible. However, some of the members may like to ask further questions, and it may be more productive if we shorten the answers slightly.

The Hon. I.F. Evans: It is important to acknowledge the sponsors. These sort of issues are a partnership between the Government, the police and the community and it is important that sponsors are acknowledged. They include people like Coca-Cola, the Variety Club, Rotary Club and United Water, and Sapol itself provides annual funding of \$10 000 towards staff costs.

Mr KOUTSANTONIS: I refer to page 4.87 of the Portfolio Statement under 'Output Class 3—Traffic Services' down to 'Performance Measures'. I understand that the total number of casualty crashes, which includes fatalities, has remained constant at about 6 400, dipping down in the last period to 2 400 and is estimated to go up to 6 400 in 1997 again. Below that I notice that the number of expiations and prosecutions have almost doubled in that period. Is this basically an admission that the Government's policy of increased speed cameras, radar and other expiation measures are simply for revenue raising and have not had any impact on the number of fatalities and crashes on our roads?

The Hon. I.F. Evans: When the Labor Party introduced speed cameras to South Australia its philosophy was to bring in speed cameras to provide a means of reminding drivers that speed is one of the contributing factors to both accidents and road deaths. We agree with the Labor Party's reasoning in introducing speed cameras. The two Parties are at one in that speed cameras provide a reminder to drivers that road deaths and injuries result from speed. We do not walk away from the fact that speed cameras are and have been one of the more successful programs in reducing road fatalities in South Australia.

We all know that over the years road fatalities from one year to another and crashes will go up and down for whatever reason. If you look at the trend line of fatalities in South Australia over the past 20 years and certainly since speed cameras were introduced, you will see that there is no doubt that speed cameras have been one of the more successful instruments that have been brought into road safety measures in reducing fatalities. They were introduced by the Labor Government in 1990 and the road toll that year was 226, compared to 149 last year. During that time the fatalities went from 226 to 184 the first year and to 165 in 1992, and for whatever reason then jumped back to 218 in 1993; the figure then dropped back to 163 in 1994 and up to 182 in 1995 and in 1997 to 149.

So, from year to year we will get peaks and troughs with fatalities but the important thing to understand is that when speed cameras were first introduced in 1990 there were 226 deaths and now they are down to 149, and the trend line is certainly down. That is the important thing.

If you look at random breath testing and laser guns being introduced and the fact that they have been increased in number in recent times, you realise that all those issues have prevented fatalities in South Australia, and that is a good thing. I do not run away from the fact that all speed cameras at the end of the day provide a remainder to drivers that if you speed ultimately that will contribute to fatalities and cashes.

Mr KOUTSANTONIS: When the Government expanded the number of speed cameras in place, was there a formula which showed that the number of speed cameras was inversely proportionate to the number of crashes that would occur and that it would decrease the number of crashes? It seems obvious through the figures that there has been no impact on the number of crashes, even though you have doubled the number of expiation notices on speeding motorists. I agree when the Government says that we should encourage people to slow down, but these figures clearly show that the current path that the Government is taking has not decreased the number of accidents on our roads.

The Hon. I.F. Evans: I return to my previous answer: at the end of the day speed cameras and laser guns are all about trying to reduce the number of casualty crashes and fatalities. We would have to compare the number of cars on the road this year with last year's figure. If there are more cars on the road this year, the number of crashes *pro rata* has dropped. It is a matter not just of taking the broad figure but also of comparing crashes *pro rata* with the number of vehicles on the road. Some people have suggested things such as increasing speed camera fines for those who drive expensive cars compared to those who drive cheaper cars. I do not know the philosophy behind that, but I can only assume that it was something to do with trying to prevent the people in more expensive cars having fewer crashes. Back in 1974 there was an average of one death per year for every 1 500 cars on the road, and today there is one death per year for every 7 000 cars on the road. That is a significant improvement.

Mr Conlon interjecting:

The Hon. I.F. Evans: The member for Elder is right; it is a combination of a number of things. It is better road and tyre technology and safer cars because seat belts and air bags have been introduced, and I think a lot more work is done these days on the design of cars to make them safer. The fact is that the policing of road traffic through speed cameras and laser guns also has had an impact. Again, I reinforce that those measures have been very positive.

Mr KOUTSANTONIS: On page 4.83 of the Portfolio Statements under 'Agency Outcomes and Strategies' I note that one of the key strategies is 'conducting visible activities designed to enhance community contact and maintain community support'. I refer you to your earlier statement about the rationalisation of a number of police stations such as the Plympton Police Station, which was closed and relocated to Glenelg Police Station, and the imminent closure of the Henley Beach Police Station, if that is still on the cards. How does the Government believe you can conduct visible activities by closing regional police stations in the suburbs and then relocating them to larger police stations? I point out that The Parks Police Station at Ottoway is not a very visible police station. Is that not a direct contradiction to the statement you have made in the budget papers?

Mr Hyde: Visibility is about where visibility matters. The relocation of staff has been to focus those staff in the areas of high population growth and high tasking rates, for instance, down south at Christies Beach and north at Elizabeth and Gawler and some of those places. It is quite consistent with increasing visibility because you are placing the police resources where visibility really can have the greatest impact.

Mr KOUTSANTONIS: My question is about the budgeted statement of revenue and expenses for administered items of the Police Department. Under 'Operating Revenue' there is a figure for the sale of land and buildings. Does that figure include the sale of the Henley Beach Police Station?

The Hon. I.F. Evans: The advice to me is that the decision on Henley Beach is not yet finalised. I will have to seek advice on exactly the make-up of that figure and come back to you with that. I am happy to do that.

Mr KOUTSANTONIS: The question was not whether or not you had decided to relocate it. My question was about your estimated results.

The Hon. I.F. Evans: If we have not decided to relocate it—I think the discussion was in relation to The Parks area and they were still consulting with some of the groups there—I am not sure whether it is included in the figure. I will need to check what stage they are at in the discussions and if they have included it in that figure. I will be happy to bring that back to you.

Mr HAMILTON-SMITH: I have a particular interest in security for the Olympic Games. I suppose that is not surprising since I once commanded the SAS counter-terrorist force and had some involvement in previous Olympic Games. What arrangements for funding and preparation are we making within Sapol for crowd control and prevention against any violence that might break out as a consequence of Olympic events and for security generally at the Olympic Games? Are we providing for that now and to what extent are we preparing for that?

The Hon. I.F. Evans: The issue of security in relation to the Olympic Games is just one of the issues that is discussed at things such as the Police Ministers' Conference which we were at last week in Wellington. Obviously all jurisdictions are looking at the requirements for the Sydney Olympics. There is an increasing need to ensure that Sapol's planning and operational responses for major national and international conferences, festivals, entertainment and sporting events are sound, and this includes our preparation for the Olympic events which will be held in South Australia during the year 2000.

We are all aware that we not only have the soccer events but also pre-Olympic training. For example, the Swedish swimming team is coming to South Australia to train, as are the cyclists from Japan. The lead-up to the Olympics will bring security requirements with it. We have a lot of protocol arrangements in place for countries that are coming to visit South Australia. Officials are now coming through in the lead-up to the Olympics and sometimes they bring with them security requirements.

All these issues are about safety at public events and are important in the light of current national issues and the emergence, I guess, of some extreme political groups which bring with them requirements for increased security at certain sporting events and entertainment venues. For some time Sapol has been preparing for any problems that might arise during the lead-up to or during the Olympic events. The strategies they are looking at are things such as training

programs, reviewing and developing plans and the way special events are policed. They are talking to other jurisdictions and overseas agencies about how they go about handling special events and the problems that arise.

One only has to look at some of the events at the World Cup to see the scenes that can develop. Come the Olympics, South Australia will be on show. Obviously we want to put our best foot forward, and that is why the police are putting a lot of time into how we can best manage the various sporting events. They are looking at the formation of emergency and a major events section in Sapol to handle these sorts of issues.

These issues will take a lot of partnership and work with many community groups and organisations and, I dare say, in relation to a question asked earlier, with private security groups. A lot of organisations and groups at festivals and that sort of thing may hire private security groups and they will have to network into the police requirements. It will be somewhat of a partnership come the Olympics. At the Police Ministers' Conference in June we resolved to agree to have a coordinated response to anti-social behaviour at major sporting events. There are now identifiable individuals who are going out their way to deliberately ruin certain sporting events. We have evidence of one individual who ran on to the Australia versus Iran soccer game and probably cost us the match, and that same individual has been running out at sporting events in other States—from memory I think a racing event.

There is now an organised approach by some interest groups to try to disrupt major sporting events, and obviously we want to have a coordinated national approach to that. We are looking at the feasibility of various proposals in our own jurisdictions and feeding that back to the Police Ministers' Conference. National campaigns against violence and crime and national anti-crime strategies are being developed as a lead-up to the Olympics. In fact, at the APMC meeting it was agreed that South Australia will host the next liaison conference in relation to the Sydney Olympics and the security arrangements. That is all about the Olympic security command centre projects and how we handle the Olympic events. South Australia is involved at a most senior level in that. I do not know whether the Commissioner wants to add anything from an operational point of view.

Mr Hyde: One of the keys to the Olympic arrangements is to make sure that we have good, sound agreements at State to State level and also with the Commonwealth. At the last Police Ministers' Council it was reinforced that New South Wales ought to enter into Government to Government agreements as to the support arrangements that will be in place to manage security for the Olympics. That is in place and proceeding quite well. There are quite well developed coordination arrangements between jurisdictions, and we have nominated police officers to take care of those arrangements. I am quite confident that a good, sound arrangement is in place at this time but, as we get closer, a lot more has to be done and probably resourcing arrangements will have to be identified and action taken at that time.

The CHAIRMAN: It has been indicated to me that a member outside the Committee would like to ask a question, and now seems an appropriate time.

Mr CLARKE: My first question relates to the Police Department's policy with respect to the number of hours or quotas that have been set aside for police officers involved in the use of speed cameras and road breath testing units, particularly in country areas. The Commissioner has made

some recent press comments concerning the need for police officers to get along with the local community. It is always difficult in small country towns, because if speed cameras are in operation for a set number of hours in a local district it often raises tensions between the local community and those police officers who live in those small local communities. What is the department's policy on the operation of speed camera units in the metropolitan area and country regions, either by numbers or by hours per day?

The Hon. I.F. Evans: I have already provided to the Hon. Terry Cameron a standard operating procedure document that relates to that issue. Has the honourable member spoken to Mr Cameron to obtain that information? I understand that I have already provided it.

Mr CLARKE: You are the Minister, and that is why I am asking you.

The Hon. I.F. Evans: So, you want to know whether a set number of hours is required for the operation of speed cameras?

Mr CLARKE: Yes, both in the metropolitan area and in the country regions. Have they increased over the past four years?

The Hon. I.F. Evans: Are you talking about the individual officer level?

Mr CLARKE: No. It is my understanding that the Police Department itself sets a quota in terms of the number of hours that country police officers, for example, in the different regions are expected to be out on the road with speed cameras or laser guns. I assume something similar applies to the metropolitan area. I want to confirm whether such a policy exists and, if so, what it is.

The Hon. I.F. Evans: I ask the Commissioner to answer that.

Mr Hyde: The speed cameras are operated by the Security Services Division. A minimum of 72 kerbside hours per day are required with the current cameras, and that is expected to increase to 86 hours per day with the new cameras. That policy operates mainly in the metropolitan area but also in some country areas. The second part of the question relates to country police officers and the requirement to perform a certain number of hours on radar duty. My understanding is that it is one hour per shift. I will verify that and provide a full answer.

Mr CLARKE: I refer again to this recent newspaper article in which the Police Commissioner was quoted. Having had some experience with the *Advertiser*, I understand how it can cut and paste articles and juxtapose matters so as to render anything that you have said to be totally contrary to what you thought you had said to the journalist at the time. In that article the Police Commissioner is quoted with regard to the positioning of country police officers as saying that he had spoken to his human resource people to ensure that the appropriate people were appointed to country branches, taking into account some of the sensitivities that occur in small communities. There was a reference to some of the public meetings that have been held in the towns of Burra and Oodnadatta. The newspaper article portrayed the Police Commissioner as being critical of the police officers concerned and indicating that they were not suitable police officers for those country stations. Having met two of those officers personally, I would have thought they were eminently suitable, and I wanted to assure myself that those police officers are not categorised as not having been suitable for country placements.

The Hon. I.F. Evans: Obviously, the comments are attributed to the Commissioner so it is appropriate that he respond to those comments.

Mr Hyde: The comments that led to that article came at the end of an interview that related to a totally different subject. That article does read as though I was critical of the officers at Burra and Oodnadatta who were recently the subject of a fair amount of controversy. I did not intend to make any reference to those police officers: I was talking generally about police officers in the country. The fact is that 90 of our 150 or so police stations have three or fewer staff, and 50 have one person. We do have many police stations in very remote communities in this State. Those communities require a certain style of policing, so it is important to select the right type of people to go into those communities. It is not the sort of work that everybody can do. I have a great deal of admiration for the members who work in those areas. They live in a fish bowl, as I indicated in that article, and whatever they do is subject to a lot of scrutiny, whether it is on or off duty—and it includes their families. So, I was not intending to be critical: I was simply making the point that it is very important to select the right people for those types of jobs.

The CHAIRMAN: I wish to ask a question, given that the subject of Burra has now been mentioned. Is it normally the policy of the Police Department to purchase fuel and other police requirements locally? It has been brought to my attention that for some weeks the police at Burra have taken upon themselves to drive from Burra to Clare to fill their police vehicles with fuel rather than purchase it locally. I would be interested to know why this has taken place, when there was a local supplier there who would supply other Government vehicles.

The Hon. I.F. Evans: I will take that question on notice and bring back a reply. It is obviously a very localised issue; it is the first I have heard of it, so I give a commitment to bring back a response in due course.

Mr CLARKE: I refer to the Police Commissioner's earlier answer with respect to the increase in the operation of speed cameras from 72 hours per day to 86 hours per day. When did that increase take place to become a regular part of the shift? I had some suspicions (and the Commissioner may be able to allay them) that it roughly coincided with the last big pay increase awarded to the police officers. I know I got nabbed twice in five minutes near the airport, not long after that police pay settlement. I have often thought that I was helping to meet the Government's budgetary commitments. Given that a pay claim is currently before the Government, are you anticipating a further increase in the number of speed camera hours to be worked in the next 12 months?

The Hon. I.F. Evans: The increase in speed camera hours relates to our replacing the current 14 cameras with 18 new style cameras. That has been the subject of some questioning by the Hon. Mr Cameron (and that is in *Hansard*). Because there are 18 and not 14 cameras the number of hours will increase from 72 to 86 hours. It relates to the number of cameras increasing and the fact that you got done twice has nothing to do with the issue. When we get the new cameras, the hours will increase to 86. That is the advice to me.

Mr CLARKE: As a supplementary question, are you expecting a further increase in the number of hours beyond 86 a day over the next 12 months?

The Hon. I.F. Evans: No. It is 72 hours for 14 cameras and, when we get 18 cameras, it will increase to 86 hours.

Mr MEIER: As to page 482 of the Portfolio Statement, one of the key issues is breaking and entering offences and

assaults, which remain a concern to the community. Has the Minister up-to-date statistics on how breaking and entering offences have either increased or decreased in recent years and whether we have any statistics to compare with interstate figures?

The Hon. I.F. Evans: Breaking and entering statistics indicate that the reported number has been decreasing in recent years. We had over 29 000 breaking and entering offences reported in South Australia in 1996-97. Obviously, breaking and entering offences are still of concern but the good news is that they are actually reducing. Assaults have decreased slightly in 1996-97, although they have been increasing over the past 10 to 15 years prior to that. It is probably not surprising that about 70 per cent of all assaults occur in and around licensed premises and strategies are in place to try to deal with that. Sapol has developed a number of strategies concerning breaking and entering and assaults and is looking at adopting a problem solving approach to the policing of licensed premises. Sapol has established a community partnership and a very visible police presence to try to deal with issues around licensed premises.

The police have developed a number of community programs to try to reduce the number of break and enters. We are all aware of the various crime watch programs—School-watch, Hospitalwatch and Neighbourhood Watch—which have been successful in modern policing. A good partnership has developed between the Police Force in general and the community and much good education is involved in School-watch, Neighbourhood Watch and Businesswatch about simple things that people can do about reducing breaking and entering and crime in general. In my electorate through the Belair Neighbourhood Watch they nabbed a young lad who had been involved in over 100 break and enters. They could never seem to nail this person and they used the strategy of police on pushbikes and were successful in capturing him. He was ultimately charged with about 70 or 80 break-ins. That was through the Neighbourhood Watch style of approach. While break and entering offences have been decreasing, which is good, obviously work is still to be done and the police, through the various watch programs, have a number of programs in place to deal with that.

Mr MEIER: It is pleasing to hear that news. Ideally we would like to get to a zero break, entering and assault record, but at least the numbers have come down over a period. Can the Minister make available to the Committee a summary of the statistics for breaking and entering, assaults, robberies and other offences to show the trend?

The Hon. I.F. Evans: That information is available through the Office of Crime Statistics, but I am happy to make them available to the member.

Mr MEIER: As to criminal asset confiscation (page 483 of the Portfolio Statement) can the Minister advise of the success of the Confiscation of Profits Section in reducing the incidents and effects of crime?

The Hon. I.F. Evans: One of the core functions of Sapol's crime prevention objectives is the Confiscation of Profits Section to deter criminal enterprises. The objective is achieved by depriving criminals of the proceeds of their unlawful activity, whatever that may be at the time and also confiscating assets used in connection with that criminal enterprise. A review of that section's activity has been completed and it has been recommended that the four investigative positions created in 1996 become permanently incorporated in Sapol's establishment. In 1997-98 there were 78 cases referred to the section for investigation. Property to

the value of \$1.1 million was restrained relative to 11 defendants and 10 forfeiture orders were made relative to property in cash with a total value of \$165 000. We would expect that the number of restraining orders obtained this year will increase.

Ms RANKINE: My question relates to the capital works budget of the Police Department. On 1 February the Tea Tree Gully patrol base moved out of the area they serviced into the vacant Para Hills patrol base. Does the Government still intend to provide the people of Tea Tree Gully with a patrol base in their area? If so, has the Government identified an area for the patrol base and when can we expect that station to be built?

The Hon. I.F. Evans: I will have to take that question on notice and come back with a reply.

Ms RANKINE: As a supplementary question, as to the vision into the twenty-first century, announced in May last year, you still have no idea what you are going to do about the Tea Tree Gully patrol base?

The Hon. I.F. Evans: I have sought advice from the Commissioner, who is unsure himself. Rather than giving inaccurate information, I will seek advice and come back with a reply.

Ms RANKINE: I refer to page 4.86 and crime management. Focus 21 is about flexible rostering and the police working hand in hand with the community. I have had contact with and correspondence from a shopping centre manager who states that in his discussions with the Chief Inspector responsible for the Tea Tree Gully patrol base it was indicated that they do not have enough resources to ensure that his shopping centre is not the target of serious crimes, including attempted arson and flooding of the shopping centre, etc. How is this flexible rostering working and how can we have zero tolerance levels in one area where police are apprehending people for simple things like offensive language yet in Tea Tree Gully the police are told they cannot take names of people hanging around shopping centre car parks at 3 o'clock or 4 o'clock in the morning?

Mr Hyde: I would be surprised if the resources were not sufficient at Tea Tree Gully to handle local problems. I am not familiar with any difficulties there. I would need to take that question on notice. I encourage the honourable member to refer the details of the complaint to me so that I can find out just what the position is and what the difficulties are.

Ms RANKINE: I refer to an article in Monday's *Advertiser* in which Chief Inspector Tom Rieniets stated that they are desperately in need of traffic police in country regions. In October last year, a large contingent of police entered the Cobbler Creek Recreational Park to remove a small number of local residents. I was advised by the Minister in response to a question on notice that five members of the Southern Traffic Division were part of that component. Given that they were surplus on that day and could travel from the Southern Traffic Division to Golden Grove to remove residents, many of whom have not even had a traffic infringement, can we expect those members to be transferred to the country regions where they are needed?

The Hon. I.F. Evans: With regard to flexible rostering—and the Commissioner can correct me if I am wrong—I understand that under the previous arrangement essentially the same roster was in place for Monday morning at 8 o'clock as it was for Saturday night. In other words, the rostering did not necessarily reflect the peak loads of the expected demand. One would expect a higher demand for police services late Friday night or Saturday night than at 8 or 9 o'clock on a

Monday or Tuesday morning, and I do not think the roster necessarily reflected that. Flexible rostering is trying to more readily reflect demand for police services. Flexible rostering will give the police a better chance of being available at 3 o'clock on a Saturday or Sunday morning to take names of children at a supermarket, because the resources will be better deployed in that sense. In relation to the second issue about the *Advertiser* article, involving Inspector Rieniets from the Riverland, I will get the Commissioner to comment on the deployment of resources, because ultimately that is the Commissioner's responsibility.

Mr Hyde: The issue of providing dedicated personnel in country areas for traffic duties is a difficult one, because, quite frankly, you cannot place large numbers of officers in country areas. We would have to take a lot of people from Adelaide in order to do that. You cannot cover all the locations with the staff you provide. Having said that, it is an issue. We are looking at the deployment of traffic police officers and, if our analysis shows that placing more traffic police officers in the country will make a difference to the country road toll and country safety, we will certainly give it serious consideration.

Mr HAMILTON-SMITH: Following on from some earlier questions about break-ins and youth crime, is it possible for us to quantify, in budgetary terms—even in the most general sense—the role of drugs in the level of break-in and criminal activity? This is a fairly general question about how to seriously diminish the amount of drugs on the street and the number of drug addicts. Have we done any research on how that would save police time, effort and funding? Has any thorough research of that type been done?

The Hon. I.F. Evans: Certainly, much information is available about the impact of the drug culture on crime. It would be a fair assessment to say that a lot of the breaking and entering relates to people's drug habit—they break in obviously trying to feed the drug habit. I do not have in front of me details of the percentage of those which relate to drugs or which are estimated to relate to drugs, but certainly that information is available. I will get that information and provide it to the honourable member.

Mr CONLON: During last year's Estimates, there was a question concerning the Federal Government's National Crime Authority cuts in Adelaide; the staff went from 35 to 13. I understand that more recently Australian Federal Police numbers have fallen from 19 to 60 that it is intended that they fall further and that the Australian Federal Police operations for Adelaide are now run out of Melbourne. I also understand that one of the reports for 1997 of the Australian Bureau of Criminal Intelligence—and I have not been able to get a copy of this report but I hope to have it at hand soon—states that Adelaide, quite possibly as a result of these things now, is a more attractive entry point for the illegal drug trade in Australia. I am sympathetic to the fact that these problems were caused by Federal Government budget cuts. Given the rather disturbing finding that Adelaide is now a more attractive entry port, have any extra resources from the South Australian Police Force been dedicated to picking up the investigative capacity that has been lost through the National Crime Authority and Federal Police cuts?

The Hon. I.F. Evans: This matter was raised at the Police Ministers Conference in Wellington. In relation to NCA numbers in every jurisdiction, I understand that most, if not all, jurisdictions received a reduction in NCA staffing. The Police Ministers have taken up the matter with the Commonwealth, because that can lead to extra pressure on State police

forces to take up what are essentially Commonwealth investigations. The Police Ministers Conference agreed with the Commonwealth that we would monitor the draw on State police services with regard to the requests made of us, because of the change not only in NCA staffing but also other Federal Government policy decisions and how that affects the draw on State policing resources. So, that very issue to which you refer has been raised with the Federal Government. The States as a collective group are taking up with the Federal Government how to handle what are essentially Commonwealth matters and whether State policing resources are required. The Commissioner may wish to add a comment from an operational point of view.

Mr Hyde: We are very concerned about the reduction in resources to some of the Federal agencies, particularly in the area of drugs, in relation to allowing us to combat the drug problem in this State. We have experienced increased costs in some of the joint operations that we have conducted: we have had to provide more money to make those operations successful. We cannot put all our resources into shoring up the Commonwealth's withdrawal of resources from those Federal agencies. However, we are doing quite a bit to make sure that we are more effective at the national level in dealing with the problem of heroin, which is a serious problem for us at the moment.

We have developed a national heroin supply reduction strategy which, amongst other things, focuses on a greater level of cooperation in joint operations, and we are developing a national strategy to deal with other illicit drugs. Part of the strategy for dealing with the reduction in resources is to increase the range of cooperation, because we find that borders do not mean much to the drug trade. We must work across borders with the different agencies that play a role.

Mr CONLON: I ask the Minister to take the following questions on notice and bring back an answer. First, in regard to the appropriation of \$4.9 million for agencies and in the light of the statement by the Treasurer that there is a 5 per cent increase in real terms in the police budget, I ask why the appropriation in 1997-98 appears to be about \$293 million and, excluding equity contributions which I do not think can properly be included, the budget result is \$279 million, a reduction of about \$14 million.

Secondly, there appear to be cuts in crime management, traffic services, emergency response management and coordination, criminal justice support, and ministerial support services. Will the Minister indicate whether there will be cuts in the number of personnel in any of those areas?

The Hon. I.F. Evans: I am happy to bring back replies to those questions. To clarify my previous response to the member for Ross Smith regarding laser guns, I am advised that motorcycle police are required to operate laser speed guns for two hours per shift, traffic response police are required to use them for one hour per shift (where possible), and country police are required to use them for one hour per day.

Ms RANKINE: I wish to place the following questions on notice. First, in the light of the recommendations of the Royal Commission into Aboriginal Deaths in Custody, what proportion of training for police officers is being allocated to Aboriginal cultural education? Secondly, regarding a question that I previously put on notice in which I asked the Minister how many police officers attended the Cobbler Creek Recreation Park on 16 October 1997, the answer I received was that 26 officers gathered at the end of the day to remove residents. I would like to know the total number of police

officers who attended throughout the day and the actual cost involved as opposed to the additional cost.

The CHAIRMAN: I rule the question out of order because the member has ignored the Chair.

The Hon. I.F. Evans: I need to clarify an answer to Mr Conlon's previous question in relation to the Motorola—

An honourable member interjecting:

The CHAIRMAN: Order! I point out to the member for Wright that the Chair has been most tolerant. I have ruled that question out of order. There was another course of action open to me for defying the Chair.

The Hon. I.F. Evans: I need to clarify an answer to a previous question by Mr Conlon regarding the Motorola contract. The structure of the proposed Government radio network contract is the responsibility of the Minister for Administrative Services. The equipment component relates to Motorola, but that is only one part of the Government radio network contract. The Motorola contract is with the State Government, not with the police. So, it is a question not of the police component of the so-called Motorola contract but of the police search and rescue component and the police component of the broader GRN contract. I will undertake to ascertain the police share of the Government radio network contract.

The CHAIRMAN: I declare the examination of the votes completed.

[Sitting suspended from 6 to 7.30 p.m.]

Department for Correctional Services, \$89 881 000

Departmental Advisers:

Mr John Paget, Chief Executive Officer.

Mr Alan Martin, Manager, Financial and Physical Resources.

The CHAIRMAN: I declare the proposed payments open for examination and refer members to pages 110 to 113 in the Estimates Statements and Volume 1, Part 4, of the Portfolio Statements. Has the Minister any comments he wishes to make before we start?

The Hon. I.F. Evans: No.

The CHAIRMAN: Mr Conlon, do you have any comments?

Mr CONLON: I am here representing the shadow Minister for Correctional Services. If I say anything that is stupid, please forgive me.

The CHAIRMAN: That is for others to judge.

Mr CONLON: My question relates to the staff costs at Yatala Labour Prison, which are dealt with at 4.128. I refer in particular to the following statement:

Staff costs at Yatala Labour Prison expected to exceed budget by \$400 000 due to staff vacancies and higher levels of staff overtime and callbacks.

I have a number of questions in regard to that issue. First, how many staff vacancies currently exist and how long has this situation of staff vacancies existed?

The Hon. I.F. Evans: I am advised that the staff vacancy rate at Yatala is approximately 10 per cent and that a new staff course which is operating currently will address the situation.

Mr CONLON: How long has it been running with a 10 per cent shortage?

The Hon. I.F. Evans: Since December.

Mr CONLON: When did this budget blow-out first occur? When did you first realise that there was a \$400 000 blow-out in the budget?

The Hon. I.F. Evans: The \$400 000 estimate for Yatala was calculated in February 1998 and was made taking into account staff vacancies and overtime and callbacks. The Yatala management team has put in place a strategy to address the over-expenditure. It has reduced over-expenditure during the past three months and is currently operating within its monthly budget allocation, so the situation is certainly being addressed. While any expenditure is of concern, the current overrun at Yatala represents a significant improvement compared with previous years, so at least one positive has come out of it. As I have said, they have already initiated a recruitment program to address the staff shortfall, and that will have a major impact on the budget result in 1998-99.

Mr CONLON: Will the recruitment program remedy the problem?

The Hon. I.F. Evans: They should become available to fill all vacancies at Yatala by 18 July, so within a month roughly.

Mr CONLON: Referring to page 4.116, what is the cost to Government for the operation of the private prison in Mount Gambier?

The Hon. I.F. Evans: I am advised in relation to the Mount Gambier Prison that, given the nature of the contract, I cannot release that information.

Mr CONLON: You cannot release the information about how much we pay each year to run the prison?

The Hon. I.F. Evans: That is the advice given to me.

Mr CONLON: It could be anything and we will not ever know. I find that hard to believe.

The Hon. I.F. Evans: In fairness, I will take it on notice and have that advice reviewed to see if an answer can be provided. The advice I am receiving tonight is that I cannot reveal it, but I am happy to take it on notice to review it.

Mr CONLON: If the answer is the same and the contract prevents you from telling us, could you tell us on what grounds that occurs, because I find it extraordinary in terms of Government accountability?

I do not know if the contract will allow you to answer this question: what is the average annual cost per prisoner in the private system?

The Hon. I.F. Evans: It is the same point. I will cover both those issues in my response.

Mr MEIER: I note on several pages in the Portfolio Statements that the department has adopted case management as a key strategy for delivering a best practice model of human services, and it identifies individual development plans as a key component of that strategy. Could you tell the Committee exactly what 'case management' is, why it is a key strategy, and the progress, if any, that the department has made in implementing case management and developing individual development plans for prisoners? Further, what is the department doing to further look at and refine case management?

The Hon. I.F. Evans: I will make some general comments and perhaps the Chief Executive will comment on it. The introduction of a formal case management system has been identified as one of the key departmental strategies which will ultimately enhance the delivery of services to prisoners. It is seen as a cost effective way of targeting our limited resources to ensure that the offenders' needs are best, or most appropriately, addressed. Case management was

introduced into the prison system in September 1997 following a closely managed pilot study, which was actually conducted at the Adelaide Women's Prison and also the Port Augusta Prison Women's Unit.

Steps are presently being taken to standardise the process in prisons and community correctional centres to ensure that there is case management throughout the correctional system. I understand a review was implemented in April 1998 and, if not completed, is due to be completed this month. The concept of case management is to try to develop, if you like, an individual plan and program for each prisoner so that the resources that we have available in the system can best target the needs of the prisoner, whether that be in rehabilitation or whatever. Ultimately that will give someone exiting the system the best chance of getting the rehabilitation and services they need inside so they can take their proper place in society when they come outside. A whole range of issues are entailed and the Chief Executive may like to expand on those comments.

Mr Paget: Most jurisdictions in Australia are pursuing this endeavour. It is about targeting programs to address the criminogenic needs of offenders and ensuring that those programs follow them through their life down the correctional continuum from the time of reception to the time of discharge from the prison to the time of reception in community corrections and final release into the community.

A recent conference was held in New South Wales that departmental staff driving case management attended, and our jurisdiction compares more than favourably with progress we have made in all areas, that is, the case management files, the auditing by the Prisoner and Assessment Committee, the move towards electronic files by the end of the year, and the supporting structural arrangements in both the prisons with case management coordinators and similar structures in community corrections so we get proper through care from one area to another. At the same time, reflecting the national importance of this, a case management society of Australia is being developed and a correctional chapter, of which we will be initial partners, is being developed.

At the same time the University of South Australia recently gave approval through a faculty advisory council for a graduate certificate in case management to provide the necessary training we would subscribe to to get our people to pursue this. Case management is very much the future of the department; we have to do it well and will do it well.

Mr MEIER: How long has case management been operating?

Mr Paget: For about 12 months and we have been cascading it down through all the prisons and community corrections since that time. It has been around for some time—I guess about two years now.

Mr MEIER: I noticed last year the department identified further development of the mobile outback work camp, the MOWCAMP program, as a specific target for 1997-98. What are the merits of MOWCAMPs both in prisons and to the general community? What is the future of the program?

The Hon. I.F. Evans: Since the pilot MOWCAMP program was undertaken in March 1995 it has grown to provide a cost-effective alternative to traditional imprisonment, while simultaneously providing restorative justice in the process. The MOWCAMP project has been successful and had provided meaningful work and training opportunities for participating prisoners in the final stages of their sentence. The program is beneficial to all parties involved in the process, that is, the prisoner, the community and the depart-

ment itself. Prisoners have the opportunity to learn new skills and work ethic, which is obviously important when they are going to leave the system. The community benefits by having some projects completed that may not otherwise necessarily have been completed. The project is a cost-effective alternative to remaining on site at the various prison locations.

Since the trial many projects have been identified throughout the State with the Department for Environment and Natural Resources and close liaison has occurred between the Department for Correctional Services and the Department for Environment, Heritage and Aboriginal Affairs to promote the success of the program. These projects include work at the Gammon Ranges National Park, the Mount Remarkable National Park and the Coorong National Park and work with the Royal Flying Doctor Services and others. Community advisory committees have been formed at Leigh Creek for the Gammon Ranges National Park, and Meningie, Renmark and Port Germein for other projects.

These committees consider the projects, include representation from the Police, Department for Correctional Services, various Government departments and the Ministers involved. In fact, ministers of religion have also been involved in formulating the projects. On completion of each project the community advisory committee meets and evaluates the outcome of the project. Once it is set up and completed it also evaluates it to work out ways of improving other projects occurring some time in future. Two staff supervise a group of prisoners. Each officer is rostered on for 17 days and has 11 days off in a roster cycle period. During the trial period MOWCAMPs have operated for 14 weeks in the Coorong National Park. The groups are away from the prison for a period of three weeks at a time and return to the institution for one week before again returning to a planned project.

A variety of work has been undertaken by the prisoners in the MOWCAMP, ranging from household painting, pest plant control, concrete paving, mallee fowl surveying, tank cleaning and walking trail maintenance, to name some. A three year agreement has been struck with the Departments for Environment, Heritage and Aboriginal Affairs and Correctional Services for MOWCAMP to opt for the Coorong National Park, whilst providing winter camps to the Gammon Ranges and other areas. Future MOWCAMP projects to be undertaken which support the Department of Recreation and Sport and the Heysen Trail are also under consideration. The Heysen Trail is one of the State's prime assets and one project being considered is to use the MOWCAMP concept to maintain some areas of the Heysen Trail, possibly the more remote areas or the areas that tend to be high maintenance due to the weather conditions, as a cost-effective way of getting the Heysen Trail maintained and encouraging an interest with the prisoners. That is a positive thing being considered at the moment. Estimates are that the community received benefits in excess of \$200 000 during 1997 and we estimate that to 30 June 1998 we have about \$80 000 of community benefit thus far.

Mr MEIER: Since the Innes National Park is the most visited park outside the metropolitan area, it sounds as though I had better do some work as the local member to see whether we can get some of this MOWCAMP work implemented on Yorke Peninsula.

The CHAIRMAN: The Chairman is very happy to have those people operating in the northern part of the State because of the good work they are doing.

The Hon. I.F. Evans: If any member has a project in the local area on which they think that concept will work, we are happy to talk and see whether it fits within the criteria.

Mr CONLON: What is the recidivism rate in the State system in South Australia and how does it compare with the recidivism rate in the private system? Please do not tell me I am not allowed to know that.

The Hon. I.F. Evans: We do not have a breakdown between the private and public system. We will take it on notice and bring back that breakdown.

Mr CONLON: Can you also make comparisons with interstate systems and see how our recidivism rates compare?

The Hon. I.F. Evans: I will approach the other States to see whether they keep those records and whether they actually separate them for privately and publicly managed prisons.

Mr Paget: We are talking of a system. A prisoner is not a product of a public or private system. A prisoner is part of this department's responsibility, so that person will move through this whole system. It is a *non sequitur* in one sense in that it is not possible to measure them because that person from Mount Gambier may come back up and spend some time in the public sector system. We are not talking of a private system. We only have one small gaol of 110 people capacity. Recidivism is a difficult concept in any case. There is enough literature that says that, given that it may well take a person up to three years to appear before a court, what are we measuring? If the person was in initially for a sexual offence, is a subsequent shoplifting charge recidivism? Recidivism is a concept over which there is considerable debate. It is a very grey area. We can do our best to provide figures on the incidence of recidivism across the whole system. Generally it is around 37 per cent for women and 35 per cent for males over about two years, but over 10 years we are talking of rates of up to 80 per cent. The smart thing to do would be to give you a measured researched response to that.

Mr CONLON: Particularly if it is impossible to find out how much it costs, what performance criteria do we use to satisfy ourselves that money spent on the private system or the public system is money well spent? What performance criteria exist for the private prison?

Mr Paget: There are a range of things that I would point to. It is really an issue of contract administration. The first point I wish to make with respect to Mount Gambier is that it is no mistake that many jurisdictions have come over to look at what we do with the contract administration of Mount Gambier. It has been singularly successful. There have been no contract variations and many jurisdictions have come to look at how we do it. The next will be the Tasmanian Legislative Council select committee on 3 to 5 July. We have had the Western Australians, the Victorians and others look at how we do it.

One of the reasons why it is so successful is that there is a tiered system of contract administration at various levels from a strategic planning committee and then tiered levels at the operational level down to monitor how the contract is going. They have a reporting regime of performance indicators that are quite substantial. Indeed, we are taking some of those performance indicators and duplicating those in the public sector system because we believe that it will be useful for us to measure apples against apples rather than apples against oranges, as may be the case at the moment.

There is an extensive reporting regime, as I said, at various levels, at the strategic level and the operational level, with a view to resolving the policy levels and the daily irritations at

the right place. That has impressed most of the people. I think the performance indicators we have established for the prison are comprehensive and, as I indicated, comprehensive to the point that we wish to duplicate many of them for the public sector system.

Mr CONLON: I do not know whether the Mount Gambier Prison is a good or bad one, and that is the problem. It seems to me that you have every way of satisfying yourself but very few ways of satisfying the scrutiny of the Parliament and the budget estimates on this. I make that comment and will leave it there, because I am not sure whether we will get any satisfactory information.

The Hon. I.F. Evans: The fact is that the performance indicators as used by the Crown's contract administrator to ensure the contingent performance of Group 4 against an agreed performance criteria—that full list—goes before the Auditor-General, so there is a checking process. The advice to me is that it goes to the Auditor-General who ultimately reports to the Parliament. So, ultimately, if the Auditor-General thinks there is something out of order in relation to that performance criteria he will naturally report. I would hate the committee to go away thinking there is no checking process. You cannot get a much better checking process than the Auditor-General, so there is a list of criteria there. I just make that point.

Mr CONLON: Are the department and the Minister satisfied with the background personal checks of security and character done by Group 4 management services of senior management and correctional services officers? Are you entirely happy that those checks are competent and properly made?

Mr Paget: Yes, we are.

Mr CONLON: Returning to page 4.116 and the reference to cost per prisoner per annum, can you provide details of the cost for what you would call special needs prisoners, that is, prisoners suffering from psychiatric illnesses or mental disabilities? Is there information available on that?

Mr Paget: The issue of special needs prisoners is difficult because it crosses over the boundary of the responsibilities of the South Australian Health Commission which is responsible for the provision of medical services, mental health services, psychiatric services and, of course, James Nash House, the 30-bed forensic facility. I cannot give you an answer as to what it would cost because I do not have the breakdown of the South Australian Health Commission's costs per prisoner for the provision of the sort of services that you would put under that special needs category.

Mr KOUTSANTONIS: My first question relates to an issue involving an individual prisoner in the Hampstead Women's Prison who was prescribed medical treatment by her practitioner but was refused treatment by the warden of the prison. Her family was very concerned about this. Is there a policy of refusing medical treatment prescribed by a general practitioner to prisoners?

The Hon. I.F. Evans: I think this might be an issue in relation to a specific new drug that is on the market. This was raised by the Federal member for Makin in relation to an individual prisoner. I will get the Chief Executive to explain how the system works in relation to this new drug so that the committee is aware of it.

Mr Paget: This one is difficult. We are dealing with somebody here and have to be careful about protecting her privacy. A drug was prescribed, the person came into our care and the South Australian Health Commission medical officer was not an officer licensed by the Commonwealth Govern-

ment to administer that drug. Not only that; there were concerns about the type of drug, that it was dangerous when used in conjunction with Narcan, which is used for overdoses. The person was under quite clear medical supervision as she was weaned off the drug that you were concerned with until she became stable enough where Narcan would be effective had she had an overdose. At no stage was that the province of the prison authorities with respect to her drug regime; that was very clearly a province of the medical authorities at the South Australian Health Commission. As the Minister said, at all stages various people, from the Federal member to prison staff, were closely watching that person's circumstances, and my own staff were communicating with her family very regularly to assure her next of kin that she was in care.

Mr KOUTSANTONIS: I refer to prison populations. On page 4.109 it states, 'The five year trend for the State's prison population shows an average growth rate of 5 per cent per annum.' Further on page 4.113 under the heading 'Issues' it states, 'Growth in prison numbers has required an increase in the number of dual occupancy prison cells. This continues to place pressure on the prison system and the prison population.' In Estimates Committee B on 24 June 1997 the then Minister for Correctional Services stated, 'Certainly with the prison system within Australia it is considered that a single cell occupancy is something towards which everyone strives.' In relation to non-Aboriginal prisoners, is it a change in departmental policy to strive for dual cell occupancies, and what is the number of dual occupancy cells in State prisons?

The Hon. I.F. Evans: The matter of dual occupancies was taken up by the Ombudsman, who signed off on the process used and the result, so it has been subject to independent check. In a perfect world any correction system would strive for single cell occupancy but, given the resources of the department, we have moved to some dual occupancy in the system. In regard to the numbers, dual occupancy occurs at the Remand Centre, where 109 cells are accommodating 218 remandees. At Port Augusta there are 65 cells accommodating 130, and at Mobilong, 40 cells accommodate 80. At Yatala Labour Prison, E Division has been dual occupancy since 1988, so even administrations under previous Governments went down this path. The multi-bed cells at Yatala Labour Prison comprised 48 double cells and six triple cells; temporary dual occupancy facilities for use in emergencies exist at Port Lincoln, where there are eight cells with capacity for 16 prisoners; Adelaide Women's Prison has nine cells with a capacity of 18; Mount Gambier Prison has two cells with a capacity of four; and Cadell training centre has eight cells with a capacity of 16. So, in summary there are 295 cells that could accommodate 596.

Mr KOUTSANTONIS: My next question relates to the humane treatment of offenders shown on page 4.114 of the Portfolio Statements. Given that stated staff costs exceeded the budget, will the Minister provide details of the number of above normal nightly lock down hours for prisoners, and how do these lock down hours relate to international practice?

The Hon. I.F. Evans: I do not have that information here, but I understand that some of it has already been provided to the Ombudsman, so it is available. I will get that out to you and forward it on.

Membership:

Ms Bedford substituted for Ms Rankine.

Ms BEDFORD: I also refer to page 4.114, where it states that the department continues to face challenges in managing offenders with drug and alcohol dependencies, psychiatric illnesses, intellectual disabilities and anti-social personality disorders and that crime is reduced through the involvement of offenders in rehabilitative and developmental programs. What is the department currently doing in this regard, and what is the cost of current and proposed programs?

The Hon. I.F. Evans: During 1997 and 1998 the department commenced implementation of six core rehabilitation programs for prisoners and offenders who were placed under the care and control of the department. These group programs were anger management, cognitive skills training, victim awareness, domestic violence, alcohol and other drugs, and literacy and numeracy. The identification of these programs is based on research literature which strongly indicates that issues of lack of anger control, limited empathy, alcohol and other drug problems and limited literacy and numeracy are commonly experienced by the offender population and are major factors in the ability of offenders to take a productive place in the community, either before they enter or on exiting, if they are not properly rehabilitated. Although some of these programs have been facilitated within the department on an *ad hoc* basis in previous years, a process of standardising the programs and implementing a schedule for staff training and program timetabling has been undertaken during this year.

The intensive assessment process for all prisoners and offenders who enter the correctional system through imprisonment or supervised bonds or orders of bail identifies their needs and links in to the appropriate program or programs according to individual development plans. For special need prisoners, that is, those with severe psychiatric, psychological or intellectual difficulties, intervention strategies are developed on an individual basis, which may or may not incorporate core programs. A program standard committee has been established to provide corporate oversight of core programs, and other programs may from time to time be conducted. A database to record the names of participants involved in all programs has also been established for evaluation purposes. As an example, we have also involved third parties in some of the rehabilitation programs. For instance, individual cases with psychiatric problems have proved particularly difficult in the Aboriginal community, so we have brought in some Aboriginal groups to sign off on the management agreement. So, we are taking into consideration how they can be most appropriately managed, so we are seeking third party involvement in the management of certain groups.

Mr Paget: More recently we have had dealings with external stakeholders, including the Intellectual Disability Services Council, to help us also look after those people who have the sorts of needs that you have expressed concern about.

Ms BEDFORD: Is there a breakdown of what types of crimes people are incarcerated for in particular, such as drug dependencies or drug related crime?

The Hon. I.F. Evans: We can get some concrete figures if you want them from the Office of Crime Statistics; I am happy to try to source them. As a general rule, it is estimated that about 80 per cent of offenders have alcohol and other drug problems and 32 per cent of prisoners are serving sentences for offences including alcohol and drug related problems. That gives some indication. With 80 per cent of offenders coming in with alcohol or drug problems, obviously, the rehabilitation programs and the case management we

talked about must address those sorts of issues. I think the Chief Executive has some statistics here.

Mr Paget: I think you are particularly interested in what are the problems that people in custody manifest, so I will give you that breakdown, rather than the crimes they commit, because they are quite disparate. I can go through the offences under the codes, but that does not particularly illuminate their problems. I will go through some of the more important factors that indicate the needs that are present in the system, as follows: 60 per cent did not complete Year 10, which is usually a good predictor of employment prospects; 44 per cent were classified as long term unemployed at the time they committed their offence; 5 to 10 per cent were illiterate and innumerate; 60 per cent were below functional levels in literacy; 32 per cent had been convicted of drug related offences; 60 per cent were below functional levels in reading and writing; 64 per cent were from broken homes; 75 to 80 per cent had alcohol and other drug problems; 32 per cent were hepatitis B core positive; and 33 per cent were hepatitis C core positive. The population is growing older, so 10 to 12 per cent are geriatric. I have a particular interest in this. Some 13 per cent are intellectually disabled (it may be slightly less here); 21 per cent of the males have previously attempted suicide; 70 to 80 per cent are smokers; and 50 per cent of the males consume alcohol at a level classified by the World Health Organisation as dangerous. Some 12 per cent have a previous psychiatric diagnosis; 70 per cent are regular gamblers; probably 16 per cent of the males were sexually abused before the age of 16; 16 per cent are obese; and up to 25 per cent have adult attention deficit and hyperactivity disorder. For women the situation is worse.

Ms BEDFORD: I recently visited Northfield and I wondered about smoking. Is any program in place to reduce smoking?

Mr Paget: We have just received advice of a grant from the Health Commission for a Well Women's project at that prison, and that will address all aspects, particularly nutrition, with a focus on the health of women in the correctional system. That was a project that we put up and we were rather pleased to get the grant of funding to get on with it.

Ms BEDFORD: The smoking figure is probably worse in the men's prison.

Mr Paget: The figures are about the same for male and female prisoners.

Ms BEDFORD: Do we have funding for something in the men's prison?

Mr Paget: A range of programs exists for them but smoking is a difficult area. The indications are that, where people have tried to stamp out smoking in prison, it is a good way to have some instant urban renewal. It happened in Queensland and there are few places where people have been successful in trying to stamp out smoking in the correctional system. Where they have done it they have simply created another currency within the prison system. We are conscious that there are also issues of liability in the long term associated with prisoner smoking and those who bear the brunt of downstream and passive smoking.

Mr CONLON: I refer to the recommendations of the Royal Commission into Aboriginal Deaths in Custody. Recommendation 287 recommends giving a high priority to the provision of alcohol and other drug prevention, intervention and treatment programs for Aboriginal people which are functionally accessible to potential clients and staffed by suitably trained workers, particularly Aboriginal workers. These programs should operate in a manner such that they

result in greater empowerment of Aboriginal people and not higher levels of dependence on external funding bodies. I understand that not all of these are responsibilities that fall on Correctional Services but are any programs run through Correctional Services which employ Aboriginal workers or which otherwise meet recommendation 287?

The Hon. I.F. Evans: State prisons concentrate in one physical area many people who have drug and alcohol dependency problems or who are in poor mental or physical health. The Chief Executive outlined some of those percentages a moment ago. Every possible action is taken to identify and treat those offenders most at risk or at self harm. Prisoners have a risk assessment completed when they enter the prison system, they have access to medical and psychiatric help and have access to programs designed specifically to cope with prison life. The recent introduction of case management processes in prisons will further enhance offender management.

The department, like other correctional authorities throughout the world, is vulnerable to those who choose to attempt to take their own lives without any warning and there are various reviews around the world that would support that, one being the Waller committee, established in New South Wales in 1993, to review suicide in correctional institutions. Following the death of any prisoner, the Correctional Services and the Police Department prepare individual reports which are provided to assist the Coroner. Until such time as the Coroner has concluded his investigations the department or ministry does not comment for *sub judice* reasons. In relation to Aboriginal staff development the department is committed to increasing the number of Aboriginal staff employed in the department and to ensure that these staff have access to staff development. Aboriginal people currently represent about 2.5 per cent of departmental staff. The goal is to increase that to about 10 per cent.

Aboriginal liaison positions were created in response to the Royal Commission into Aboriginal Deaths in Custody. Currently there are nine Aboriginal liaison officer positions across the department. In the second half of 1997 the department appointed the Manager of Aboriginal Services. This position is part of the departmental executive and plays a key role in providing a holistic and cohesive approach to Aboriginal staffing policy, programs and services across the department. The department is also keen to increase the number of Aboriginal people employed across other occupational groups. The strategy is currently being developed by the newly appointed Manager of Aboriginal Services, to identify improved mechanisms to recruit and support Aboriginal people to apply for positions in the department.

During 1997-98 the following training was organised for Aboriginal liaison officers: case management, the role of Aboriginal liaison officers (workshops), Justice Information System training, introduction to departmental investigation procedures, counselling and basic computer skills. In addition to the above, one Aboriginal custodial officer successfully completed the leadership development program in 1997 and four Aboriginal staff completed the training workshop. During the remainder of 1998 training for Aboriginal liaison officers will be provided and will address the following general areas: meeting skills workshops, grief counselling, family wellbeing, which is a five day course conducted by Aboriginal Education and the Employment Development Branch, sexual abuse issues and Justice Information System updates.

Mr CONLON: I refer, I think, to page 4.120. Given the budget documents you have provided, it does not have a number, but it comes after 4.119 and so I assume it is 4.120. As to expenses and appropriations to offender programs, offender services and policy and advice, what are those programs, particularly offender programs and services? What is the money spent on? Could you bring back a reply?

The Hon. I.F. Evans: We can do that.

Mr CONLON: Again, page 4.123 is the appropriate number of spaces away from 4.119. Can you bring this detail back at the appropriate time? I refer to expenses for salaries, wages, annual and sick leave. What component is overtime and what is sick leave? It is claimed that some of the component is out of whack with other budgets. Can you provide that information?

The Hon. I.F. Evans: We can do that.

Mr CONLON: There is a reference at page 4.128 to an additional amount of \$386 000 for lump sum settlement of workers' compensation payments. That is a large sum for one year. Does it result from a policy decision to get rid of many workers' compensation cases? What are the details? Given the pittance that workers are paid under workers' compensation these days it seems an awful lot.

The Hon. I.F. Evans: I will take the question on notice and bring back a detailed reply.

Mr CONLON: As to offenders services, reference is made to access to legal, cultural and social and religious services and at 4.119—indicative outputs—it refers to cultural services. What does 'cultural' mean in this regard?

Mr Paget: It includes Aboriginal programs.

Mr KOUTSANTONIS: I am happy for the replies to my questions to be furnished later. Page 4.109 states:

Some prisons will have security systems upgraded.

Which prisons will have security systems upgraded? I refer also to page 4.112, regarding developing education programs. Do we have any information on education programs being conducted at the Mount Gambier Prison? Has the funding to these programs been cut by the State—if indeed they are funded by the State?

Mr Paget: Are you referring to education programs in general or those specifically at Mount Gambier?

Mr KOUTSANTONIS: Those specifically at Mount Gambier.

Mr Paget: It is part of its contractual arrangements to provide education programs in conjunction with the local TAFE.

Mr KOUTSANTONIS: Do we know how much money is being spent on education programs in Mount Gambier, or is that part of the contract?

Mr Paget: That is contained under the contractual arrangements.

Mr KOUTSANTONIS: So you cannot divulge that?

The Hon. I.F. Evans: We will be coming back to you with a number of questions on Mount Gambier. We understand where you are coming from and we are happy to take that one up. Obviously, security systems are an important component of all corrections systems, and the general comprehensiveness of each system is proportional to the capacity and security rating of the various prisoners. The existing electronic systems are now 10 to 15 years old, in some instances, and were based on equipment designed for United States military purposes. Commercial systems were not available at that time and, by current standards, the existing systems are complex in design and operation. The

current estimated total replacement value of the department's electronic security systems would be in excess of \$10 million if it were all done at once.

I am advised that the current funding arrangements are as follows: 1997-98, \$300 000; 1998-99, \$1.2 million; and 1999-2000, \$500 000. During 1997-98, the first replacement system was installed. This was the cell intercom system at Yatala Labour Prison. An identical project of replacing the Adelaide Remand Centre cell intercom will proceed early in the 1998-99 financial year. Projects currently in either feasibility stage or design development include the Yatala Labour Prison, which is looking at replacing the perimeter security detection system, camera replacement and rationalisation, construction of new central room, installation of new touch-screen monitors; and Mobilong Prison, replacement of perimeter security detection system, replacement of perimeter close circuit television cameras (CCTVs), installation of secondary perimeter detection system; and Adelaide Remand Centre, replacement of building management system components, replacement of cell intercom system, assessment and upgrade of close circuit television cameras. A benefit of these replacement programs is that it also minimises any potential impact of the year 2000 bug—or millennium bug. That is obviously an issue with which all security systems have to deal—what effect the year 2000 will have on them. They are obviously being reviewed with that in mind as well.

Mr KOUTSANTONIS: I refer the Minister to page 4.113, under 'Issues', which states that there is to be a study into the high rate of remand in South Australia. What will be the scope of the study? Who will pick up the cost of the study, and how much will it cost? Do you have any dates for the beginning of this study? Unlike the contract, will you make it available to the Parliament?

The Hon. I.F. Evans: I am advised that the remand rate per 100 000 adult population in South Australia has remained consistently high over the past decade. It was 19.2 in June 1988 compared to 21.2 in December 1997. The national rate in December 1997 was 18.7. So South Australia was higher than the national rate. Factors contributing to the high remand rate in South Australia are being examined by the remand rate working group. This is an inter-agency committee formed in 1996 to investigate the reasons for and implications of South Australia's traditionally high remand rate. The agencies represented in the working group are the Attorney-General's Department, Courts Administration Authority, Sapol, State Aboriginal Affairs and Correctional Services. Work currently under way or completed by the working group include a remand rate discussion paper, comparison of Aboriginal and non-Aboriginal remand in custody, survey of magistrates and supplementary survey work, survey of police prosecutors and lawyers, and also interstate comparisons of bail legislation. What we are trying to establish here is why South Australia—not just one year but traditionally now for a decade or so—had a high remand rate compared to that of other States. Obviously, you can look at other options at the front end of the system; it obviously has benefits down the track. That is obviously the reason why we are looking at that.

Mr CONLON: In regard to community based offender supervision, what amount of the 1997-98 and 1998-99 appropriations are for home detention?

The Hon. I.F. Evans: We will take that question on notice and bring back an actual dollar value.

Ms BEDFORD: The budget paper (page 4.128) states that staff costs at Yatala labour prison are expected to exceed

budget by \$400 000, due to staff vacancies and higher levels of staff overtime and call-backs. How many staff vacancies exist?

The Hon. I.F. Evans: I can add to my previous answer. With a staff vacancy rate of about 10 or 11 per cent, there is also a prison vacancy rate of about 20 per cent. In some cases, it is a little higher than 20 per cent, so it is not as though they are managing with a lower staff level; they are also managing a lower prisoner level.

Ms BEDFORD: My other question relates to the Aboriginal peer education program. The department is aware of that program being run by ADAC. What is the department's assessment of the program? What reason does the department have for not funding the program, and does the Minister agree with the decision?

Mr Paget: I can give the honourable member the origins of the program. It was a program that was developed by ADAC, which then approached the national drug strategy, which sought our comments on the program. It was funded by the Commonwealth. In April this year I was approached to take over the Commonwealth funding which will end at the end of this financial year. Members would appreciate that the sums involved—between \$160 000 to nearly \$300 000—are not something one could come up with at three months' notice.

The other problem is that the program has not yet been evaluated fully. So we would not be in a position to commit funds of that order to an unevaluated program. Having said that, I recognise that it is a complementary program, and it is something I would wish to see succeed. Had I advised of this back in December, we could have made appropriate budget submissions at that time.

I have spoken to Mr Wilson at ADAC and explained the situation to him. He spoke to me as late as this afternoon. He was optimistic that funding sources may be available elsewhere—either through other Government agencies, the Commonwealth or, indeed, corporate sponsorship. The program is by no means dead. I wish to make the point that the program is complementary to our existing programs and will not create a great void if funding is not found for it. Other programs for Aboriginal people with drug and alcohol problems are conducted by the department.

The CHAIRMAN: I declare the examination of the votes complete.

Country Fire Service, \$13 356 000
 South Australian Metropolitan Fire Service, \$6 899 000
 State Emergency Services SA, \$2 324 000
 Administered Items for State Emergency Services SA,
 \$122 000
 Minister for Police, Correctional Services and
 Emergency Services—Other Items, \$18 391 000

Departmental Advisers:

Mr B. Lancaster, Director/Acting Chief Executive Officer, State Emergency Service.

Mr N. Cooke, Deputy Director, State Emergency Service.

Mr I. Pickering, Chief Executive Officer, South Australian Ambulance Service.

Mr S. Ellis, Chief Executive Officer, Country Fire Service.

Mr J. Hayward, Manager, Physical and Financial.

Mr J. Derbyshire, Chief Executive Officer, Metropolitan Fire Service.

Mr T. Norman, Financial Controller, South Australian Metropolitan Fire Service.

Mr K. Kelly, Chief Executive Officer, Attorney-General's Office.

Mr K. Penniford, Director of Finance, Attorney-General's Office.

Membership:

Ms Rankine substituted for Ms Bedford.

The CHAIRMAN: I declare the proposed payments open for examination.

Mr CONLON: I refer to Portfolio Statements Budget Paper 4, Volume 1. In the 1997-98 estimated result in the Outputs Operating Statement, the total expenses of the Country Fire Service were \$14.096 million and the appropriation by the State Government was \$6.466 million. However, in the 1998-98 budget forecast, the amount for expenses has been reduced by \$2 million to \$12.893 million, but the appropriation has increased enormously to \$13.356 million, which exceeds the actual expenses. What is the purpose of this dramatic and generous increase in appropriation?

The Hon. I.F. Evans: The increase in appropriation is to address the CFS debt.

Mr CONLON: The CFS owes the debt to the Government; is that right?

The Hon. I.F. Evans: The CFS debt is owed to the South Australian Government Financing Authority (SAFA).

Mr CONLON: I am a bit perplexed by the claim in the budget speech that \$13 million in debt will be recovered. On about page 6 of the budget speech it is stated:

... the Government has decided to seek the repayment of the \$13 million in CFS debt.

You are actually saying that you have increased the appropriation by \$6.5 million so that the CFS can pay that amount to another Government agency.

The Hon. I.F. Evans: I will clarify my earlier response. Originally the debt was established with the South Australian Government Financing Authority. I understand that in November 1995 the debt was centralised with Treasury. The appropriation is made to the CFS to address its debt position. That means, ultimately, that insured properties will attract an increase in the fire service levy. The Government appropriation and the amount collected from insurance will total approximately \$13.1 million, which will address the debt.

Mr CONLON: In effect, you have written off half the debt by increasing appropriation to finance half the repayment. Am I missing something? In effect, you have written off half the debt and raised the other half from fire insurance premiums. It is Government money that you are handing over.

The Hon. I.F. Evans: The Government only has Government money.

Mr CONLON: And it goes back to SAFA?

The Hon. I.F. Evans: No. I have clarified that. As I understand it, the debt was centralised with Treasury in November 1995.

Mr CONLON: The Treasury is part of Government. It is owed \$13 million by the CFS. Another part of Government gives the CFS an increase in appropriation way above normal by about \$6.5 million so that it can pay back a debt to another party. So, you have written it off.

The Hon. I.F. Evans: I do not understand the point you make. What is unusual about that procedure?

Mr CONLON: What is unusual about the procedure is that the CFS owes the Government \$13 million and the Government will get back from the CFS about \$6.5 million. If you pay the CFS an appropriation to pay you back money, are you not writing off the debt?

The Hon. I.F. Evans: Under the CFS Act, if the Government provides the CFS with money, ultimately half of that amount is collected through insurance premiums and half of that by Government appropriation. We are simply operating under the terms set out in the CFS Act.

Mr CONLON: What would have been the difference if you had simply said, 'Just give us back \$6.5 million and we won't give you that appropriation'?

The Hon. I.F. Evans: The Act does not allow that. My understanding of the Act is that the amount collected by the insurers is half the amount indicated in the budget. If you wrote off \$6.5 million, the CFS would still have a debt of \$6.5 million.

Mr CONLON: Basically, you have paid the extra money in order to get the legislative justification for ripping \$6.5 million extra out of fire insurance premiums or that part of the funding in one year?

The Hon. I.F. Evans: That might be your interpretation. The other choice was for us to say that the CFS was paying only \$1.65 million a year in interest, the debt has been sitting around following the 1983 Coroner's report since about 1984-85, so we will not address the debt but simply say to the CFS, 'You keep paying out \$1.65 million and not operate to the best of your ability.' That is not what this Government is about. We decided that, for once, we would address the debt. The way in which to address the debt is set out in the CFS Act, and we have simply followed that. Ultimately, we are trying to amend the way in which Emergency Services are funded, and hopefully the Opposition will support us.

Mr CONLON: That leads me to my next question. There is absolutely no reason why the debt could not have been paid under the new emergency services levy over a period of time. One of the things that was identified in the introduction of the emergency services levy was that in the Government's opinion current funding is unfair. I think it was said that 30 per cent of people do not insure and that a further 30 per cent under-insure. If that is an unfair system, why is it fairer to recover this debt? Why not recover it under the emergency services levy, if that is a fairer system? It just means one extra year, and it has been sitting there since 1983. Why are you recovering it under the system that you say is unfair?

The Hon. I.F. Evans: We made a ministerial statement in response to a question in the House. We did not want to start the new system by putting what is essentially a 15 year old or 16 year old debt into the new system. We wanted to clear the slate if we could. We recognise the injustice in the current system and we are trying to change it. It will be interesting to see whether the Opposition supports us in changing the current system. Ultimately, we are trying to clear the slate of what is a debt which was incurred under the old system and which we are trying to clear under the old system.

Mr CONLON: Perhaps I can then ask a few questions to help me decide whether we should support you on the new emergency services levy. As I understand it, under the current system the State Government's appropriation to CFS is about 50 per cent?

The Hon. I.F. Evans: Yes.

Mr CONLON: The contribution to the MFS is 12.5 per cent?

The Hon. I.F. Evans: That is right.

Mr CONLON: The contribution to the State Emergency Service is almost all its budget, is it not?

The Hon. I.F. Evans: Apart from some Federal Government grants, yes.

Mr CONLON: That is only about 2 per cent or 3 per cent, so the Government is funding 95 per cent of that. I assume the bulk of the income from the new emergency services levy will come from the levy on real property.

The Hon. I.F. Evans: Yes, that would be a fair assumption.

Mr CONLON: I note that section 9(4) of the Act provides that the Minister may set an amount necessary for emergency services funding to be raised from the real property levy. It sets an amount each year that will be necessary for the emergency services to be raised by the real property levy. Section 10 provides an exemption to the Crown if it pays 10 per cent of that sum. If the Government is paying 50 per cent of the CFS, 12.5 per cent of the MFS and all the SES, could you explain why I am not right in assuming that you are cutting your contributions to the emergency services under the existing arrangements by paying only 10 per cent of the total sum?

The Hon. I.F. Evans: The 10 per cent contribution was recommended by the committee on the basis that the Government property is not valued to a capital value using the procedure applied to other properties. The Government does not have a list of Government property and its actual capital value as you would a set of houses, for example, which is valued by the Valuer-General for council rating purposes. The committee recommended a value of 10 per cent be applied to be paid by Government as an interim measure while the Government goes through a procedure of looking at a way of capital valuing its property. It established a valuation of 10 per cent which is a figure not dissimilar to that being used in the Western Australian system.

Mr CONLON: I refer to the proposed new radio trunking communications network for the police and emergency services. Earlier today I asked whether the Minister could bring back the police component. I asked him a similar question in regard to the Metropolitan Fire Service, the Country Fire Service, the State Emergency Services and the Ambulance Service, which are all within the Minister's areas of responsibility. It is the information he has undertaken to provide in relation to the component of the Motorola contract and the component of the new communication network in general.

The Hon. I.F. Evans: I do not see a problem with that, but I believe with Estimates Committees we are to respond within a certain time frame. The Government radio network contract may not be tendered out within that time frame, so I will not be able to meet the normal time frame criteria.

Mr CONLON: The Minister will be able to do so in regard to the Motorola contract, which has been let, has it not?

The Hon. I.F. Evans: That is a matter for another Minister. In relation to the Government radio network contract—

Mr Koutsantonis interjecting:

The Hon. I.F. Evans: The member for Peake asks what I do. The purchase of supplies is ultimately through DAIS and that is not me. At the end of the day I cannot speak of

something DAIS is purchasing. He may want to take that up with that Minister at the right time.

Mr CONLON: If Motorola contracted to provide equipment to the police and to the emergency services, the Minister must be able to tell me what is the component in each of the portfolio areas. If a contract has not been let, it is a different matter, but if it is let in relation to all those areas, surely the Minister knows what is going on in his portfolio areas.

The Hon. I.F. Evans: The GRNC contract is not an emergency service driven contract but a whole of Government contract and therefore is done through DAIS.

Mr CONLON: They will supply radios and communications equipment to the Metropolitan Fire Service and to the Country Fire Service and State Emergency Services. They will do that.

The Hon. I.F. Evans: That is ultimately part of the Government radio network contract tender process, which is driven through DAIS. I accept that my agencies may be some of the primary users of the whole of Government network contract, but the purchasing and tendering process is controlled by DAIS and not me. Ultimately my agencies will certainly use the radio network, but the tendering of it is done by DAIS and not me—I am not the Minister responsible.

Mr CONLON: Are you telling me that your agencies will not pay for the service that they get? The Department of Administrative and Information Services will require the MFS and the Ambulance Service to pay its share.

The Hon. I.F. Evans: My understanding is that there will be some charge through the system for the agencies to have access to the Government radio network contract. My understanding also is that discussions are occurring between agencies about the format of that charge. The format of the charge is not yet finalised but there are discussions at officer level about that concept.

Mr CONLON: Over which financial year will this be paid for? When will your contribution be required?

The Hon. I.F. Evans: The Government radio network tender has not been finalised, so no decision has been taken as to whether it is a lease or a straight out purchase. I cannot clarify that. The honourable member needs to take up this matter up with the Minister who is handling the contract, and that is not me.

Mr CONLON: I understand what you are saying, Minister. Given that you have responsibility for certain agencies and the state of their budgets, I do not believe that you would not have some inkling of what those agencies will have to pay over the next year or two.

The Hon. I.F. Evans: We do not work on inklings: we work on tender prices. Until the tender is resolved, I do not have a firm figure. What I am saying is that the honourable member needs to take up that matter with the Minister responsible for the contract, and that is not me. My agencies will be primary users, and there will be other users from other agencies as well, but the contract is not mine.

Mr CONLON: We are speaking about two things. The first is the contract to provide the actual equipment, and the other is an ongoing contract for the maintenance of the radio service.

The Hon. I.F. Evans: No, my understanding is that it is all tied up in the one package.

Mr CONLON: Is there a contract with Motorola to provide you with communications equipment?

The Hon. I.F. Evans: I have no contract with Motorola to provide communications equipment.

Mr CONLON: I know that you do not, but do you not know of one being in existence?

The Hon. I.F. Evans: This whole concept about who provides the equipment and the Government radio network contract is handled by another Minister, not me. I cannot answer on behalf of another Minister.

Mr CONLON: I am asking whether you know if the Motorola contract that has been written about for two years exists? It is not a hard question. I promise that I will not ask for any more details if the Minister tells me that.

The Hon. I.F. Evans: Ultimately it is up to the Minister responsible for the GRNC to answer that. I cannot speak for another Minister. It is not my role.

Mr CONLON: I am asking what you know, Minister. Do you know whether or not there is a contract?

The Hon. I.F. Evans: I am not going to pre-empt the tender process.

The CHAIRMAN: Order! We will not pursue this line of questioning any further. The Chair has been most tolerant. The member for Goyder.

Mr MEIER: My question concerns the export of training services overseas. What was the reason for the recent visit of the Education and Medical Director of the South Australian Ambulance Service to Malaysia? Can the Minister give details on the outcome of that visit?

The Hon. I.F. Evans: With the assistance of SAGRIC, representatives of the Ambulance Service were encouraged to attend an international emergency and pre-hospital patient care conference in Malaysia in May 1998. Another conference is coming up later in the year. The trip was sponsored by the organisers of the conference—Hospitech. SAGRIC and the ambulance service have previously made contact with the authorities of the Malaysian ambulance service to investigate the possibility of providing and supervising a national ambulance course for some of the Malaysian ambulance officers. SAGRIC and the South Australian Ambulance Service have renewed contact with the Malaysian ambulance authority. Whilst Malaysia has contracted the administration of the national ambulance service to a consortium, that consortium has expressed interest to the South Australian Ambulance Service about ambulance education.

The ambulance service's advantages are perceived as being the affiliation with an internationally recognised university—the Flinders University—the course structure and the philosophy of a knowledge and judgment based course rather than on other methods of learning. The affiliation with Flinders University enables the overseas students to participate in the ambulance studies component of a Bachelor of Health Science. The South Australian Ambulance Service will be able to generate additional income for the State and be provided with the opportunity for greater links and influence in ambulance management and the development of ambulance services in other countries. Obviously, another bonus is the education link with the ambulance service, which may also generate extra income for Flinders University.

Mr MEIER: That is good to hear; thank you. I am well aware that the emergency service agencies rely on assisting each other in emergency situations, but will the Minister explain what the South Australian metropolitan fire service is doing to enhance mutual aid arrangements with other emergency service providers?

The Hon. I.F. Evans: I will ask John Derbyshire, the CEO of SAMFS, to answer that. Later, Stuart Ellis from the CFS might want to follow up with some comments.

Mr Derbyshire: Enhanced mutual aid is a cooperative scheme operated by the two fire services in areas where we have mutually adjoining boundaries. In essence, EMA ensures that, irrespective of the boundary or the source of the fire appliance, an emergency incident will be attended by fire crews which are closest in terms of response time. In the metropolitan area, when determining the closest resource, a four minute penalty equating to four kilometres is applied to the CFS volunteer stations. This is in recognition of the time required for them to respond to their stations, whereas the full-time SAMFS personnel are immediately available. Legislative responsibility is always maintained by despatching at least one appliance from the service within whose area the incident occurs. The senior attending officer of that service assumes the role of incident controller. In country towns serviced by SAMFS, the brigades have become members of the adjacent CFS group or brigade. This allows input by the local MFS officers into group plans and decisions, and it also enhances future cooperation between the services.

EMA training is designed to instruct each service on how to handle incidents within each other's boundaries. Courses conducted for staff from both brigades' operational areas include bushfire procedures, EMA response to high-rise buildings, EMA response to automatic fire alarms, EMA airport procedure and EMA greater alarm systems. Training involving the police, the ambulance service and the SES is ongoing, sharing the expertise, skills and knowledge of those departments also. Continued joint exercises, coordinated and designed by a central exercise writing team, become a test area for each service to practise and identify their training needs. The SAMFS has a member on that central exercise writing team, and that team meets regularly with other emergency services to discuss, formulate and design, conduct and review exercises. Enhanced mutual aid provides the community with rapid, appropriate response to emergency incidents in areas with adjoining boundaries.

The Hon. I.F. Evans: I invite Mr Ellis, from the CFS, to add some comments.

Mr Ellis: I would add that, overall, the cooperation between the two services is very good. The arrangements of enhanced mutual aid provide a belt and braces approach to emergency service from the two fire services. It links in our combined training and the combined call-out around the metropolitan area and, generally, at the local level, it is a very positive arrangement.

The CHAIRMAN: What action is the Country Fire Service engaged in to ensure that Government departments which own large tracts of land carry out adequate prevention measures against bushfires—for example, maintaining fire breaks and fire access tracks?

The Hon. I.F. Evans: I will ask Mr Ellis to answer that.

Mr Ellis: Ongoing discussions take place with a range of Government agencies regarding the fire prevention measures in national parks, in areas of Crown land and other areas. Joint planning arrangements are in place. Members of the national parks staff and their fire units attend CFS group meetings and regional planning meetings and, as much as possible, are integrated within the CFS structure. There is always more that can be done, but the understanding and the arrangements that are in place for response, for aerial bombing, and so on, are improving all the time.

The Hon. I.F. Evans: As members may know, the area that I represent contains the Belair National Park, which is the oldest park in the State and the second oldest in Australia, and

I share some of the concerns raised by the Chair. I make the point that if members with concerns about Government property that they believe need addressing by any of the emergency services agencies raise those matters directly with me I will be happy to have the agencies go out and assess the situation. As Mr Ellis says, there is always more work that can be done and from time to time certain areas may be overlooked. So, if members bring to our attention those matters that need to be addressed we will make sure that they are looked at.

Mr CONLON: With respect to the South Australian Metropolitan Fire Service, at page 4.163 I note that the budget estimate, in terms of the number of employees, is the same as the estimated result for 1998—we do not have that snapshot problem that we had with the police; they seem to be set there. I understand that at the moment a process of enterprise bargaining is taking place between the United Fire Fighters Union and the corporation. Is it intended that any operational positions may be scrapped as a result of that bargaining?

The Hon. I.F. Evans: To my knowledge, we are not into an enterprise bargaining process with the Metropolitan Fire Service. My understanding is that—and the CEO will correct me if I am wrong—that does not start until—

Mr Conlon interjecting:

The Hon. I.F. Evans: It may be due to start soon, but I do not believe that it has started. I understood that enterprise bargaining was to begin later in the year. Apparently, the current enterprise bargaining arrangement runs out in September, and the unions have indicated that they wish to start negotiations in July.

Mr CONLON: I note the Minister's answer earlier with respect to the police. I ask him again: can he guarantee those 810 operational positions, or are any of them in question? Will we keep those numbers? That is a very simple question.

The Hon. I.F. Evans: I do not believe that any Minister would discuss enterprise bargaining arrangements across an Estimates table. Ultimately, that is the role of the management of the South Australian Metropolitan Fire Service and the union concerned, and that is the proper place for it. I do not believe that anyone seriously expects me, as Minister, to sit here and start negotiating across an Estimates table what may or may not end up being part of the enterprise bargaining arrangement. But I make the point that I understand we have just trained an extra 20 people, and they started on Monday.

Mr CONLON: That would have been the first intake in four years, I would have thought.

The Hon. I.F. Evans: Yes, that is correct, we have increased—

Mr CONLON: There used to be an intake every year, so it is hardly commendable.

The Hon. I.F. Evans: If the honourable member wants to criticise the employment of 20 others, he can go right ahead. But the fact is that 20 more people are employed.

Mr Conlon interjecting:

The Hon. I.F. Evans: At the end of the day we are not about to enter into an enterprise bargaining process across the Estimates Committee.

Mr CONLON: It is of interest to the people of South Australia how many firefighters they will have over the next year, given the track record. I understand the corporation has indicated a desire to pursue a reduction of operational staff at Port Pirie, and it may do that through the enterprise bargaining process. Is that the case and, if so, how does it sit

with the forecast of 810 employees who will still be there at the end of the next financial year?

The Hon. I.F. Evans: I am advised that there is no intention in the enterprise bargaining process to affect the operational capability of the South Australian Metropolitan Fire Service. I repeat: I am not prepared to sit here and negotiate across the table an enterprise bargaining arrangement.

Mr CONLON: I am not asking you to do that. I am asking whether the corporation has a desire to reduce the number of operational staff at Port Pirie. That is pretty simple.

The Hon. I.F. Evans: I will not undertake enterprise bargaining across the table. Ultimately, that is what you are doing. It is between the employer and the union to decide where they need fire officers and how many. It is not for us to decide across this table. The budget papers already indicate 810, and 810 for next year. It is the same number.

Mr CONLON: The budget papers show a reduction for the police of 49 but do not really mean that. I want to make sure that 810 does mean 810. The people in Port Pirie would like to know whether the fire service intends to reduce the number of operational staff in Port Pirie. Set aside the enterprise bargaining and just tell the people of Port Pirie whether they are going to have a reduction in operational staff.

The Hon. I.F. Evans: Let us work this line of questioning through. If I answer the question for any suburb or town, why would I not answer the question for every suburb and town? Ultimately, you would ask, 'What is the operational number?' I am saying that in any organisation the work force numbers and the way they are distributed is the proper negotiating role for management and the work force. I understand from where you are coming and, on advice, I have already given an undertaking that they are not interested in reducing operational capability. The budget papers show 810 to 810. We have already employed an extra 20 who start this Monday. I cannot make it much clearer, but I am not going down the path of entering into the proper role of an enterprise bargaining arrangement. It would be disrespectful to management and the union. Let management and the union sit down behind the scenes and talk about what they both want. I am not sure what the union will be asking for in an enterprise bargaining arrangement.

Mr CONLON: I suspect it will be money.

The Hon. I.F. Evans: That will be up to the union and management to negotiate properly. That is the proper place for it.

Mr MEIER: One of the core functions of the SES is to provide emergency planning services to members and the community. What programs is the SES offering to its volunteer members, staff and the community at large in order to fulfil this vital function?

The Hon. I.F. Evans: The State Emergency Service undertakes various exercises and procedures in relation to State disaster management and disaster planning. A major communication and liaison exercise to test the State disaster plan and the State Emergency Operations Centre is held annually as a trial to test various systems, and the exercise 'Team Spirit 97' was held in November 1997 to validate the exercise outcomes and incorporate the correct procedures and to look at the activation of certain procedures during undecleared major incidents.

Exercise Russet Storm 98 was conducted in January 1998 and, as a result, the procedures for State Emergency oper-

ations will now be amended. As improvements or problems are identified they will be ultimately corrected through these various training exercises. A further exercise called Red Eye is to be conducted in October this year and will be based in the South-East. An earthquake will be the scenario of the operation, given that that area experiences some earthquake issues. These exercises provide the means by which the State Disaster Plan is amended and maintains a high level of accuracy and readiness.

Special plan exercises are also undertaken in relation to set areas. For example, we have the Adelaide Airport plan, which details what will happen if a disaster occurs there and how we deal with it. There is also the Wayville Showgrounds plan, which addresses how the emergency service agencies would deal with an incident during the Adelaide Royal Show given the large crowds that attend. The Adelaide Refinery is another example, as well as a plan for Port Adelaide. Various special incidents are highlighted around South Australia. Wearing my other hat with respect to corrections, I have asked what would happen if one of the prisons suffered a major disaster. How would some of those people, given their special security needs, be accommodated and looked after, and do we have the capacity to deal with that sort of area?

Other areas looked at include natural disasters and community awareness of those. The Commonwealth Government, through the Department of Defence's emergency management, provides a considerable amount of printed disaster awareness material designed to increase public awareness and potential hazards, and this is distributed Statewide by the SES.

Mr MEIER: Will the Minister detail the relationship between the SES and the coast volunteers, and is the cooperation increasing between the respective services, or are they still operating very much independently?

The Hon. I.F. Evans: Over the past two years the State Emergency Service has undertaken a review into volunteer marine rescue, which includes a volunteer coastguard. The volunteer coastguard, like surf lifesaving, has been lobbying the Government for some years to transfer its funding from the Department of Sport and Recreation to the State Emergency Service portfolio. At a recent national convention of the volunteer coastguard a commitment was given that as from this year the volunteer coastguard will be funded through State Emergency Service budget lines.

Similarly from next year, 1 July 1999, the emergency service component of the Surf Lifesaving Association will be transferred from the Department of Sport and Recreation through to State Emergency Service. We have recognised those organisations. Other organisations are mentioned in the Volunteer Marine Rescue Report. We are addressing those and looking at the recommendations. We have not reached a final conclusion but other organisations are included, such as the Sea Rescue Squadron, which may come under State Emergency Service funding. That will bring the volunteer marine rescue grouping under the State Emergency Service, which will make it a greater part of the planning in relation to disaster management.

It brings that grouping into the fold for the training of volunteers as well as being part of a coordinated response to disasters. We believe that there will be a far closer linking between the State Emergency Service organisations. They will report to the Director of the State Emergency Service organisation and will then link in with all the other emergency service style organisations. We see them far more appropriately placed under the State Emergency Service than

they are currently under the Department of Sport and Recreation.

Mr MEIER: Did the Minister say that funding will come under the SES budget this financial year, or is it to apply only next financial year?

The Hon. I.F. Evans: From memory about \$29 000 was provided for the volunteer coastguard. That was previously funded out of a Department of Recreation and Sport line. We have transferred that through to the State Emergency Service. As from 1 July 1998, the volunteer coastguard will be under the State Emergency Service. Surf Life Saving South Australia receives about \$145 000 from the Department of Recreation and Sport. My understanding is that it will receive that this year from the Department of Recreation and Sport, that is, up to 30 June 1999. From 1 July 1999, it will be funded through the State Emergency Service.

Mr CONLON: The SAMFS budget allows for an increase in employee entitlements relating to salaries, wages, and annual and sick leave of 1.64 per cent on your budget figures. What is that an allowance for? What occurs in the budget line if there is a wage increase beyond that sum as a result of the soon to be entered into enterprise bargaining process?

The Hon. I.F. Evans: I am advised that the 1.64 per cent relates to the current EB in relation to a slight change in the increments and the ranks.

Mr CONLON: There is no amount for any increase other than the current process. How is that paid for if you do get an increase before the end of the financial year? Does that come out of your operating surplus? Where does it come from?

The Hon. I.F. Evans: Ultimately, that is a matter for negotiation. The manager would negotiate with the work force to establish a particular outcome in EB. What that outcome delivers as yet we are unsure. Ultimately, if it is signed off by Government, where that money comes from, whether it be from within budget or elsewhere, will be decided at that point—it could even be from savings.

Mr CONLON: It has been suggested to me that, over a year ago, the South Australian Ambulance Service purchased 15 new light bars for ambulances, but they have languished ever since at the depot. I understand that they were worth \$1 000 each. Is this the case?

The Hon. I.F. Evans: We will have to take that question on notice and come back to you.

Mr Koutsantonis interjecting:

The Hon. I.F. Evans: Don't forget that there is only one here from the ambulance service, member for Peake. We introduced them all; they are all from different agencies. We are happy to take that question on notice and bring back a reply.

Mr CONLON: In the description of the ambulance service in the budget, I note that it is stated that an increasing rate of work is required of the ambulance servicemen. I note that the ambulance service full-time employees forecast shows a reduction from 631 to 608. Why would that occur?

The Hon. I.F. Evans: The briefing note provided to me shows that the full-time equivalents increased by 23, from 608 on 30 June 1997 to 631 on 30 June 1998. To which page is the honourable member referring?

Mr CONLON: Page 4.181. The 1998 estimated result is 631 but the budget estimate for 1999 is 608. Perhaps the figures have been transposed.

The Hon. I.F. Evans: They may have transposed the figures; I will need to check that. But it is clear that the briefing note shows that the 608 figure is for 1997. My advice

is that the briefing note is correct. I undertake to check that and get back to the honourable member, but the advice given to me twice now is that the briefing note is correct; that is, that full-time equivalents increased by 23 from 608 on 30 June 1997 to 631 on 30 June 1998.

Mr HAMILTON-SMITH: Will the Minister indicate how the CFS intends to apply its capital works budget for 1998-99?

The Hon. I.F. Evans: The CFS will be applying its capital works budget to either new fire stations or to new fleet replacement. Fire stations currently under contract or completed during 1997-98 include the Bordertown CFS-SES joint station, which I had the pleasure of opening in the past two or three months. The CFS contribution there was \$100 000. There are also stations at Cambrai, Marree (which is a joint CFS-RDNS facility), Oodnadatta, Truro, Marla (which is also being collocated with other emergency service agencies) and Tohill.

Negotiations with local government councils have commenced regarding the following stations for 1998-99: in region 1—Willunga, total building and communications cost of about \$201 000, CFS contribution \$82 000; Williamstown, total cost of \$206 000, CFS contribution about \$118 000; Paringa, total cost of \$153 000, CFS contribution \$109 000; Robe, CFS and Ambulance Service combined building, which will add to the new police station we opened this year, total cost of buildings \$233 000, CFS contribution \$149 000; and Cummins, which is also proposed as a joint facility, total cost around \$251 000, CFS contribution about \$134 000.

In relation to fire appliances, the CFS aims to replace about 15 appliances over the 1998-99 financial year, based on the standards of the fire and emergency cover. Negotiations are continuing for the replacement of appliances for the following brigades during the 1998-99 financial year: Lameroo, Tailem Bend, Penola, Padthaway, Streaky Bay, Kimba, Yankalilla, Goolwa, Upper Sturt, Parndana, Wilmington, Tea Tree Gully, Wudinna and Eyre Peninsula. I am advised that the Murray Bridge firm, Moore Engineering, will continue to equip and commission CFS appliances, as it has in the past.

Mr HAMILTON-SMITH: I note that the Ambulance Service is to spend \$1.55 million on its defibrillator program from 1997-98 to the end of 1999. What are the benefits of that program?

The Hon. I.F. Evans: New defibrillators are vital components in the treatment system for cardiac arrest. The South Australian Ambulance Service's existing units are out of date and becoming increasingly difficult and costly to maintain. I believe they have been out of production for over eight years. An amount of \$755 000 was invested in 1997-98 to replace the existing units, and \$300 000 has been allocated for 1998-99. After a process of evaluation, a model 710 unit has been selected as a suitable replacement. It is cheaper than comparable models on the market. These units will eventually be distributed to all paramedic and advanced life support ambulances within South Australia.

The advantages of the new units include: clinical information such as electrical patterns in a heart and the levels of oxygen saturation in blood vessels; the real time recording of events; and data management capacity facilitating ongoing quality assurance activities. The Ambulance Service is the first in the country to use this new technology—so we are leading the pack once again—and of course early defibrillation is essential to a patient's survival from cardiac arrest.

Mr HAMILTON-SMITH: Will the Minister explain the affiliation of the Ambulance Service with Flinders University and outline any benefits such an affiliation might produce?

The Hon. I.F. Evans: I focused earlier in relation to an answer about the Ambulance Service's involvement with Malaysia on benefits to Flinders University. An Ambulance Service study stream has been incorporated into a Bachelor of Health Science degree conducted through the School of Medicine at Flinders University. The inaugural classes began in 1998. The inclusion of an ambulance study stream demonstrates the increase in professionalism of the ambulance industry and moves ambulance training away from skills based learning to more of an academic education. The university environment at Flinders University may open alternative career paths for ambulance personnel who want to link into other career structures offered through the university. The South Australian Ambulance Service expects to gain increased academic recognition and credibility for ambulance personnel from such a move.

The inclusion mirrors university based ambulance courses which are now being offered in several States and other countries. Unlike other courses, however, the Bachelor of Health Science in Ambulance Studies is an integrated program within the Flinders University structure. Its inclusion in the university program also enables the South Australian Ambulance Service to provide instruction to overseas and interstate students and to generate and contribute to the revenue of the State and also Flinders University. Instructors in the course include members of the South Australian Ambulance Service teaching staff, Flinders University staff and staff from the Flinders Medical Centre.

Ms RANKINE: My question refers to page 4.133 of the Portfolio Statements. Will the Minister advise how the one-off levy for the CFS debt will be allocated in council areas such as Salisbury and Tea Tree Gully which are serviced by both the CFS and the MFS? Will all residents within these council areas be levied or only those considered to be in CFS designated areas?

The Hon. I.F. Evans: Under the CFS Act, the way that the insurance industry applies, any fire service levy to be collected by the insurance industry is decided by the insurance industry. Ultimately, that is a decision for the insurance industry.

Ms RANKINE: How is it decided to whom the Government will extend this levy?

The Hon. I.F. Evans: As I understand it, under the Act the Government decides how much the agency will spend. If we pick a figure, say, \$10 million, then half of that through the CFS is collected by the fire service levy. So, a notification is then sent to the insurance industry that it has to collect, in this example, \$5 million, and under the Act the insurance industry decides how it will collect that.

Ms RANKINE: For example, people in Golden Grove whose properties border the Cobbler Creek recreation park, where any fires that occur in that park are serviced by the CFS, will gain the benefit but do not pay the levy. Their properties may adjoin the Cobbler Creek recreation park, or people in one area may be serviced by the CFS because it is designated a rural living area whereas those across the road are designated to be in a residential area, and one can be levied for the CFS debt and not the other, despite the fact that the person living in the residential area will also benefit by the CFS actions.

The Hon. I.F. Evans: Ultimately, that is a matter for the insurance industry. As I said, I do not control that under the

Act. As I have already explained, the CFS Act provides that the insurance industry ultimately decides from whom it collects.

Mr CONLON: Is the Minister suggesting that the insurance industry would be free to raise the premiums of people who are paying their premiums towards the metropolitan fire service funding? Surely people whose premiums should be addressed to the Metropolitan Fire Service for the service they receive would not have this additional levy to pay off the CFS debt imposed on their premium?

The Hon. I.F. Evans: I do not quite understand where the member for Elder is coming from. Within the last hour or so you have questioned me on why we are not taking the CFS debt and applying it to the levy so that everyone can pay it, which would include people in the MFS area. Now you are saying to me, 'Surely you will not let the insurers apply the CFS levy to those in the MFS areas.' You are actually asking me both questions from both directions. An hour ago you were saying that the system is very unfair and that we should put it into the new levy so that everyone can pay. If everyone is going to pay, that includes people in the MFS area. That was the argument put to me within the last hour. Now you are asking me, 'Are the insurers free to charge people in the MFS area?' I am not quite sure which argument you wish to adopt. One minute you are arguing that we should go down the path of charging absolutely everyone for this debt, and the next minute you are saying that we should restrict the repayment to CFS areas. I am somewhat confused.

Mr CONLON: I do not want to have an argument: I am asking a question. It is your system and your arguments about fairness. I am not arguing whether it is right or wrong. I want to know whether, with this levy, the insurance companies are free to raise the money to repay the CFS debt from those people living in MFS areas who pay for an MFS service?

The Hon. I.F. Evans: The insurance companies are restricted by exactly the same criteria as now under the Act.

Mr CONLON: Can you make your answer a bit clearer for me?

The Hon. I.F. Evans: They can do nothing different with this charge than they can do with any other charge allocated to them.

Mr CONLON: I will make it simple: are they free to levy it on MFS people?

The Hon. I.F. Evans: I do not think I can make it any clearer than to say that they have to operate within the requirements of the Act.

Mr CONLON: You can make it a lot clearer. There are two propositions: the first is that they cannot raise it from people whose premiums support the MFS, and the other is that they can. Which one is it?

The Hon. I.F. Evans: I will check the Act and advise you on that.

Mr MEIER: Will the Minister outline the paramedic program of the South Australian Ambulance Service and what benefits this program has produced for South Australians?

The Hon. I.F. Evans: The South Australian Ambulance Service had 50 paramedics operating in the metropolitan area and 12 paramedics operating in the country as at May 1998. Nine paramedics are currently being trained, seven of whom will be deployed in the metropolitan area and two in other country areas.

An example of the way in which the paramedics have benefited the population is the survival of cardiac patients from ventricular fibrillation, which is a form of cardiac arrest.

Previous to the deployment of paramedics, only about 10 per cent of such patients were revived and survived. This has improved to about 25 per cent, so there has been a significant improvement since the introduction of this service.

Paramedic education raises the standard and quality of pre-hospital care and impacts on the survival of patients. The paramedics course cultivates pre-hospital knowledge and attitudes thus allowing the paramedic autonomy and responsibility with a broad set of protocols. The course teaches lateral approaches to emergency management, thus leading to a broader knowledge base which translates to improved patient care and outcomes.

Mr MEIER: My last question follows from the question you asked earlier, Sir, in relation to national parks and clearing firebreaks. Has the Minister given thought to using the MOWCAMPS, identified by correctional services, hand-in-glove with the CFS? The volunteers give so much of their time yet, quite often, the expanse of the national parks is such that they cannot do justice to creating proper firebreaks, and this could also perhaps extend through to some of the trails that we have in this State.

The Hon. I.F. Evans: In relation to using the MOWCAMPS for the development of fire prevention in the national parks, that is a role that they could undertake if the need was established. We would have to meet with the various departments to establish whether there was a need and how we could undertake that work bearing in mind the costs. In that respect, there is usually a cost of the supervision of the prisoners involved, so the supervisory cost is charged on to the agency, not necessarily a charge for the prisoners themselves, but there is a supervisory cost and a materials cost. That is something I can take up with corrections and with Mr Ellis at the appropriate time. If there is an opportunity to involve the prisoners in that sort of concept then that could only be a good thing.

Ms RANKINE: My question is about the CFS. The Chief Executive Officer of the CFS is quoted in the *Advertiser* as saying that we have received the Country Fire Service far too cheaply in recent times and he refers to the major contribution of volunteers in providing that service. Will you advise whether, in fact, volunteers will be exempt from that levy because they are the people who put in the time and effort, often at great personal cost? Living in CFS areas, will they be exempted from this levy to pay the debt?

The Hon. I.F. Evans: Volunteers are not exempt from the current system which has been in administration for 20 years. The previous Government did not exempt volunteers from the fire service levy when it was in power. The volunteers have been charged by Governments of all persuasions for decades in relation to fire service costs. A volunteer ambulance officer has been charged through the fire service levy for a fire premium. A volunteer firefighter has been charged under the old system through the insurance premium for a fire service levy.

It is not intended that there be an exemption for the volunteers in relation to the emergency services levy as presently exists under the current system. It is almost impossible to administer that scheme. Let me walk you through some of the problems you develop. First, you must establish who is a volunteer. Will you exempt only those who volunteer in the fire services? The emergency services levy will also apply to surf lifesaving. Do they get exempted? Do the volunteer coast guards get exempted?

How do you prove that someone who was a volunteer on 1 July is still a volunteer on 8 July? In my view, those sorts

of administrative problems simply make it practically impossible to administer a scheme whereby a volunteer gets some benefit with respect to exemption under the scheme. If you are talking about the one off CFS levy, I put to you that under the current scheme, they are not exempt. The previous Government, as has this Government, charged volunteers under the existing arrangement.

The CFS debt will be cleared under the existing arrangement, and the current arrangements will therefore apply, so there will be no exemption for someone who happens to be a CFS volunteer or, indeed, any other volunteer. They will not be exempt from that levy. The problem is that, if you say to the CFS volunteers that they will be exempt, why should not Rotary Club members, who put in millions of hours, or church groups or those involved in Meals on Wheels or Surf Life Saving be exempt? You could name hundreds of thousands of people who volunteer. While the CFS volunteers

do a sensational job in their field, is their volunteer hour to be valued more than that of others? I think not.

The process of giving some form of exemption to the increase in fire service levy is, first, not available under the Act. I do not think I have the capacity as a Minister to exempt, so there is that problem. Secondly, to develop a list of volunteers between now and when the levy would need to be collected and set up some administration scheme of how you would exempt or not exempt is simply impossible. The intention is that the current system will remain in place and no exemptions will apply.

The CHAIRMAN: Order! I declare the examination of the votes completed.

ADJOURNMENT

At 9.59 p.m. the Committee adjourned until Wednesday 17 June at 11 a.m.