

## HOUSE OF ASSEMBLY

Thursday 16 June 2005

### ESTIMATES COMMITTEE B

#### Chair:

Ms M.G. Thompson

#### Members:

The Hon. D.C. Kotz  
Dr D. McFetridge  
Mr J.R. Rau  
Mr G. Scalzi  
The Hon. P.L. White

*The Committee met at 9.30 a.m.*

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Courts Administration Authority, \$68 123 000

#### Witness:

The Hon. M.J. Atkinson, Attorney-General, Minister for Justice, Minister for Multicultural Affairs.

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

#### Departmental Advisers:

Mr G. Thompson, State Courts Administrator, Courts Administration Authority.

Mr T. O'Rourke, Director, Corporate Services, Courts Administration Authority.

Mr M. Harrison, Manager, Business and Financial Services, Courts Administration Authority.

Mr M. Johns, Chief Executive Officer, Attorney-General's Department.

Mr P. Louca, Chief of Staff, Attorney-General's Department.

Ms D. Contala, Director, Strategic and Financial Services, Attorney-General's Department.

**The CHAIR:** The estimates committees are a relatively informal procedure and as such there is no need to stand to ask or answer questions. The committee will determine an appropriate time for consideration of proposed payments to facilitate the changeover of departmental advisers. I ask the minister and the lead speaker for the opposition to indicate whether they have agreed on a timetable for today's proceedings and, if so, to provide the chair with a copy. Attorney, do you have an agreed timetable?

**The Hon. M.J. ATKINSON:** Yes, we do.

**The CHAIR:** Is that your understanding, member for Morphett?

**Dr McFETRIDGE:** Yes.

**The CHAIR:** Changes to committee membership will be notified as they occur. Members should ensure that the chair is provided with a completed request to be discharged form. If the minister undertakes to supply information at a later date, it must be submitted to the committee secretary by no later than Friday 29 July.

I propose to allow both the minister and the lead speaker for the opposition to make opening statements of about 10 minutes each. There will be a flexible approach to giving

the call for asking questions based on about three questions per member, alternating each side. Supplementary questions will be the exception rather than the rule. A member who is not part of the committee may, at the discretion of the chair, ask a question. Questions must be based on lines of expenditure in the budget papers and must be identifiable or referenced. Members unable to complete their questions during the proceedings may submit them as questions on notice for inclusion in the House of Assembly *Notice Paper*.

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, that is, that it is purely statistical and limited to one page in length. All questions are to be directed to the minister and not to the minister's advisers. The minister may refer questions to advisers for a response.

I declare the proposed payments—Courts Administration Authority, \$71 263 000—open for examination and refer members to the Budget Statement, in particular, Appendix C, pages 4.0 to 4.11, and Portfolio Statements, Volume 1, pages 4.40 to 4.59. Does the minister wish to make a brief opening statement?

**The Hon. M.J. ATKINSON:** I have no opening statement. The Courts Administration Authority is special in its administrative arrangements because those arrangements reflect the independence of the judiciary from Executive Government.

**The CHAIR:** Does the member for Morphett wish to make an opening statement?

**Dr McFETRIDGE:** No.

**The CHAIR:** Does the honourable member wish to proceed straight to questions?

**Dr McFETRIDGE:** Yes, thank you. Should I read the omnibus questions first?

**The CHAIR:** No; wait until we have completed this session.

**Dr McFETRIDGE:** My first question relates to Budget Paper 4, Volume 1, page 4.44 under the heading 'Performance indicators in criminal jurisdictions.' The performance commentary on page 4.44 states:

Whilst the number of criminal matters disposed of by the higher courts is close to target levels, the performance indicators for criminal trials have not been met. The state Courts Administration Council (CAA) has determined that a review of procedures, systems and resources be undertaken to address this issue.

By way of example, the figures show that last year's target for the percentage of criminal cases in the Magistrates Court (which were disposed of in 30 weeks from the first appearance) was 70 per cent, but only 35 per cent was achieved. The Magistrates Court deals with the vast bulk of criminal cases (some 60 000 out of a total of 62 000), but the higher courts also failed to meet the performance criteria. The above quoted comment from the performance commentary on page 4.44 shows some optimism, that is, that the Courts Administration Authority will review procedures, systems and resources to address the issue.

However, the latest annual report of the Supreme Court justices is less optimistic. Table 7 of that report shows that, as of October 2004, only 9 per cent of criminal trials were meeting the standard against a target of 80 per cent. The Chief Justice described this as 'disappointing'. On page 16 of that report, the Chief Justice said:

The difficulty in meeting the court's time standards is caused by a number of factors, for example, the number of judges available, the number of criminal courtrooms available. . .

Specific mention was made of 'the practices of the legal profession'. The Chief Justice concluded:

The judges believe that there is not much that they can do to improve things, but they continue to look for ways of doing so.

My questions are: what is being done; what can be done; and would the minister agree that we can hardly change the standard because it is a national standard, even though other states seem to do better than us?

**The Hon. M.J. ATKINSON:** First, the Chief Justice has taken the initiative by appointing two former heads of the Attorney-General's Department (Kym Kelly and Bill Cossey) to look at how the courts handle criminal trials and to see whether the practices can be changed to make trials swifter. Secondly, the standing committee of Attorneys-General discussed improvements to criminal trials. At about or slightly before that time, as came out in evidence before the royal commission yesterday, the then director of public prosecutions, Paul Rofe, asked the then attorney-general (Hon. K.T. Griffin) to reform aspects of the criminal trial. When the government of which I am a part came to office, the then director of public prosecutions asked again, and the Duggan committee was established to look at reforms to the criminal trial.

The committee was chaired by Justice Duggan of the Supreme Court and included Justice Sulan, Judge Rice, Wendy Abraham, who was then the deputy DPP, and Gordon Barrett (who is now a District Court judge) for the defence bar. I am pleased to say that the Duggan committee has reported. I have read the report carefully, noted it, and we have passed it on to the royal commissioner, who requested a copy. I have given instructions to my Policy and Legislation Section to prepare a bill for an act to introduce the reforms recommended by the Duggan committee. So, the government has acted on this problem in a way the previous government did not.

The last thing I would like to say is that District Court judges have said to me that some of the delays in criminal trials (or at least the lengthening of criminal trials) is owing to judgments of the High Court—judgments made by High Court judges who have never themselves conducted a jury trial. The Chief Justice will now comment.

**CHIEF JUSTICE DOYLE:** I will keep out of the High Court arena. I could spend the next hour and a quarter answering the question, but I will keep it as brief as I can. The information I have from the Magistrates Court is that they have spent more time on pre-trial procedures and the diversionary and specialist courts, which has affected their ability to process criminal trial matters. If you bear in mind that there are a certain number of magistrates and the more time you put on pre-trial matters, in the hope that you will get matters to plead guilty and so forth, means the less time you have for sitting on trials. Likewise, with the diversionary courts, which are very resource hungry, the more time you put into them, in the hope of getting a better outcome with offenders, the less time there is for hearings. You have a certain amount of what you might call judge time, and it is a matter of where you allocate it, and they have been allocating more in those areas. I suppose that, if they thought it was appropriate, they could put less into those areas and more into trials. That is about all I can say about that.

In relation to the higher courts, in order to identify the problem, we have a double barrelled target: we aim to get through 80 per cent of cases within 180 days of the case coming to the court and then 100 per cent cases within 365 days. They are targets, because there are a certain number of cases you will never get through in that time. If you take the Snowtown cases, the idea that you could have got through them within one year is unrealistic, and there are always cases in the system where you could never do it in that time.

Our performance against the 100-days standard, which is by and large the favoured national approach, remains quite reasonable. The target is 100 per cent and the actual is 83 per cent. When you bear in mind the realities of life, somewhere in the range 80 per cent to 90 per cent would be acceptable. So, in fact nationally we are doing all right, compared with other states. In fact, our performance is not poor.

However, it is on the 180 day standard, which is not generally used, where we are slipping. The troubling part is that until about six or seven years ago we were getting through 60 per cent to 70 per cent of cases within 180 days, and then it started to decline, and it has continued to decline—and now it is down at, you might say, the almost ludicrous level of 11 per cent last year, rather than 80 per cent. So, something has changed, and the honest answer is that we do not know what has changed. There are so many things that can affect the rate at which you dispose of the cases. As you mentioned in the question, we have referred to a number of the factors. It can be the length of cases, it can be the number of judges, and it can be the number of courtrooms.

Mr Cossey and Mr Kelly have been looking at this, and we ourselves have looked at it and looked at it. Another thing I need to explain is that a lot of this is out of our control, because when a case comes to the court there are two questions we ask the parties: when will you be ready, and how long will the case take to hear? We cannot make the parties ready. Our process is really, I suppose you could say, aimed at cajoling, shepherding and pushing them to get ready.

On our side, of course, the number of judges we have available to hear is relevant, and so is the number of courtrooms. All I can say is that our tentative view is that the main problem that is affecting the performance and causing it to decline in relation to the 180 day standard is the time being taken by the parties—that is both prosecution and defence—to get the cases ready. We are not absolutely sure of that, but that is what our own inquiries suggest. That is not to say that other factors are not affecting the situation, because if we doubled the number of judges and doubled the number of courtrooms, while that would be very expensive, we obviously would hear more cases. But the reality is that if you doubled the number of judges and courtrooms, but still in most cases the parties were not ready for nine months, you would still find that most cases were taking nine months to get there, although once they got there you would then turn them over more quickly.

So it is a complex problem. It is frustrating for us because it is largely out of our control and it is largely a case of us urging the parties to get ready. It is also frustrating because as the backlog builds up it becomes a problem in itself dealing with that backlog. All I can say is that at this stage our preliminary view is that the main factor is the time being taken by the parties to get ready, and that, in turn, is no doubt due to a whole range of factors, and we will never know them because, putting it very broadly, they are internal to the police, the DPP, the Legal Services Commission and also,

you would have to say, to the legal professions' work practice methods.

So we think it is largely attributable to increased time being taken to get cases ready. I say that mainly because each time we have looked at our own listing processes we have been unable to identify anything that of itself is slowing down the system. I could just add that there is one other thing to bear in mind. It might be said that if we manage the cases more intensively pre-trial we will get them ready sooner. That is something on which the jury is out all around Australia. One view is that intensive pre-trial management simply adds to the costs. You bring the parties to the courts far more often and ask them more questions, but in end they are only going to be ready when they are ready, and all you are doing, to some extent, is slowing them down by bringing them to the court to report progress. It is not as if there is a simple solution, namely, ride the cases harder and they will be ready sooner. While that might seem intuitively to be the solution, the experience around Australia does not suggest that it in fact is.

Another thing that I would add is that this is an Australia-wide problem. Courts, generally, are grappling with this problem of getting cases to trial promptly. So, it is not unique to this state. To summarise, it is a national problem. It is a factor which we can influence but cannot control. Against the national standard of 365 days, our performance is quite good, but against our own local standard of 180 days it has deteriorated, which makes me think we should be able to get it back where it was. So, we should be able to do better, and we want to do better, because I regard it as unacceptable for witnesses and others to have to wait as long as they do but, so far, we have been unable to crack the problem.

**The Hon. M.J. ATKINSON:** I will add one thing: at the magistrates court level, the members for Morphet and Newland will recall that it was a policy of the Liberal Party to remove justices of the peace from bench duty in the metropolitan area and, under their government, justices of the peace were removed from that duty, so we had a fully professional magistracy. It is the policy of this government to allow justices of the peace to train to become special justices, and justices of the peace will be returned to the bench soon. Provision has been made in the budget for the training, and they will pick up minor matters such as non-payment of fines and traffic matters from stipendiary magistrates, allowing stipendiary magistrates to concentrate on criminal trials. So, the use of volunteers in the magistrates court will free stipendiary magistrates to get on with the main task.

#### Membership:

Ms Bedford substituted for Ms Breuer.

**Dr McFETRIDGE:** The next question refers to Budget Paper 4, Volume 1, page 4.4, and relates to the global budget. The summary on this page shows that the net cost of services for the courts administration in this budget is \$68.123 million, up from last year's budget of \$63.717 million. In the latest report of the Courts Administration Authority, the Chief Justice made some statements about the budget. At pages 4 and 5, the Chief Justice refers to the fact that revenues and appropriation from government fell short by about \$2.3 million. The report goes on to state:

The point has been reached where the council has difficulty operating within the funds appropriated to it.

The report continues:

... but we have now reached the point at which we cannot maintain existing services to the people of South Australia and keep within the funding allocated to the council.

It continues:

Unless further funding is provided, reductions in services will have to be made that will have an adverse impact on the courts we serve, or the people who deal with the courts.

My questions are: have you received sufficient extra funding in this year's budget to avoid any reduction in services; and are funding issues having an adverse impact on the courts and, if so, what are those impacts? I think that some of it has been addressed.

**The Hon. M.J. ATKINSON:** The member for Morphet would know that every government agency would like more funding, but that means higher taxes on the people and businesses of South Australia. The government has had a strong law and order policy and, as you know, we are increasing the number of police in South Australia by 200, which means that we will have the largest number of police in the history of the state when that recruitment is carried out. The more police one has, I presume, the more people are charged with offences and the more people end up before the courts. So, it is important when one is increasing the number of—

*The Hon. D.C. Kotz interjecting:*

**The CHAIR:** Member for Newland, it is very unpleasant when you make asides that no-one can hear. We do not know whether it is out of order or not.

*The Hon. D.C. Kotz interjecting:*

**The Hon. M.J. ATKINSON:** But I can hear the member for Newland, Madam Chair, and that is what she intends. I am always happy for her to be whispering in my ear. If we are going to increase the number of police, we also need to fund law enforcement downstream of the police and, since we have been in government, we have increased funding to the Office of the Director of Public Prosecutions by 50 per cent in real terms. Indeed, when I became the Attorney-General, one Liberal MP, who shall remain nameless, said 'Mick, I've always admired the Office of the DPP; it runs on the smell of an oily rag.' That was under your government, member for Newland, in case you are wondering. Clearly there will have to be some corresponding increase in funding to both the Courts Administration Authority and to the Department of Correctional Services, but I shall ask the Chief Justice to make any remarks, if he wishes.

**CHIEF JUSTICE DOYLE:** On that one, while I would not spend the next hour and a quarter, I could spend quite a bit of time, but again I will be brief. I think there may be a rather similar comment in the next annual report. For the past two years, we have overspent our budget. In other words, our expenditure has exceeded the appropriation. For the year which is almost ended we expect our expenditure to exceed the appropriation by about \$600 000. However, the position is disguised slightly by the fact that there is revenue which we are holding for purposes which are not to be implemented during the current year, so in effect we are holding cash that we cannot spend.

Our estimate is that our true overspend is of the order of \$1.3 million. That does not prove that we are not being given the right amount. It may be that we are inefficient, but we believe that we have done everything we can to identify any inefficiencies and that we, in reality, cannot live within the appropriation that we have, and we have been unable to do so for the past couple of years. In fact, within the justice portfolio those overspends have been covered each year. So,

to put it simply, we have been permitted to overspend and so we have been able to keep going, but it does have some adverse effects.

First of all, I think within any area of public activity one would hope that from time to time people like us are looking for ways in which we can improve services, and usually that requires you to have a bit of extra money to spend so that you can say, 'Well, we'll give this a try. We'll give that a try, or we'll spend money investigating this or that.' We believe that we spend too much time focussing on really scrimping and saving to stay within our appropriation and that it is having what you might call a somewhat stifling effect. So that is a cause for concern.

Other than that, I suppose the problem is that we are being forced constantly—and, when I say 'forced', I mean driven—to stay within our appropriation to look at areas of expenditure, and we keep bumping into things that we simply cannot control, including things like circuit expenses. We could go on circuit less often, but then people in the country areas would suffer. There is the cost of jurors. We are also paying substantial amounts for psychiatric reports. The psychiatrists protested that the fees we were paying them were inadequate, and we had to increase them knowing that, when we did, that would simply increase the amount by which we went over our budget. We were really faced with the choice, so what do you do? Do we either refuse to increase what we pay the psychiatrists and have them, in effect, go on strike and cease to provide reports, or do we increase the fees, knowing that will push us further over our appropriation?

So, to summarise it, our submission to government has been that we are being underfunded, that there are no significant savings we can make to rectify the situation, and that we should be provided with more funding. In the overall scheme of things, we are not talking big money: we are talking a million or two. On the other hand, I appreciate that probably every department can say, 'Well, another million or two here would make a big difference' and that when you multiply that by each department it adds up to a substantial amount.

But, to close as I began, I think there will be a similar complaint in our annual report, and that is that we believe the government should be providing us with further funding. We believe we are making good use of the funding we have and, while it might sound a bit like crying wolf, we are basically in the position that, if we are told we must live within our appropriation and the Department of Justice will not bail us out of these overspends, we will have to cut services to the public in some way that we do not want to do.

**The Hon. M.J. ATKINSON:** When the Courts Administration Authority has overspent, the government has coughed up to ensure that services continue. The Rann government does not regard departments scrimping and saving as a vice.

**Dr McFETRIDGE:** Perhaps the Chief Justice might take a leaf out of the new DPP's book and ask the Treasurer for another half a million dollars or a million dollars, even after the budget has been finalised. I guarantee that the Treasurer would not give the Chief Justice a dressing down.

**The Hon. D.C. KOTZ:** I have a supplementary question. Mr Attorney, what we have recently heard in questions and answers obviously identifies that there is a bit of a dilemma—and I think that is probably putting it very mildly—in courts administration.

**The Hon. M.J. ATKINSON:** As you always do—in moderation.

**The Hon. D.C. KOTZ:** Of course. As the Attorney would know, over the past few years the courts administration has, in its inimitable way, described itself as scrimping to maintain budgets, and the Attorney in his answer advised that the Rann government of course does not see scrimping and saving as a vice. That is most admirable, but the budgets of the state are being shown to be underfunded in particular areas, particularly that of courts administration, which does not seem to be able to perform as well as it did in previous times. Obviously, something has caused this massive change where in the future cases will not be going through the courts in the same numbers as in the past. It seems to come down to the fact that we are talking about resources, regardless of some of the other complexities that the Attorney would like us to think about. Obviously, resources are most important.

In these budget estimates, would the Attorney like to establish whether in fact he believes that underfunding is the correct way for a government to deal with the budgets of important agencies? Looking at the background to where the courts administration is at the present time, perhaps because of that lack and because of that underfunding it has not been able to perform—

**The Hon. M.J. ATKINSON:** Which are the unimportant agencies?

**The Hon. D.C. KOTZ:** I am talking about courts administration at the moment because that is what we are talking about.

**The Hon. M.J. ATKINSON:** But which are the unimportant ones? I am curious.

**The Hon. D.C. KOTZ:** This appears to be one that is grossly underfunded by this government, but with all its rhetoric the government does not want to give an established amount of money to pick up that underfunding rather than allowing scrimping and saving, which seems to be a rather delicate way of saying that this government knows there is a problem but is not willing to fix it by putting in place the proper resources.

**The Hon. M.J. ATKINSON:** First, the Courts Administration Authority is not, as the member for Newland asserts, grossly underfunded. The second thing is that there has not been a massive shift on the question of delays in the courts. The third thing to say is that the Kerin Liberal opposition believes in increased funding in every agency, every department and every portfolio, and there is only one way the Kerin Liberal opposition, if it came into government, would fulfil its promises of increased spending in every agency and department, and that is to increase taxes on the people in businesses in South Australia.

**Mr SCALZI:** You are funding extra ministers.

**The Hon. M.J. ATKINSON:** If this increased expenditure is not going to be funded by increased taxes, perhaps the member for Newland has a trick with smoke and mirrors. Treasury is doing an expenditure review of the entire justice portfolio and arising out of that we will get a better idea of what the indicated funding should be for each agency in my portfolio.

**The Hon. D.C. KOTZ:** Don't you think you have had an indication today of where that funding should be?

**The CHAIR:** Order! The member for Morphett.

**Dr McFETRIDGE:** There is more than enough money in the state budget to cover a lot of areas that need more funding. I refer to Budget Paper 4, Volume 1, page 4.4, concerning public relations. On page 4.41, it states that one of the objectives of the Courts Administration Authority is to 'increase the community's understanding of the operations

of the courts'. After the hammering the Premier gave the Office of the Director of Public Prosecutions over the Nemer case, the DPP retained the services of a public relations company. Judging by the very effective publicity the new DPP is getting, it might be suggested that this has been a good move. I ask the Chief Justice, through the Attorney, whether the courts considered retaining the services of PR consultants and, given the publicity the courts are receiving, is he satisfied that the courts' communication strategies are appropriate?

**The Hon. M.J. ATKINSON:** I think I learnt somewhere that Mr Pallaras, the new DPP, had his own radio program in Perth, and perhaps with Mr Pallaras being appointed DPP there is no need for Ball Public Relations to be acting for the DPP. I think the Chief Justice does an outstanding job of representing the courts in the media. The member for Morphet may remember an interview the Chief Justice did with Kevin Naughton of the *Sunday Mail*, published only a couple of Sundays ago—a most informative and detailed article—and the Chief Justice—

*The Hon. D.C. Kotz interjecting:*

**The Hon. M.J. ATKINSON:** I would describe some parts of it as eloquent, yes. The Chief Justice has from time to time appeared on top rating radio station 5AA—

**The Hon. D.C. KOTZ:** That's not quite so eloquent.

**The Hon. M.J. ATKINSON:** The members for Hartley and Newland groan with disapproval of Radio 5AA—could it be that they never appear on it? The Chief Justice has appeared on Nicole Hark's afternoon program and taken questions from members of the public, and I think his appearances on those programs have been accomplished, but I will refer the matter to the Chief Justice to further comment.

**CHIEF JUSTICE DOYLE:** We have not really considered employing PR consultants. We have three staff in this area: a senior media liaison officer, who is himself a journalist and is intended mainly to assist the courts in their dealing with the media; a communications manager, who is concerned with communications with the public more generally, and in particular with the quality of the written material we put out, how legible and understandable it is; and a courts education officer, who is co-funded by the Education Department and whose role it is to organise school tours and help increase community understanding. We have three staff with relevant professional qualifications. We have a community relations committee, comprising members of the judiciary and the Courts Administration Authority, which is quite active.

That Community Relations Committee recently has established a community reference group, which includes members of the public and people from bodies that deal regularly with the courts. We think that our strategy of having our own professionally qualified staff, our own Community Relations Committee and the community reference group should be sufficient.

As the Attorney mentioned, quite a lot of things happen, and I will mention a couple of instances that appear in our annual report. One of the sorts of things the committee has done is to undertake an educational road show for country areas. It visits schools in country areas and puts on mock court hearings. It holds community forums. It has hosted information sessions with, for instance, members of parliament and legal studies teachers. It organises guest speakers and ad hoc meetings with community groups, such as particular ethnic groups. We have an Ask the Judge web site where students from schools can send in questions and

receive an answer from a judge or a magistrate within about 24 or 36 hours. The committee is very active in Law Week. It maintains a register of guest speakers and has a speakers' kit. So, we are engaged in a whole range of activities.

In 2000, I think, we held a substantial conference, which we called Courts Consulting the Community, which involved about 100-odd people from the community coming together for a day and a half with members of the judiciary and members of the authority staff where we listened to members of the community. We are thinking of repeating that somewhere in the next year or two. We told that forum that we would do so, and we still have that in mind. We are doing a lot. Obviously, we could do more, but my own view is that the vital thing is that children coming out of schools receive a firm grounding in what I think these days is called civics. Until that happens, we will always be battling somewhat, because we are not an educational body. We see the key as being what is happening in the schools but, subject to that, we are committing quite a bit of resources to this and we regard it as important. However, I would have to say that it is one of those bottomless pits: there is always more we could do.

**The Hon. M.J. ATKINSON:** Madam Chair, the member for Morphet opened that question by remarking on the government's policy in the case of Paul Habib Nemer. I should respond to that by saying that I am astonished by how many members of the opposition still maintain the position that the government should not have intervened in the Nemer case and that Paul Habib Nemer should not have served a term of imprisonment. I am surprised that the member for Morphet is still going on with it.

**Dr McFETRIDGE:** It is just the fact that we had to employ a PR company afterwards.

**The CHAIR:** Order! That completes that question.

**The Hon. P.L. WHITE:** I refer to Budget Paper 4, Volume 1, page 4.41. My question relates to something mentioned by the Attorney in answer to a previous question. With respect to the reintroduction of justices of the peace to undertake bench duties in the Magistrates Court, can the Attorney outline why this was necessary and what measures are in place to ensure that the integrity and quality of the service is maintained?

**The Hon. M.J. ATKINSON:** For many years until 1997 justices of the peace presided over minor matters in the Magistrates Court, and the then chief magistrate determined that JPs should no longer undertake bench duties, with the exception of hearing bail applications and simple adjournments when no magistrate was available. Many minor offences that come before the Magistrates Court attract monetary penalties within a specified range, with limited scope for judicial discretion in imposing a penalty. Further, magistrates currently also deal with some applications of an administrative nature.

An aim of the government has been to review and consider different roles undertaken by justices of the peace in their possible use in best addressing the future needs of the courts system and the public. The reintroduction of JPs to undertake bench duties will reduce the number of files currently being listed before magistrates and will result, we think, in a reduction in waiting times. To ensure that an appropriate level of service to the public is maintained, consideration was given to appropriately selected and adequately trained justices of the peace—so, alas, I will not be acceding to Robert Neville Francis' request to do bench duty.

A profiling process was then undertaken to select suitable JPs for court duties. As further work towards this initiative

and to ensure that the integrity of the court is upheld, an accredited competency training program and a curriculum for justices of the peace doing designated bench duties has been developed in conjunction with the Adelaide Institute of TAFE. The Courts Administration Authority has developed a table specifying penalty ranges fixed by legislation for justices of the peace to refer to, ensuring a consistent statewide approach to imposing penalties for similar offences. To emphasise the work that the government is doing here, recurrent funding has been approved for this initiative as part of the 2005-06 budget.

**Ms BEDFORD:** My question relates to page 4.43. What measures have been implemented to enhance the safety of staff and clients within both metropolitan and country court precincts?

**The Hon. M.J. ATKINSON:** This is an important question, because safety within the court precincts is an important issue for both the public and the government. Members will recall that during the Wayne Maddeford trial Mr Maddeford took a court reporter hostage within the courts, and it was astonishing the potentially harmful items that were being brought into court each day. The Sheriff's Office has undertaken some projects to improve the safety of staff and clients within the courts. Three X-ray scanning machines have been bought and installed at Holden Hill Magistrates Court (near the member for Florey's electorate), Port Adelaide Magistrates Court and the Adelaide Youth Court to augment walk-through metal detectors previously installed.

We have seen the design and installation of a safe, that is to say, padded cell in the Sir Samuel Way Building basement cells for at-risk prisoners. We have provided continuing fire safety and minimum restraint training for metropolitan and country Sheriff's Officers to maintain skills through regular audited training sessions; and improvements to metropolitan Magistrates Court security systems, including upgraded cameras and improvements to control room surveillance. The linking of security surveillance systems to digital video recordings has provided greater efficiencies in storage and playback of images.

An upgrade to the Mount Gambier courthouse jury box now provides for improved juror seating together with improved security for the prisoner dock and security desk. Indeed, I was pleased to be at Mount Gambier court with Judge Christopher Lee at the installation of a closed-circuit television system for allowing witnesses to give evidence remotely from the court, which can be important in sexual offence trials.

As is clear from the budget papers, under PPPs we are building new courts at Berri, Victor Harbor and at Port Pirie, in the Leader of the Opposition's electorate—Port Pirie is finally getting an improved court. This is very much a government for the regions in a way that previous governments have not been, and that is because of our coalition arrangements with the member for the Riverland and the member for Mount Gambier.

**Mr SCALZI:** Does Howard know about this?

**The Hon. M.J. ATKINSON:** John Howard?

**Mr SCALZI:** Yes, and the coalition.

**The Hon. M.J. ATKINSON:** I presume that the Prime Minister, the Deputy Prime Minister and the Leader of the National Party are aware that a National Party member is serving in a government here in South Australia. It could be the way for the future. Training has also been made available to regional enforcement sheriffs' officers in dealing with

persons demonstrating violent and difficult behaviour. These measures show that the government is committed to ensuring that our court precincts are safe, both in the metropolitan area and in the country, and contribute to the public's confidence in the justice system.

**Ms BEDFORD:** Mindful as we all are of the impact of mental illness in the community, how effective has the Magistrate's Court diversion been in reducing re-offending amongst people with a mental impairment?

**The Hon. M.J. ATKINSON:** The member for Florey has an outstanding record in canvassing these matters, and the government has responded to her lobbying.

*Mr Scalzi interjecting:*

**The Hon. M.J. ATKINSON:** Well, the member for Hartley sayeth, and I thank him for his compliment. The Office of Crime Statistics and Research did an evaluation of the Magistrate's Court diversion program where it compared re-offending of graduates before and after their involvement with the program, with initial results indicating that it is having success in reducing the level of re-offending. The Magistrate's Court diversion program started operation in the Adelaide Magistrate's Court in August 1999—and I would like to commend the previous Liberal government for this initiative—with the aim of ensuring that people with a mental impairment who come before the courts had access to appropriate interventions that assisted them in dealing with their offending.

The Office of Crime Statistics and Research compared the nature and extent of offending 12 months before and 12 months after involvement with the program for those people who had successfully completed the program by 31 December 2001, with the aim of identifying whether the program was achieving its aim of reducing offending amongst this group of clients. In brief, the Office of Crime Statistics and Research found that statistically there was a significant reduction in the number of participants who were apprehended for offending within one year of completing the program, with about two-thirds not re-offending in this time.

This reduction in the frequency of recorded offending was applicable amongst those participants who were classified as serious offenders before entering the program. Of this group, 70 per cent did not offend in the 12 months after the completion of the program—at least, as far as we know. Of the small group who did offend after completing the program, there was some indication that the number of offences committed post-program was lower than the number committed pre-program.

I also draw to the attention of the committee that overall crime rates are down in South Australia during the life of this government, but I would not want to claim credit for that. Many factors influence the crime rate, including reporting, police policies, police priorities and also the proportion of young men in the population. I am not claiming any credit for the government in the reduction of the crime rate. I would merely say that it is an observable fact that crime statistics are down overall in some categories but not in others. The Office of Crime Statistics and Research evaluation also found that the likelihood of post-program offending varied according to the person's type of mental impairment. For example, those with an intellectual disability as their primary diagnosis had a greater likelihood of offending post-program than did those with a bipolar disorder.

These findings point to the need for individualised intervention and treatment plans. For those interested in the full Office of Crime Statistics and Research evaluation report

entitled 'Magistrates Court diversion program: an analysis of post-program offending'—and I am sure the member for Florey is one of those who will be interested—

**Ms BEDFORD:** I have read it already.

**The Hon. M.J. ATKINSON:** She has read it already—it is available on the Office of Crime Statistics and Research web site at [www.ocsr.sa.gov.au](http://www.ocsr.sa.gov.au). Again, I would like to commend the previous Liberal government, and in particular the long serving attorney-general (Hon. K.T. Griffin) who is now happy in his vineyard for this initiative.

#### Membership:

The Hon. M.R. Buckley substituted for the Hon. D. Kotz.

**Mr SCALZI:** My question is in reference to the Supreme Court refurbishment. The capital investment statement makes no reference to any allocation of funds for the refurbishment of the historic Supreme Court building in Victoria Square. The latest report of the judges to the Attorney-General contains the following statement:

#### Supreme Court Buildings

For the fourth year, I refer to the unsatisfactory standard of the facilities at the Supreme Court for the public, our staff, the court itself and the legal profession. Another year has passed, and the government has not indicated whether it will support a substantial redevelopment of the site. In the meantime, users of the court building suffer from their inadequacy. Our staff continue to work in premises that, in many respects, are well below an appropriate standard. This has an impact on the efficiency of the court.

The Supreme Court is a significant public institution. The building in which it is housed should reflect this. Being involved in court proceedings is a stressful experience for most people, and the facilities at the court should be of a kind that will, as far as possible, minimise that stress. They fail to do so. The contrast between the standard of the Supreme Court buildings and the commonwealth court building in the process of being erected nearby is a striking one.

Attorney, through you, would the Chief Justice elaborate for the committee what is the impact on the efficiency of the court? Was a bid made to Treasury for funding? What is the likely cost? Is it the case that the project is not in the forward estimates and the government has made no commitment to it? In an answer to a question from me on this topic in the 2003 estimates, the Attorney said that some refurbishment had been undertaken 'to allow staff to be more appropriately catered for until such time as decisions are made with regard to a private-public partnership project and/or capital works program for the Supreme Court'. When will these decisions be made?

**The Hon. M.J. ATKINSON:** Some of the refurbishment and renovation work in the Supreme Court precinct has been completed. There has been a redesign and refurbishment of the combined civil and probate registry area. There has been a refurbishment of lavatories within lavatory lane. There has been an upgrading of computer wiring for staff. There has been refurbishment of floor coverings, the upgrading of kitchens, the installation of split system air-conditioning and the painting of some chambers. It is quite true that the government has not made the rebuilding of the Supreme Court or the building of a new Supreme Court a priority. If the members for Light, Hartley and Morphett would like to announce a commitment by an incoming Kerin Liberal government—

**Mr SCALZI:** Do you have to turn everything into politics?

**The Hon. M.J. ATKINSON:** Yes, I do. If members want to give a commitment to the construction of a new Supreme

Court, they are free to do so, and we will add that to their tab coming into this election. Otherwise, the question from the member for Hartley is merely humbug, unless he is making a commitment to build a new Supreme Court building. But I will leave that to him to announce. I will leave that to the Liberal Party to announce in this committee after the Chief Justice has finished pointing out the inadequacies of the current building and the need for a new one.

**CHIEF JUSTICE DOYLE:** The building does affect efficiency. In some places we have three or four staff to a room. The rooms are perhaps like this building—in themselves pleasant rooms of the Victorian era but they are not suited to the way business is done these days. We have cabling running up and down walls, and all sorts of inefficient arrangements. Again, the building itself is perhaps like this building—something of a rabbit warren. It is just not designed for efficient, modern-day work. Apart from that, it impacts on the efficiency, health and welfare of our staff. The situation is not good from that point of view.

The facilities for the public are grossly inadequate. For a member of the public who goes to court, as I said in the annual report that was read to the committee, it is a stressful experience. There are no appropriate waiting areas, and nothing like a secluded waiting area. If you are going to court, you have to sit in an area perhaps like the entrance foyer of this building. There is often no scope to keep people apart between whom there may be intense disputes. If you go to number 1 or number 2 Supreme Court, and you want to go to the toilet, you have to go down the stairs, out into Gouger Street, walk along King William Street for 20 metres to what is called 'lavatory lane' to the public toilets, and then back. The toilets have recently been refurbished. Prior to that, they were absolutely appalling; now they are, I suppose you could say, acceptable. But you should not have to do that sort of thing to go to the toilet. I use that as an illustration of the sort of facilities that we are inflicting on the public.

The Attorney is right: money is being spent, but we are in a bind. We do not want to spend a lot of money doing up the place if in a few years there is going to be another substantial building. We really need to have the cream brick building, which was built in the fifties and is at the rear of the heritage building, pulled down. It is past its efficient and useable life. A new efficient building should be built to the south of the existing heritage buildings so that we would continue to use the heritage buildings and operate in a new building. That is what we need. I have been doing this job for 10 years, and I think that for probably about nine of the 10 years I have been saying that. I am not sure whether technically there is a budget bid there, but we keep asking and have been asking for some time. I would estimate the cost at somewhere around \$70 million to \$80 million to do the whole thing properly; that is, to pull the old building down, and build a new building into which the authority's staff would move. I understand that the proposal might be in the state infrastructure plan but, as I understand it, that does not indicate any particular commitment. So we are where we have been for a number of years, saying as we have said to successive governments that a new building is badly needed for the public and for the court staff from the point of view of efficiency and other things, and we await a response.

**The Hon. M.J. ATKINSON:** Members of the committee and the chair may have noticed a new federal court building going up on Angus Street, the interior of which I believe matches the sybaritic excesses of the late Roman Empire. I have written to the commonwealth Attorney-General (Hon.

P.M. Ruddock) to ask whether I could lease for a reasonable fee a floor of the new federal court building which will be used exclusively by the High Court on the one-week in 52 when it visits South Australia. Philip Ruddock was kind enough to inquire with the High Court whether those courtrooms could be used by state courts during the 51-weeks of the year that the High Court is not in Adelaide and his approach was rebuffed.

**Dr McFETRIDGE:** I am disappointed that the federal Attorney-General did not see the wisdom of utilising that facility. It is an interesting building. I can say to the Chief Justice that the Liberal Party would be happy to work in a bipartisan way with this government to build a new building. Certainly, saving money by building closed bridges not opening bridges would be a start.

**The Hon. M.J. ATKINSON:** Is that a promise?

**Dr McFETRIDGE:** We will work with the government in a bipartisan way.

**The Hon. M.J. ATKINSON:** I thought you were rather hoping to be the government after March next year.

**Dr McFETRIDGE:** I would like us to start now. I refer to Budget Paper 5 (page 15)—the Port Augusta court complex. This has been promised for many years. Have contracts been let for the construction and fitting out of this new building; do those contracts require completion of the new building by November 2006; and has construction actually begun and, if not, when will it start?

**The Hon. M.J. ATKINSON:** Cabinet has approved funding of \$12.59 million for land purchase and the construction of a purpose-built courthouse at Flinders Terrace, Port Augusta. The reason it is at Flinders Terrace and not on the current site is because we consulted with the Mayor of Port Augusta, Joy Baluch, and the council and local traders and they beseeched us to relocate the courts outside the shopping district. So, we complied with that request and we had to change our plans.

The development provides for a three courtroom building with rooms for associated agencies within the building: registry and mediation, point of entry security, an open plan for internal waiting spaces and sheltered external waiting areas. Multipurpose courtrooms will be designed to provide a high degree of flexibility in the operating configuration to suit the specific requirements of particular hearings or trials because, as the member for Morphett would know, many courts and tribunals use the courthouse at Port Augusta. The proposed courts are a landmark building for Port Augusta. As a contemporary court it will make clear statements about the accessibility, accountability and transparency of the judicial process.

In the 2004-05 financial year documentation was completed and the Public Works Committee considered the project on Wednesday 1 June—a fact of which the member for Morphett seems to be unaware. Actually, there is a process for public works here in South Australia, and the member for Morphett will become more familiar with it as he accrues experience in the parliament. Tender call and assessment is expected to be completed in July and August 2005, with construction starting in August 2005, and I am looking forward to a November 2006 completion date and opening the court with whomever the member for Stuart may be at that time.

**CHIEF JUSTICE DOYLE:** It will be a great improvement. What is there at the moment is inadequate, obviously. What is proposed, I think, will be very good from the public point of view and the staff point of view. We hope it can

move forward smoothly and open as planned in November next year.

**Dr McFETRIDGE:** Budget Paper 5, page 16, the annual programs for the Courts Administration Authority: will the Attorney-General explain why the amount of \$675 000 allocated in 2005-06 is treated as capital expenditure when it appears only to relate to annual requirements as opposed to capital investment?

**The Hon. M.J. ATKINSON:** I am told it is money held for minor works in the courts such as renovating the docks and air-conditioning.

**Dr McFETRIDGE:** I will read the omnibus questions now.

1. Did all departments and agencies reporting to the minister meet all required budget savings targets for the 2003-04 and 2004-05 years set for them in the 2002-03, 2003-04 and 2004-05 budgets, and, if not, what specific proposed projects and program cuts were not implemented?

2. Will the minister provide a detailed breakdown of expenditure on consultants in 2004-05 for all departments and agencies reporting to the minister, listing the name of the consultant, cost, work undertaken and method of appointment?

3. For each department or agency reporting to the minister, how many surplus employees are there as at 30 June 2005, and for each surplus employee what is the title or classification of the employee and the total employment cost of the employee?

4. In financial year 2003-04 for all departments and agencies reporting to the minister, what underspending on projects and programs was not approved by cabinet for carryover expenditure in 2004-05?

5. For all departments and agencies reporting to the minister, what is the estimated level of under-expenditure for 2004-05 and has cabinet already approved any carryover expenditure into 2005-06, and if so how much?

6. What is the total number of employees with a total employment cost of \$100 000 per employee and, as a subcategory, the total number of employees with a total employment cost of \$200 000 or more per employee for all departments and agencies reporting to the minister as at 30 June 2004? What is the estimate for 30 June 2005? Between 30 June 2004 and 30 June 2005, will the minister list job title and total employment cost of each position (with a total estimated cost of \$100 000 or more) which (a) has been abolished and (b) has been created?

7. Will the minister provide a detailed breakdown for each of the forward estimate years of the specific administration measures which lead to a reduction in operating costs in the portfolio?

**The CHAIR:** There being no further questions, I declare the examination completed.

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State Electoral Office, \$9 843 000

**Departmental Advisers:**

Mr M. Johns, Chief Executive, Attorney-General's Department.

Mr D. Gully, Acting Electoral Commissioner, State Electoral Office.



**Membership:**

Ms Chapman substituted for Dr McFetridge.

**The CHAIR:** I declare the proposed payments open for examination and refer members to Budget Statement, in particular, Appendix C, page C2 and pages 4.0 to 4.11; and the Portfolio Statements, Volume 1, page 4.6 to 4.72. Minister, do you wish to make an opening statement?

**The Hon. M.J. ATKINSON:** No.

**The CHAIR:** Does the member for Bragg intend to make an opening statement?

**Ms CHAPMAN:** No. I refer to page 4.63 of Budget Paper 4, Volume 1. After next year's state election, the state's constitution requires the redistribution of the boundaries. What is the anticipated cost of the redistribution and has it been factored into the budget?

**The Hon. M.J. ATKINSON:** The member for Bragg is right: there is a redistribution of House of Assembly electoral boundaries after every state election, and I have been in parliament long enough to know why that is. It is because, after the 1989 general election (where the Labor government was returned with a clear minority of the two party preferred vote), the Liberal Party insisted on changes to our electoral legislation, which included a redistribution after every election. I was a new backbencher at that time, and I can recall people such as John Bannon, Don Hopgood and Chris Sumner almost feeling guilty about winning government with a minority of the vote.

Mind you, the Liberal Party had not felt guilty about winning with a much lower percentage of the vote during the Playford era. Nevertheless, we surrendered to the Liberal Party's request for a redistribution after every election; and, furthermore, it was entrenched in our law so that it would require a referendum to remove it. Let us just be clear at whose request we have this redistribution after every general election. I will ask the Acting Commissioner how much it costs.

**Mr GULLY:** I refer members to page 4.69, which covers administered items for which the State Electoral Office has responsibility. A figure of \$100 000 appears on that page for this next financial year. That is the first part of any cost for a boundaries commission. That will cover things such as setting up some office accommodation and some lease payments for accommodation to get the commission premises under way. Under the Constitution Act the commission must commence its proceedings within three months of polling day, which would be around mid June (18 June).

We have allocated \$100 000 to lease some premises to set up the commission. The rest of the budget will be coming forward under 'administered items' next year. Indications are that the commission's general all-up cost is about \$450 000 to \$500 000. Of course, that is dependent on how long the commission goes and the length of deliberations needed, particularly if the commission needs to do a lot of travel around the state to look at particular areas. That becomes more difficult in the regional areas as the population declines, and that may have an effect on drawing boundaries in the country areas to keep the electorates fairly equal to the quota.

**Ms CHAPMAN:** I have a supplementary question in relation to the costings. Is the electoral commission proposing to use any new technology or computer programs, and will the data be ready for commencement in mid June 2006?

**The Hon. M.J. ATKINSON:** I will ask Mr Gully to answer that question.

**Mr GULLY:** The commission has, in the last two boundaries commissions, utilised a mapping system, a technology-based system, based upon census-collector districts and their relationship to electoral districts. That system is now out of date in terms of support and maintenance. It is using old technology now. I have had some discussions with Planning SA which is the demographer for the state and which provides all the predictions and projections on population movements and adjustments four years hence.

They have great expertise in that technological area, and they use far more current technology as far as hardware and software is concerned. They are currently looking at redeveloping a system for the commission which has basically the same functionality and behaviours as the current system we have used successfully for the last two commissions but just bringing it into a more current form and something that is maintainable here in South Australia. The system we have been using is not supported anywhere in South Australia, and we have had to rely on some interstate support, if it is available, or we have had to support it ourselves in house, which has been quite difficult. I am looking forward—and I think the commission can look forward—to the solution we get being a state-based solution and being able to be supported locally. With the data being provided by that agency, it will be far more seamless to get the data in and out and to get things loaded up for the commission to be ready in June 2006.

**Ms CHAPMAN:** At 4.61, the second last dot point states:

Evaluated roll scanning, count and mapping software for state elections and boundary redistributions

That may be what you have just referred to, but what was involved in that evaluation and are there any other changes, other than what you have just indicated?

**The Hon. M.J. ATKINSON:** I will ask Mr Gully to respond.

**Mr GULLY:** The boundary commission software is one of those I have just referred to. The other ones, as far as roll scanning and count software are concerned, we have utilised some software for the Legislative Council counts for the previous two elections. That is a very complex count, being a whole state election with almost a million ballot papers of which some 40 000 to 50 000 are preference votes marked below the line. We have utilised some software which was developed by the Australian Electoral Commission and which was used for its Senate scrutiny. We were the first to trial it for them successfully in 1997 at our state election. Parochially, we can be very proud that that effort enabled the software to be used in the Senate for the commonwealth. We have used that for the last two elections.

The AEC has redeveloped that software again into some more current application software with a database sitting underneath it for holding the data. Again, the older system was part proprietary, where it was difficult to get data in and out of a particular type of database. The skills for programmers to support the application side of it for the data entry and the processing and reporting was somewhat complicated. The skill level around was not high, so the AEC has moved to a more current level of software that is more supportable, using Microsoft-type products. That has been developed and was used at the Senate election last October.

I already have an agreement in place, signed by the AEC and our office, to support us for the next two Legislative Council elections in 2006 and 2010 using that newly

developed version of the software. At the moment, we are in the process of creating some test data to provide to them to make minor formality changes to the software where it differs between the Senate and the Legislative Council. We will undertake that testing, and then I propose to provide to them the live data from the last council election in 2002. They can run that data through the new software to prove that the results will come out exactly the same.

As far as roll scanning is concerned, over a number of elections (probably over the last 10, 15 or 20 years) we partnered with the Australian Electoral Commission, which had its own scanning equipment. The hardware was very antiquated and it has outlived its date again. The AEC has not chosen to redevelop hardware or software for that; it went out to the open market and chose a provider to service its requirements for the federal election last October. I visited Victoria to see the scanning of the rolls for South Australia, because the company chosen did not have a presence in South Australia. That causes a major problem for our office in that we have to scan our rolls and have the data back and available before we start admitting declaration votes under our current legislation. A Victorian solution is probably not suitable for us. We would need a site in South Australia to be able to do that; we would start scanning at midnight on polling day.

The other opportunity that is available was used successfully at the Queensland election in February last year. Again, in WA, the same system was developed and used for the WA state election in February this year. It is a different provider, which has a large presence in South Australia. It is a company in South Australia, and it has support here. We have been having some discussions with them as to whether we can use that system. As it is a technological solution that is not readily available, we would need to take some steps to go outside some form of open tender and go to either a closed tender or a waive of tender through the relevant chief executive exemptions.

**Ms CHAPMAN:** I have a supplementary question. Given that the election is to be held in March next year, when will that tender be out?

**Mr GULLY:** We have already had discussions with the company to get indicative costs of what it would cost. It has been proven and demonstrated in other states, and they have the equipment and staff here. We will be looking at it in the very early part of the new financial year, and we are hoping to have some discussions with them. The technical expertise is in Adelaide. The people who negotiate the arrangements are based in the company's Brisbane office, so they will be coming down to talk to us very soon in the new financial year.

**Ms CHAPMAN:** My third question is in relation to page 4.61, '2005-06 Targets'. The second last dot point states:

Implement enhancements to periodic election software, procurement and installation of election hardware. IT support for parliamentary election process and continue ICT transition processes  
We have covered some of that, but are we progressing toward electronic voting?

**Mr GULLY:** The enhancements to our periodic election software is for local government, and much of that is software that has been developed in house in the office. It entails the capturing of candidate profile information, and it produces the data for all the different scenarios for mail-outs for all councils. With 67 councils, mayoral elections, ward elections and area council elections, there are some hundreds of different combinations of mailing ballot packs that need to go out. Those systems generate the data in each of those to go

to a mailing house so that the mailing house can produce those packs and get them out. They are bar coded so that, when they come back, the software allows the recording by bar code to mark them off the roll. It is really the administrative side of the system. As far as electronic voting goes, we keep a watching brief, as we have for some time, over developments in the electronic voting area. There are major discussions in the US, where they have pushed that there must be direct electronic voting equipment.

With regard to their elections, last week I read some information where the elections are not managed nationally but are managed at county or state level, and they all have different equipment and different laws. Some have advance voting and absent voting, and some do not. There are major problems in that. The major things that come up with electronic voting are questions on security, authenticity and fair access to everybody. I think that I will probably be long out of the electoral game before internet voting comes along, because whoever wants to control the internet can do that. I am aware that our web site has been off the air since about 2 o'clock yesterday—it is about to come back on shortly—because someone has made malicious attacks on hosted web sites around the place.

These things happen regularly. In my view any form of electronic voting would have to be under some controlled, measured infrastructure and facility that is controlled by the administrators, and that is very difficult in states like South Australia, Queensland or Western Australia. It has been used in the ACT for the Territory elections, but in a very tight, compact area, in six or seven pre-poll centres. Again, I think only about 16 per cent or 18 per cent (do not quote me on the number; it is off the top of my head, but it is a small percentage of the people) use that voting method, but that is locked down in the pre-poll centre and polling centres and they cannot go out and do it over the home phone.

**Ms CHAPMAN:** For prisons or nursing homes or something? This is for the Northern Territory election?

**Mr GULLY:** The ACT.

**Ms CHAPMAN:** Why are we talking about electronic voting there? So you say that it is in dedicated areas?

**Mr GULLY:** They have used electronic voting at the last two Territory elections.

**Ms CHAPMAN:** Across the board?

**Mr GULLY:** Not across the board; it is a supplementary method of voting. At the election last year, which I think was the week following the federal election, I went over and observed that process. For pre-polling, where people were coming in to vote during the week between the federal election and the Territory election, they were clearly pushing people towards the voting tablets, the push button arrangement. If people did not want to take up that option they could still vote with their ballot paper. In the end the majority of the votes cast were pre-poll votes, and there were not that many on polling day.

So, say 15 to 20 per cent of the votes possibly were recorded electronically; the other ones were recorded on paper. The process then was to data enter all those paper written ballot papers into the electronic form so that you could press a button and get a result. The alternative to that is to take the electronic data, print it off on a ballot paper and do the count manually. They have a complicated voting system; it is not a simple, straight preferential system, so it does tend to suit it better to be data entered so you can press the button and get the result.

**Ms CHAPMAN:** Is that what they did?

**Mr GULLY:** That is what they did.

**The Hon. M.J. ATKINSON:** I should disclose to the committee that I am a Luddite on electoral matters and that while I am Attorney-General I will do all that I can to ensure the continuation of the election day ritual in which one traipses from one's home to a church hall in order to mark one's preference on a piece of paper with a blunt pencil.

**The Hon. P.L. WHITE:** With respect to the estimates papers, Program 1, Sub-Program 1.2, what projects has the State Electoral Office undertaken in order to assist in local government elections?

**The Hon. M.J. ATKINSON:** As members know, I have taken a particular interest in local government elections and the electoral methods employed. The next periodic elections are scheduled for May 2006, two months after the state election. I hope my volunteers are not suffering from exhaustion at that time. The timing of the elections and other possible amendments are being reviewed by parliament. Major election events are coordinated by project management, and new methods will be introduced after the assessment of need, cost implications and improved capacity to perform the function to the required standard. Costs are recovered from councils for the conduct of local government elections.

Projects were reviewed and provisionally allocated in December last year. Major responsibilities for the office include liaising with councils and roll management, training and deployment of staff, procurement of election materials, nomination and profile management, ballot material, mail-out and processing arrangements and result processing. Project budgets will be allocated in the first half of the next financial year. Preliminary work has started on training manuals and other work will start in the next financial year, and there may be some benefits in technology and infrastructure following on from the state election. Mr Gully, would you like to add anything?

**Mr GULLY:** As the legislation stands at the moment, as the attorney said, the local government elections are due in May 2006, some two months after the state election. There are some major concerns in my mind because of that. There may be elector confusion as to the voting issues: one is a compulsory election and one is voluntary; one is by post and one is by attendance; and there are different issues and different candidates. There are people who want to be candidates in both and if someone nominates for local government and subsequently gets elected to the parliament some time after 18 March then they would not be a candidate for local government. There are a whole range of confusing issues and other matters that the electorate as a whole would need to be able to deal with.

As the attorney mentioned, a review of the local government elections legislation is currently before the parliament. Local government, the former electoral commissioner and I were party to the review process which took place in regional areas all around the state and in the metropolitan area and which was conducted by the Local Government Association in consultation with all stakeholders in that level of government. For some time local government—and this came out clearly in the review—wanted to move away from a May time frame for elections because one of its major concerns was that at its first meeting the new council signs off the budget for the previous council. So there were a whole range of issues there and times were proposed for later in the year. Currently what is being proposed is a mid November election,

although I will not pre-empt what the parliament might decide there.

In any event, it is likely that it could well be in the second half of the year and possibly not in May. Were that to occur, there are some implications on some of the budget figures, because those budget figures still take account of local government elections being conducted in May, which is in this coming financial year. The figures there will not have a great effect on any draw from Treasury because we are not funded from Treasury for local government elections. As the Attorney mentioned, we get cost recovery on local government elections through the councils and how we cover the expenses, because there is a lot of expense up-front for the printing of manuals and buying all the envelopes and materials that are needed for the election. We do draw money from the councils. We estimate what the cost is likely to be. They make a contribution of about 60 per cent of that cost and, after we wrap up the elections and finalise them, we then invoice what is required for the final payment.

The major effort that goes into that is in the planning exercise, and the office has put some considerable effort into the review process that local government has undertaken through the leadership of the Local Government Association. As I said, the previous commissioner, a number of staff and I were heavily involved in looking at technical issues; and we also looked at a number of recommendations that the previous commissioner made in his report following the May 2003 local government elections.

**Mr RAU:** What has the State Electoral Office planned to do to ensure that the public is properly informed about their rights and obligations in the lead-up to the 2006 state election?

**The Hon. M.J. ATKINSON:** I thank the member for Enfield for his question. The first media campaign undertaken by the State Electoral Office occurred at the 1982 general election and, since 1985, publicity programs have become a legislative requirement. The Electoral Commissioner is responsible for carrying out appropriate programs of publicity and public education to ensure that members of the public are adequately informed of their democratic rights and obligations, and that is in accordance with the Electoral Act. I notice that the member for Bragg has a leaflet designed for youth in her hands at this very moment. Section 8(1)(c) of the Electoral Act requires such campaigns.

The election advertising campaign usually begins after the issue of the writs, and it provides relevant electoral information for the public through television, radio and the newspapers. The means of disseminating electoral information has expanded over time and now includes information in the form of an election guide which contains both illustrations and text, internet audio files, captioned and Auslin-signed television commercials, multi-lingual translations and coverage in mainstream and ethnic press and extensive radio coverage across the state.

In 1993, \$1.4 million was spent; in 1997, \$1.1 million; in 2002, \$1.3 million; and in 2006, \$1.3 million. The State Electoral Office has written a request for tender document in accordance with government guidelines and will make these available to business in the next few weeks. The creative campaign will focus on three phases: encouragement to enrol, the importance of each vote and how to cast a formal vote for both houses of parliament. Initiatives will ensure inclusive, effective and equitable access to information and voting to enable all eligible electors to participate in electing representatives to our state parliament, and creative concepts will be

tested before the overall campaign. They will be independently tested after the election to help determine the direction for future elections.

**Mr GULLY:** I would like to add that on Tuesday of this week in *The Advertiser* our tender document was made available, asking for industry to tender for this business for the next state election through the State Electoral Office. I was hoping that I would not be asked what the budget is likely to be, because we did not mention anything in the tender notice what we are willing to spend or what we want to spend. We were hoping that they would be fairly ingenious and come up with a wonderful campaign for whatever money, allowing us to see what can best fit. If any industrious media people out there do happen to read *Hansard*, they will now know what we are willing to spend and we will see what we can get for those dollars.

**Ms CHAPMAN:** I have a short supplementary on that question. In relation to the youth pamphlet, while we are on the subject of material, I have a direct quote, as follows:

If you don't vote, you may be fined. As voting is compulsory for state and federal elections, once you have enrolled you must vote . . .

The legal position is quite clear. You do not actually have to vote, as you know, but you do have to register. Why is that sort of information being placed in a pamphlet for youth? Is it just to give them the misguided idea that they actually have to vote, even though that is not the law?

**The Hon. M.J. ATKINSON:** The Liberal Party's continuing campaign against compulsory attendance at a polling booth never ceases to interest me. Of course, it was the Playford Liberal government, in 1942, I think, that introduced compulsory attendance at a polling booth in South Australia. The turnout for state elections at that time had fallen to about 50 per cent of the roll.

The member for Bragg is quite right. The requirement is not, as she says, to register but to attend at a polling booth, have your name crossed out and receive a ballot paper. From that point you can, if you wish, place it blank in the ballot box and you have fulfilled your requirements and obligations under the Electoral Act. To express it in a highly technical way in a leaflet designed for youth to encourage them in their civic responsibility is a counsel of perfection by the member for Bragg. What most normal people understand the obligation to be is to vote, and in a pamphlet for youth encouraging them to fulfil their civic obligation it is appropriate to express it that way rather than the highly technical and artificial way the member for Bragg seems to suggest that it should be expressed in the leaflet.

**Mr GULLY:** The State Electoral Office traditionally has taken the view that the spirit of the act ensures that the community is adequately informed on electoral matters and its rights and obligations. We would always put the rights first as it is a privilege or right people should take up, and we encourage them to do that. The obligation would come second, as the stick after the carrot. In the compulsory voting provisions, section 85(1) of the act provides:

It is the duty of every elector to record his or her vote at each election in the district for which the elector is enrolled.

That would mean the division of the upper house as well as the district for the House of Assembly. Subsection (2) provides:

(2)An elector who leaves the ballot paper unmarked, but who otherwise observes the formalities of voting, is not in breach of the duty imposed by subsection (1).

I suppose that, when we ask whether or not its compulsory, the intention of the wording in the act is that you must attend, you must take your ballot paper and you must retire to a voting compartment. You do not have to legally mark the ballot paper, but you must deposit it into the ballot box. In South Australia we have printed on the paper, 'You are not legally obliged to mark this ballot paper'. That issue may come up for the parliament to consider at some time if the State Strategic Plan attempts to lower informal voting by 50 per cent. One of the ways to do that is to remove those words from the ballot paper and thereby not encourage people to leave it blank.

Our analysis shows generally that up to 50 per cent of the informal ballot papers are intentionally left blank. Others have simply missed numbering. The savings provision we have in our legislation allows for the voting tickets to be lodged and if a person votes 1 by using a tick or a cross, and the candidate has lodged a voting ticket, that will be saved and counted as formal following the candidate's preference on their voting ticket. Therefore, our level of informality is far lower than for the federal elections, New South Wales and others who have different systems.

People have talked about optional preferential voting causing a drop in the level of informal voting. I do not know that it will drop it as much in South Australia as elsewhere as we have those savings provisions and already capture those votes. Two things can assist: first, not allowing people to leave it blank, but they may do it anyway; and, secondly, our advertising and media campaign to encourage people to vote and fill out the ballot papers correctly.

**The Hon. M.J. ATKINSON:** Anyone who has scrutineered in a polling booth in a state election would be aware—and I assume that every member of the committee has scrutineered—that some people exercise their strict legal right to have their name crossed off the roll, accept the ballot paper and then deposit it blank into the ballot box. I do not think any political party is proposing to bring in compulsory voting strictly interpreted as by the member for Bragg because, as much as anything, if it were an offence not to mark the ballot paper how will it be proved, given that we have a secret ballot?

Much is made at some elections of a high informal vote, and it is argued that this indicates dissatisfaction with the governing party or the system of government in Australia or South Australia. In my experience as a scrutineer, half of the people who have voted informally are in fact trying to cast a formal vote but have failed to do so by not complying with the requirements. Only about half the informal vote is a deliberate informal vote.

**The CHAIR:** The time agreed for the examination of this line having expired, I declare the examination completed.

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Attorney-General's Department, \$68 761 000  
Administered Items for the Attorney-General's  
Department, \$47 046 000

**Membership:**

Mrs Hall substituted for Ms Chapman.

**Additional Departmental Adviser:**

Mr S. Forrest, Acting Director, Multicultural SA, Attorney-General's Department.

**The CHAIR:** I declare the proposed payments open for examination and refer members to the Budget Statement, in particular appendix C, page C.2, and the Portfolio Statements, Volume 1, part 4.

**The Hon. M.J. ATKINSON:** In the interest of multicultural and ethnic affairs, I inform the committee that today is Blooms Day, the 101st anniversary of the day on which James Joyce's novel *Ulysses* is set, and it will be celebrated later today at the Irish Australian Association in Carrington street. I wish all members a happy Blooms Day.

**Mrs HALL:** My first question relates to the introduction that the minister just gave with respect to the acting chief executive. I am sure that multicultural communities would be very interested to know when the appointment of a permanent director to Multicultural SA will be made. I refer to a question that I asked in February this year relating to this subject, and I understand that the minister was particularly complimentary regarding the role and work of the Acting Director, Mr Simon Forrest, in that capacity. However, multicultural communities have asked on a number of occasions, particularly over the past couple of months, when an appointment will be made for the permanent position.

**The Hon. M.J. ATKINSON:** I suspect that South Australia's ethnic communities are not very interested in whether there will be a permanent appointment to Multicultural SA. However, it is quite true that the executive director has been in an acting capacity since August 2004. The process to fill the position in a permanent and continuing capacity has started, with the first stage of classifying the job and person specification now complete. The result of that step was to reclassify the position from an Executive A level to an Executive C level, which is to say that we have made the position more important.

**Mrs HALL:** That was a good non-answer. I refer to page 4.5 under the heading 'Justice portfolio grants and subsidies' on the subject of multicultural services grants. The budget papers state that there is an increase in support for multicultural grants (referred to under 'expenditure' in Budget Paper 3, page 2.25), but there is no other specific reference in the budget papers to multicultural grants. Will the minister provide the committee with a detailed breakdown of grants and subsidies distributed through the multicultural services program of the Attorney-General's Department in the past financial year, and will the minister provide a detailed breakdown of the grant funding money available to Multicultural SA in 2005-06, for example, with particular reference to the Multicultural Grants Scheme and the grants to multicultural communities' councils? Will the minister advise why there is not a budget line dedicated to grant funding specifically for the multicultural services programs?

**The Hon. M.J. ATKINSON:** The short answer is yes. The second thing to say is that, under this government, the funding for multicultural grants has increased massively. There has been a colossal increase—

**Mrs HALL:** Yes.

**The Hon. M.J. ATKINSON:** I am glad that the member for Morialta acknowledges that.

**Mrs HALL:** It is curious to find it.

**The Hon. M.J. ATKINSON:** No, I think the ethnic clubs of South Australia are finding the money. Immediately after the election, the government announced that it would double funding for the Multicultural Grants Scheme from what it was under the Liberal government to \$150 000. The government moved from having only one grant round a year to having a couple. This has enabled the grants scheme to respond more

quickly to ever changing needs, particularly those of new arrivals. The Multicultural Grants Scheme provides funds to not-for-profit community organisations.

More than 100 community organisations receive grants to undertake important projects, which will make South Australia a better place in which to live and, more importantly, which will make South Australia a more welcoming place for migrants who may be inveigled to this state rather than other states and territories of Australia. Many volunteer groups have been assisted and, under the current budget, the fund has been doubled again to \$300 000. I expect the member for Hartley and the member for Morialta to congratulate us for that increase, because we have been far more generous with South Australia's multicultural communities and ethnic clubs than was the previous government.

Since Labor came to power, we have increased funding for the Multicultural Grants Scheme to \$300 000 per year. We have initiated, for the first time, a land tax grant relief scheme to ease the burden on multicultural clubs, and we are putting \$260 000 aside in 2005-06 for that. It is all very well for us as a government to increase the multicultural grants as we have, so we give with one hand, but if we are imposing land tax on ethnic clubs then we are taking it back with the other, as occurred under the previous government also. So, we have put a stop to that. We do not want the fundraising of our ethnic clubs to be used to pay land tax. We have dealt with that matter.

We have increased the grant to the Multicultural Communities Council. We have provided new lodgings—namely, Edmund Wright House—for the Migrant Resource Centre. To have the Migrant Resource Centre in a building of the status and dignity of Edmund Wright House on the main drag here in Adelaide, I think, enormously improves the status of the Migrant Resource Centre when that organisation's funding was threatened by the Howard Liberal government. So, we have elevated that organisation. We also have increased support to Radio 5EBI FM and to Radio Televisione Italiana.

I mentioned in response to the last question that we were upgrading the status of the head of Multicultural SA. I had forgotten, of course, that under the last government it was downgraded when the position was transferred from Sev Ozdowski to Joy De Leo. What was the last part of your question, Joan? Mr Forrest may be able to answer it.

**Mrs HALL:** It was the breakdown of grant funding available for 2005-06 with reference to the particular multicultural grants scheme and the other, the multicultural—

**The Hon. M.J. ATKINSON:** And where to find it in the budget?

**Mr FORREST:** If you are looking for the detail of the grants scheme I do not believe that is contained group by group.

**Mrs HALL:** That is why I said you can take it on notice.

**Mr FORREST:** Are you looking for which groups were funded?

**Mrs HALL:** Yes.

**The Hon. M.J. ATKINSON:** We can tell you that. Some of the groups were the African Communities Council of South Australia, the Bosnia-Herzegovina Muslim Society of South Australia (which was pleased to make me a life member the Friday before last)—

*Ms Ciccarello interjecting:*

**The Hon. M.J. ATKINSON:** The member for Norwood has attended the Bosnia-Herzegovina Muslim Society with me; they always show us a good time. Others were the

Coober Pedy Multicultural Community Forum, the Coordinating Italian Committee, Giovanni South Australia, the Greek Lyceum, the Iranian Association, the Kurdish Australian Association, the Middle Eastern Communities Council, the Multicultural Communities Council, the Polish Educational Society, and Port Lincoln Multicultural Council. Again, this is an indication that this government is a government for all of South Australia, and particularly for regional South Australia because, unlike the previous government, we have included representatives from outside metropolitan Adelaide on the South Australian Multicultural and Ethnic Affairs Commission—namely Peter Zdravkovski from Port Lincoln and Petar Ppiros from Renmark. I go on: the Serbian Pensioners Group, the Sikh Society, the Ukrainian Women's Association, the Vietnamese Christian Community (who are outstanding for wangling a grant for one thing or another), the Vietnamese Community in Australia (now relocated from Woodville Park to Athol Park), and the Whyalla Multicultural Communities Centre.

I can tell the member for Morialta that the government does, indeed, publish a complete list of recipients of multicultural grants at each round via media release and I am happy to put her on our mailing list.

**Mrs HALL:** Thank you, because I would be very interested to know what the specific amounts are.

**Mr SCALZI:** I would like to follow on from the Attorney's land tax relief for community organisations and the \$260 000 allocated each year for the next four years for land tax relief. Can the Attorney inform the committee how much the government has taken from community organisations in land tax increases in the last couple of years, given increasing property valuations? Are the grants matching that increase, given that the grants have to be applied for whereas the land tax increase is general to all clubs?

**The Hon. M.J. ATKINSON:** I will take that question on notice, but my understanding is that we are giving a full refund on land tax to ethnic clubs—and my understanding is that it is not just a refund on the increase, it is a total refund. That is to say, under the Liberal Party ethnic clubs paid land tax: under Labor they do not. I hope that is clear for the member for Hartley.

**Mr SCALZI:** The Attorney knows that grants are given on application, but land tax is paid in general by all the clubs, so there is a difference.

**The Hon. M.J. ATKINSON:** Mr Forrest may be able to help the member for Hartley.

**Mr FORREST:** If I understand the point correctly, the amount of money we have negotiated through the process, particularly with Revenue SA who are the managers of the land tax scheme, is \$260 000. That is on the basis of looking through our data base and guessing who has land tax because, obviously, we are not able to be informed about who pays tax because of the legislation. The view they have basically formed is that \$260 000 will pay the complete cost of land tax for ethnic organisations. So it will be a matter of advertising in the next few weeks (and we have already started that to some degree), because we understand from Revenue SA that our client group gets their land tax bills in late October, and then the ethnic community organisations making application. It will probably be a very simple application because there is no, in a sense, competition for these grants; it is the intent to reimburse the community organisations the full cost of their land tax bill. Built into our conversations with Revenue SA was also the fact that we would probably need to review the amount they were providing every two years in case land tax

rose again. So, I think the question is related to whether it is the intent to pay the full amount of the land tax, and the answer to that is yes.

**The Hon. M.J. ATKINSON:** Just in response to the last question where the member for Morialta asked which ethnic organisations have received grants, I can tell her one that is not and that is the Community Settlement Services Scheme grant which was provided by the federal government to Port Lincoln. That has now been discontinued by the Howard Liberal government, which just shows what happens to areas which are safe Liberal seats, both at federal and state level. Port Lincoln's economy is growing, the town is growing, it is attracting migrants to work in the fishing industry, yet the Howard government has cut off its community settlement services scheme grant. Perhaps the member for Morialta could explain that.

**Mrs HALL:** As the minister is well aware, I am not responsible for decisions of another parliament and another jurisdiction.

**Ms BEDFORD:** Over the past 12 months, what has Multicultural SA and the South Australian Multicultural and Ethnic Affairs Commission done to aid the participation of ethnic communities in large, mainstream events to promote community harmony?

**The Hon. M.J. ATKINSON:** I think the principal thing in which the member for Florey would be interested was the multicultural float in South Australia's annual Christmas Pageant. More than 300 000 people line the streets of Adelaide to watch the pageant, in addition to a huge television audience, and the float was the result of joint efforts of the South Australian Multicultural and Ethnic Affairs Commission, Multicultural SA and the pageant organisers. The multicultural float was the biggest in the pageant and was led by Chinese and Vietnamese line dancers and included representatives from the Greek, Italian, Spanish, Polish, Ethiopian, Sudanese, Scottish and Pacific Islander communities. On the float were the words love, tolerance and peace, written in Chinese, Arabic, Greek, Spanish, Ghana and English. It was a great way for the public to get a sample of the diversity of Christmas traditions celebrated by so many of our ethnic minorities in a prominent television event.

Another highlight was the participation of almost 1 000 representatives of South Australia's culturally and linguistically diverse communities in the 2005 Australia Day parade. The community representatives walked behind banners signifying their country of origin. I was pleased to be there and to see South Australia's non-English speaking communities breathing life into a parade that had been struggling. It was a big event this year, in particular owing to the organising work of the deputy chairman of the commission Hieu Van Le. Of course, there was one English speaking ethnic group involved, a group of which I was pleased to be a member, and that was TEA, The English in Australia, which entered a Jaguar, from which a flag bearing the cross of St George flew during the parade. They have not applied for an ethnic grant yet. I should say about the Australia Day parade that one theme of it was the Vietnamese community marking the 30th anniversary of Vietnamese settlement here in Australia, as they fled communism after the fall of Saigon in April 1975.

Several young people from culturally and linguistically diverse backgrounds took part in the Anzac Day ceremonies in a joint initiative between the commission and the Returned Services League. Young people representing different communities participated in the vigil on the evening of 24 April, Anzac Day eve, and instead of wreaths the young

people laid down books about Australia's military history, which were donated to local schools by the commission. So Multicultural SA and the commission will continue to work to promote the profile of culturally and linguistically diverse communities in those events that tell the story of the Australian nation.

**Ms BEDFORD:** I have a supplementary question. What is planned for Proclamation Day, perhaps this year, in the same vein?

**The Hon. M.J. ATKINSON:** I don't think we have anything planned for Proclamation Day. Mr Forrest would like to add something.

**Mr FORREST:** The events that the minister has talked about came about from a planning session that SAMEAC and Multicultural SA had some time ago and the real issue for the commission and the organisation was about profiling ethnic communities in major South Australian events. Proclamation Day is not off the agenda. It is intended to increase the number of events we have ethnic communities participating in by one per year, this being the first year. The commission excelled itself because it has been in four so far, but we intend to add them year by year so there is participation by the ethnic communities in mainstream events.

**Ms BEDFORD:** I know that for the sesquicentenary of parliament there is another opportunity coming up, as well.

**Mr RAU:** We know that ethnic community groups rely heavily on volunteers for the provision of services to the community. What is this government doing to assist volunteers in ethnic communities?

**The Hon. M.J. ATKINSON:** The Rann Labor government places a special emphasis on volunteers and has a Parliamentary Secretary for Volunteers. That is the status which we give that task. Members of ethnic communities sometimes have limited access to information and advice about services for which they are eligible, especially members of non-English speaking communities living in regional areas, such as the Sikhs in the Riverland and Serbs, particularly Serb new arrivals in Coober Pedy.

Multicultural SA provides training for volunteer members of community organisations to enable them to provide more effectively information to their communities and provide services and support for their members. During 2004-05, Multicultural SA has organised training opportunities for volunteers. It has extended this training to meet the needs of regional communities. Information sessions have focused on aged and pensioner issues, unemployment, family assistance, disability and carers, community-aged care and residential care.

Workshops have been held in Adelaide and the Riverland to raise awareness and reduce the incidence of residential break and enter by providing a tool to educate and encourage people to do things to decrease the possibility of suffering a break and enter in their house. I draw the committee's attention to our holding that workshop in the Riverland, because the Rann Labor government is so pleased to have the member for the Riverland as a minister in our government.

*Ms Chapman interjecting:*

**The Hon. M.J. ATKINSON:** No; I really mean it.

*An honourable member interjecting:*

**The Hon. M.J. ATKINSON:** Well, every time with feeling from the bottom of my heart. I am hoping that, after the next election, more MPs with seats outside metropolitan Adelaide will be ministers in the second Rann Labor government. Many community groups depend on small grants to enable them to continue to provide services and support in

their areas. Multicultural SA has organised workshops in Adelaide, Murray Bridge and Whyalla to assist ethnic community organisations to apply for grants.

In Adelaide and the Riverland the commission has organised workshops to help community groups plan and manage festivals. We are great supporters of the Riverland Greek Festival organised by Peter Ppirros, which I attend every year. I think that the member for Morialta attended the last Riverland Greek festival. We think that festivals play an important role in promoting and understanding, as well as social interaction in our multicultural society. I am sure that the member for Bragg thinks so, and that is why I see her at so many multicultural events.

The member for Bragg is a fine representative of the Liberal Party at those events, as is the member for Morialta and the Hon. Julian Stefani—often seen arm in arm at these events. The organisation of festivals is often complicated and involves a number of financial and other risks. The training provided will help communities better manage the festivals. To enable regional participation at the Adelaide workshops the government has provided funds for participants from Mount Gambier, the Riverland, Yorke Peninsula, Whyalla and Port Lincoln—again, a government for all South Australia.

**Mrs HALL:** I wish to put the following questions on notice, as I see that the minister has very cleverly run out of time in respect of the allocation for Multicultural SA.

**The Hon. M.J. ATKINSON:** I am more than happy to answer the questions here and now. I make it very plain that the government is not avoiding questioning. We are happy to extend the time available to multicultural affairs. We will answer the member for Morialta's questions here and now. There is no need whatsoever to put them on notice.

**Mrs HALL:** Did Multicultural SA meet all required budget saving targets for 2003-04 and 2004-05 set for it in the 2003-04 and 2004-05 budgets and, if not, what specific proposed projects and program cuts were not implemented? Will the minister provide a detailed breakdown of the expenditure on consultants for 2004-05—

**The Hon. M.J. ATKINSON:** I will answer the first question, because I think it is very important. Mr Forrest will assist the committee in answering that question.

**Mr FORREST:** In the current financial year, yes, we have met the savings requirements.

**Mrs HALL:** I talked about the 2003-04 and 2004-05 budgets.

**Mr FORREST:** From memory, I can talk only about the current year.

**The Hon. M.J. ATKINSON:** Next question.

**Mrs HALL:** Will the minister provide a detailed breakdown of expenditure on consultants in 2004-05 for Multicultural SA, listing the name of the consultant, the cost, the work undertaken and the method of appointment?

**The Hon. M.J. ATKINSON:** I am told that it did not have any consultants. So, we were particularly virtuous in fulfilling our promises on that.

**Mrs HALL:** For Multicultural SA, how many surplus employees are there as of June 2005, and for each surplus employee what is the title or classification of the employee and the total employment cost of the employee?

**Mr FORREST:** There was an employee at ASO8 level (that is, a redeployee) and there is a redeployee at ASO6 level. What was the next part of the question?

**Mrs HALL:** What is the title and cost of each employee, and what is the total employment cost of the employees?

**Mr FORREST:** The total employment cost, I imagine, is about \$160 000.

**Mrs HALL:** Can you check that figure for me?

**Mr FORREST:** Yes.

**Mrs HALL:** In the financial year 2003-04, for Multicultural SA what underspending on projects and programs was not approved by cabinet for carryover expenditure in 2004-05?

**Mr FORREST:** Are you asking whether there were any unapproved carryovers?

**Mrs HALL:** Yes.

**Mr FORREST:** To the best of my knowledge there were no unapproved carryovers into this financial year.

**Mrs HALL:** For Multicultural SA, what is the estimated level of the under-expenditure for 2004-05, and has cabinet already approved any carryover expenditure into 2005-06 and, if so, how much?

**Mr FORREST:** Based on our normal budget, I do not believe that any unexpended moneys will be left.

**Mrs HALL:** What is the total number of employees with a total employment cost of \$100 000 or more per employee and, as a subcategory, the total number of employees with a total cost of \$200 000 or more per employee as of 30 June 2004 and the estimate for 30 June 2005?

**Mr FORREST:** There are none in excess of \$200 000, and there is one in excess of \$100 000. Did the member say June this year and June last year?

**Mrs HALL:** Yes.

**Mr FORREST:** On both occasions.

**Mrs HALL:** Will the minister provide a detailed breakdown for each of the forward estimate years of the specific administration measures which will lead to a reduction in operating costs in the portfolio?

**The Hon. M.J. ATKINSON:** I will take that question on notice and get a reply swiftly for the member for Mordialta.

**The CHAIR:** There being no further questions for the Minister for Multicultural Affairs, I advise that the proposed payments for the Attorney-General's Department remain open. I call the Attorney-General to the table.

#### **Additional Departmental Advisers:**

Mr A. Swanson, Manager, Business and Financial Services.

**The CHAIR:** Does the Attorney-General wish to make an opening statement?

**The Hon. M.J. ATKINSON:** Yes, I do. I am pleased today to tell the committee about the good works of the government over the past 12 months across what is a diverse portfolio. As members are aware, law reform and law and order are two of the government's highest priorities and two topics on which there has been achievement. The Budget Papers highlight the new legislation the government has introduced and, in some cases, proclaimed. These are as follows:

- The Criminal Assets (Confiscation) Bill to allow the seizure of assets funded from the proceeds of crime, with new funding provided to the police and the Director of Public Prosecutions to support these changes.
- New legislation to deal with hoon drivers, allowing the seizure and forfeiture of their vehicles, with 176 drivers already reported since February, 108 of which relate to sustained wheel spin or burnouts. I noted in this morning's

*Advertiser* that police arrested a motorist and impounded his car, as he did a 20-metre burnout when executing a U-turn on Currie Street at 2 a.m. I would also like to thank the Liberal opposition for its cooperation in bringing in these laws.

- New legislation to deal with serious driving offences.
- The sentencing of offenders who commit sexual offences against children.
- The law has been reformed on intoxication as a defence. For years, I promised to abolish the drunk's defence, and that is, in essence, what we have done.
- The criminal liability for pornography legislation currently being developed to establish a child sex offender register, and better protection for child witnesses.
- Law reform for serious drugs offences.
- Bringing our defamation laws into line with a national model.

The government has backed these changes with the additional resources necessary. In the courts, I will be re-introducing justices of the peace to do bench duties to reduce the number of matters currently being listed before stipendiary magistrates and to reduce waiting times. In this budget, the Attorney-General's Department received additional funding for a continuation of the Port Augusta Youth Support Strategy. In conjunction with the Department of Families and Communities, the Department of Health and the Port Augusta council, that is \$205 000 per annum. Of course, the Mayor of Port Augusta, Joy Baluch would have had my guts for garters if I had not done that.

There have also been increased resources for the Office of the Director of Public Prosecutions for investigation and prosecution of pre-1982 sexual offences. They are the offences on which the Hon. R.D. Lawson, when he was attorney-general, wanted to maintain a statute of limitations so that those prosecutions could not be brought. Owing to the change of government and the good work of the Family First Party's the Hon. Andrew Evans that changed, and we are funding that. There has also been increased funding for criminal assets confiscation. In total, that is \$907 000 of new money for the Office of the DPP, and for funding to meet just general workload demands new money recurrent of \$800 000. There is a new \$460 000 per annum for the expansion of the Multicultural Grants Scheme for general grants and to assist ethnic communities in meeting their land tax obligations.

The Crown Solicitor's Office has been funded to handle long-term workers' compensation cases. There has been a crack down on organised crime (that is, the crowd controllers legislation), and increased funding to the police and the Office of Consumer and Business Affairs. In addition to the law reform agenda in the coming year, staff of the Attorney-General's Department will continue to work on carrying out the recommendations of the Cross Border Justice Project to improve the delivery of policing, courts and prisons in central Australia.

I would also like to take this opportunity to tell the committee that over the past year there has been reform in the Attorney-General's Department's financial control and reporting environment. After the discovery by the new Chief Executive Officer of inappropriate transactions with the Crown Solicitor's Trust Account, the practices of the past have been fully reversed. This has occurred with the assistance and support of the Auditor-General and the Department of Treasury and Finance. I am mindful that the previous use of this account is a matter still under consideration by two committees of the house, so I shall not dwell on it. Suffice to



say that the Crown Solicitor's Office has developed and carried out a statement of purpose and operating principles and procedures about the Crown Solicitor's Trust Account. A review of the controls and the operation of the account has been done by the justice internal audit.

I am glad that improved financial management reporting has been done and that the appointment of new staff to key positions, such as Chief Executive and Director, Strategic and Financial Services, have formed part of a culture shift—a culture shift that would not allow the previous practices to continue. I welcome the examination of my Portfolio Statements for the relevant financial period by members. Where would the member for Bragg like to start?

#### Membership:

Ms Chapman substituted for Mrs Hall.

**Ms CHAPMAN:** I seek clarification with respect to the omnibus questions. My understanding is that they were asked by the member for Morphett on the basis of all the ministerial responsibilities that you have.

**The Hon. M.J. ATKINSON:** I will take them that way.

**Ms CHAPMAN:** I want to deal with the Office of the DPP and refer to Budget Paper 4, Volume 1, page 4.76. The highlights for 2004-05 included additional resources for the Office of the DPP which, according to the budget papers, resulted in 'file load levels returning to a manageable level'. How does the Attorney-General reconcile the claim that file loads have returned to a manageable level with the facts that the DPP has complained that workload levels remain unacceptably high, that further resources were allocated in this budget, and that the Premier threw in another \$500 000 after Steve Pallaras went public after the intimidatory telephone call from the Treasurer?

**The Hon. M.J. ATKINSON:** The funding by this government for the Office of the Director of Public Prosecutions has increased by more than 50 per cent in real terms in three short years since we came to government. As I said to the committee earlier, when I became Attorney-General a member of the Liberal parliamentary party said to me that the Office of the DPP runs on the smell of an oily rag. Well, that is no longer the case.

After the Premier met for something like 1½ hours with 70 or 80 staff of the Office of the DPP in our building at 45 Pirie Street, he was moved by their request for administrative support and a reduction in their file loads and allocated \$500 000 recurrent that was not in the budget to the Office of the DPP. On top of that—and I do not think this has been publicised—the Premier allocated more than \$200 000 for office renovations to try to bring the Office of the DPP together on two floors of Pirie Street so that everyone would have an office, so that there would be space for everyone. There has been a quantum increase in the number of people working for the Office of the DPP; they need to be housed and they will be, owing to this one-off payment of more than \$200 000. So there was a productive outcome from the meeting that the Premier and I had with staff of the DPP.

We are a Labor government. We care about the occupational health and safety of public employees and we are happy to meet with them, listen to what they have to say, and respond. As to the detail of the member's question, analysis of a comparison snapshot of data taken from July 2004 to May 2005 for the file loads of solicitors has revealed a reduction on average of six files per solicitor. This means that in May 2005 each solicitor carried on average 60 files

compared with 66 in July 2004. Although the file load on average has been reduced, an increasing proportion of those matters referred to the office are more complicated.

In summary, the average file load of solicitors in the general section has reduced from 65.1 files to 55.4 files and the committal section has reduced from 78.3 files to 72.6 files on average. However, the file loads in the fraud section have increased from an average of 44.5 files to 60 files, as have the file loads of the four solicitors dealing with drug court matters which are up from 70 files to 78 files.

So that is the full picture. On average, file loads down under this government for staff of the Office of the DPP and that is before the increase in funding kicks in. File loads will be going down further, and I advise the member for Bragg to come to this Estimates Committee hearing next year because she will get an even better picture.

**Ms CHAPMAN:** I have a supplementary question. So why was it necessary for the Premier to offer a further \$500 000 to cover, given the statistics you have just indicated, for May 2005?

**The Hon. M.J. ATKINSON:** The member for Bragg, in her matriarchal fashion, tells the committee that because we have got the file loads down for workers at the Office of the DPP we therefore do not need to give them any extra money.

**Ms CHAPMAN:** Tell the truth here.

**The CHAIR:** Order!

**The Hon. M.J. ATKINSON:** The truth of the matter is that because we are a Labor government we care about the workloads and the occupational health and safety of prosecutors working at the Office of the DPP. We care about our workers. Prosecutors are workers, too, even though the Liberal Party has been portraying them as fat cats because in some cases their salaries have risen above \$100 000 a year. We care about their employment conditions. The Premier went to meet them. He listened for an hour and a half to what they had to say. He was moved by their workloads and he resolved to put an extra half a million dollars a year recurrent, that was not in their budget, to try to get their workloads down further.

Given that that meeting between the Premier and the staff of the DPP occurred barely a fortnight ago, I do not see how we are going to get it in the budget papers. The main thing is—and I remind the matriarchal member for Bragg—that it is not a question of a beautiful set of numbers. We are not going to boast in the budget about what we have done. We just want to reduce the workload of prosecutors and that is what we are doing. We are just doing our job.

**Ms CHAPMAN:** At page 4.104, Mr Attorney, recently when the Premier was in London, he released to *The Advertiser*, on an exclusive basis, figures from the Office of Crime Statistics for 2004. These figures at that stage were not publicly released. My question, therefore, is: were they prepared especially prepared for the Premier; who requested them; and when will they be released?

**The Hon. M.J. ATKINSON:** I am puzzled that the member for Bragg would object to the release of public information about crime statistics. Perhaps her real anger is that it showed yet again a reduction in crime here in South Australia. Her question seems to be asked not on behalf of the public of South Australia but on behalf of media organisations other than *The Advertiser*. The statistics are in the public domain via our morning newspaper. It is not something I am ashamed of and, as to the remainder of her questions, I will take them on notice.

**Ms CHAPMAN:** When will these figures be released for 2004, which have obviously been available to the Premier and *The Advertiser* only to date? When will they be available to the rest of the public?

**The Hon. M.J. ATKINSON:** The member for Bragg does not seem to realise that *The Advertiser* is South Australia's daily newspaper and by releasing them to *The Advertiser* we have released them to the public in the best possible way. Last time I looked *The Advertiser* had a circulation of several hundred thousand.

**Ms CHAPMAN:** What justification, then, Attorney, was there for releasing this information to only one outlet, if you are going to rely on the media outlets, and in particular *The Advertiser*, to be the forum by which it is published?

**The Hon. M.J. ATKINSON:** When I was a student at university I recall reading a book called *From Playford to Dunstan*, the authors of which were Dr Neal Blewett and Dr Dean Jaensch.

*Mr Scalzi interjecting:*

**The Hon. M.J. ATKINSON:** The member for Hartley by interjection is clearly familiar with the same tome.

**Mr SCALZI:** I studied it.

**The Hon. M.J. ATKINSON:** He studied it; good. If the member for Hartley studied it, he could tell the member for Bragg that the release of government information exclusively to media organisations began I think in 1967 here in South Australia, and has been a constant practice in previous Liberal governments, including the Olsen Liberal Government. If the member for Bragg is saying that the release of government information of any kind exclusively to one organisation is a practice that is deplorable and ought to be outlawed, I ask her, first of all, to bring in a bill and the other is to stop it herself.

**Ms CHAPMAN:** Point of order: the response is including a hypothetical situation which I had not asked. What I have asked is: when is the rest of the public going to see this information, the 2004 statistics? I do not need to know about some 1970 book.

**The CHAIR:** Have you completed your answer, Attorney?

**The Hon. M.J. ATKINSON:** Well, Madam Chair, I am answering it in my own idiom.

**Ms CHAPMAN:** As usual, vague and useless.

**The Hon. M.J. ATKINSON:** I can assure you that the statistics will be published in the annual statement of the Office of Crime Statistics sometime in the next two months.

**Ms CHAPMAN:** Good.

**The Hon. M.J. ATKINSON:** Anyone can make a request to the Office of Crime Statistics for the information. I do it regularly to assist me with my dialogue with the South Australian public through radio station 5AA. It is not confidential material.

**Mr SCALZI:** Do you listen to any other station?

**The Hon. M.J. ATKINSON:** Yes, occasionally. It will be released in the annual publication of crime statistics in a couple of months.

**Mr SCALZI:** Aren't all stations equal?

**The Hon. M.J. ATKINSON:** All radio stations are equal, but some are more equal than others.

**Ms CHAPMAN:** In relation to the evaluation of the drug schemes, on page 4.76, in the 2004-05 targets the fourth highlight of 2004-05 was the launch of the adult court assessment referral drug scheme (CARDS) at Port Adelaide, Adelaide and Murray Bridge courts and the conducting and evaluation of the program; and the fifth was the evaluating of reoffending behaviours of people successfully completing

the Drug Court and Magistrate's Court diversion programs. Who conducted these evaluations? Have they been finalised? Do you have any reports and, if so, will you table them and, if not, why not?

**The CHAIR:** I remind the Attorney that there is no provision for the tabling of documents during estimates.

**The Hon. M.J. ATKINSON:** I thank the member for Bragg for her question, and I am pleased to say that the answer to this question could have been obtained by her referring to the web site. Since she has asked the question of me in estimates, I will be happy to save her a trip to the web site and share the information with her.

The Court Assessment and Drug Referral Scheme is a court mandated brief treatment intervention for drug affected low level offenders appearing in the Magistrates Court. CARDS is jointly funded by the state through the Drug Summit, and the commonwealth government kicks in \$470 000 per annum through the illicit drug diversion initiative. Three pilot sites will operate until June 2007. The three sites initiated were Port Adelaide Magistrates Court (28 June 2004), Adelaide Magistrates Court (8 November 2004) and the Murray Bridge Magistrate's Court (9 May 2005). That is because we are a government for regional South Australia. Since its introduction, magistrates have referred more than 100 accused into treatment as part of bail or bond conditions. About 15 per cent of referred defendants have been Aboriginal people. This is a very high Aboriginal referral rate for a justice diversion program and reflects successful engagement with this target group. CARDS is being evaluated by the Office of Crime Statistics and Research.

Youth CARDS is a Youth Court and Family Conference mandated referral into brief treatment for drug or alcohol dependency. The scheme is operating as a pilot in the Adelaide Youth Court. Youth CARDS is entirely funded by the commonwealth government as part of the illicit drug diversion initiative to the tune of \$150 000 per annum. Development and carrying out of the pilot was delayed in 2004-05 owing to delays in the confirmation of commonwealth government funding. Funding was confirmed in December 2004. I hope the member for Bragg does not get indignant about that, because the last time I heard it was the Liberal Party in government in Canberra.

Youth CARDS is expected to be initiated at the Adelaide Youth Court in July 2005, and the pilot will continue until June 2007. Youth CARDS will be the first Youth Court based drug and alcohol intervention program in South Australia. The scheme will provide a valuable resource to juvenile justice to deal with drug and alcohol related offending. Youth CARDS will be accessible through the Youth Court and Family Conference and is being evaluated by the Office of Crime Statistics and Research. The member for Bragg was asking about two programs, but there are in fact three. The first is the Drug Court reoffending evaluation, which is complete and on the web site.

*Ms Chapman interjecting:*

**The Hon. M.J. ATKINSON:** I heard the interjection that the member for Bragg was somewhat indolent in not referring to the web site before asking a question. It helps to do a bit of preparation for estimates rather than winging it.

**Ms CHAPMAN:** On a point of order, I have not asked about that. I asked about the reference to the evaluation reports in relation to highlights 4 and 5, which indicate the completion of those. The Attorney has outlined his excuses as to why they have not been finished, but my point is very

clear and accurate, namely, that the 2004-05 highlights are not the completion of those reports and for the reasons he has explained they have been delayed and there is ongoing evaluation. Is that correct?

**The Hon. M.J. ATKINSON:** The 2004-05 financial year is not over yet.

**Ms CHAPMAN:** You just indicated that they are going into next year.

**The Hon. M.J. ATKINSON:** The Attorney-General is not making excuses for their not being available. The Magistrate's Court diversion evaluation, about which the member for Bragg certainly did ask, is completed and on the web site. With CARDS, the evaluation is under way and will be online soon. The dot point to which the member for Bragg was referring—and I cite it for the committee's information—has evaluated reoffending behaviours of people successfully completing the Drug Court and Magistrate's Court diversion program. Both have been completed and are on the web site, so the member for Bragg is misrepresenting to the committee the question she asked.

I suggest that she go back and have a look at *Hansard*. I have answered directly the question that she has asked, and the fact remains that she could have found these evaluations by referring to the web site before she came into the committee today. It is just indolence on her part. An opposition spokesman leading for the opposition in an estimates committee ought to come in here not trying to wing it but having done some preparation. I am sure that the member for Davenport will circulate her performance.

**The Hon. P.L. WHITE:** Can the Attorney-General inform the committee what is being done to improve victims' rights to services in our state?

**The Hon. M.J. ATKINSON:** Although the focus of debate on victims' rights has tended to be on changes to legislation, such as putting victims' rights in law, I think there is also a real need to improve practical outcomes for crime victims. In particular, and consistent with the declaration of principles governing the treatment of victims in the criminal justice system, a victim should have services available to help them recover from the effects of crimes. For more than a generation the Victim Support Service has been at the forefront in providing help, information, counselling and court companions to crime victims in South Australia. The service has managed to maintain the support of parties of all political persuasions, and I give the Liberal Party full credit on this point.

The service received its first grant of a few hundred dollars in the early 1980s from the then attorney-general (Hon. K.T. Griffin) in his first stint as attorney-general of this state. In the mid 1980s, the then attorney-general (Hon. Chris Sumner) introduced annual funding for the Victim Support Service, which began with a payment of thousands of dollars. Since then successive governments have invested big sums in the expansion of the Victim Support Service.

I have been happy to continue this trend. Indeed, since I became Attorney-General the Victim Support Service has received an increase in its annual grants each year. Last year, for instance, we increased the annual grant for regional victim support services so that new offices could be opened in Whyalla and Murray Bridge. At that time, certainly, the member for the Whyalla, Coober Pedy and Roxby Downs area supported this Labor government (as she still is), and the member for the Murray Bridge area supported the Labor government. So, we really are a government for regional South Australia.

The Victim Support Service received grants totalling \$1.28 million, which includes an overall increase of almost 3 per cent on last year's grants as well as an additional \$44 000, which will be recurrent, to pay for the additional costs of new lodgings. With GST payments, the Victim Support Service received \$1.408 million per annum from the government of South Australia. So, I invite the member for Bragg to do a calculation on that. The Victim Support Service is a not for profit, non-government organisation. I am sure that members will all join me in expressing appreciation for the work done by Mr Michael Dawson and his dedicated team of staff and volunteers.

**Ms BEDFORD:** I refer to Budget Paper 4, Volume 1, page 4.76. How is the government improving justice outcomes for Aboriginal people at the community level?

**The Hon. M.J. ATKINSON:** I commend the member for Florey for her valued work among Aboriginal people and for her concern about how government serves Aboriginal people. It is an excellent question. The Attorney-General's Department has deployed Aboriginal justice community development officers within regions of South Australia to improve Aboriginal justice outcomes where it is needed most and where the greatest impact can be achieved, and that is at the local level in the countryside, because Labor is also governing for country South Australia.

*Mr Scalzi interjecting:*

**The Hon. M.J. ATKINSON:** I am pleased to say that community development officers are now operating at the local level in Port Augusta, Ceduna and the Riverland—and, since the member for Hartley asks, in north-western metropolitan Adelaide. The aim of the justice community development officer is to deal with justice matters facing the Aboriginal community across justice agencies, namely, the police, the courts, corrections and juvenile justice. Those processes have brought about the development of local area justice action plans and they, in turn, emphasise the efforts and highlight the good practice in local area planning on Aboriginal justice matters. I thank the member for Florey for that question. I am most grateful that she continues to show an interest in Aboriginal justice.

**Ms BEDFORD:** I have a supplementary question. What collaborative justice related problem solving initiatives and strategies are planned by the government to assist the Aboriginal community with self-determination to deal with issues encountered by Aboriginal people at the community level?

**The Hon. M.J. ATKINSON:** Further to what I have explained—

*Ms Chapman interjecting:*

**The Hon. M.J. ATKINSON:**—no—the justice community development officers help strategic relationships and the interface between justice agencies and the local Aboriginal community and enable problem solving to work at the local level, which is the best place to help the government and justice agencies with justice programs as well as in forming policy in the Aboriginal justice program area. By way of an example, the principles and practices of the community development officer are to promote empowerment and self-determination within the Aboriginal community; build the problem solving processes on community identified priorities at the local level; bind collaboration and partnerships across justice agencies and the community; and develop effective localised justice action plans to deal with grassroots problem solving initiatives. I do not want to give the impression, of course, that the Aboriginal community is just one block—

we know, there are many Aboriginal communities, nations and clans.

I note that the member for Hartley turns up his nose at the reference to Aboriginal nations. I can assure him that there are many Aboriginal people who regard themselves as members of nations here in South Australia: the Narungga on Yorke Peninsula, the Adnyamathanha in the north, the Pitjantjatjara, and the Ngarrindjeri in the South-East.

**Mr SCALZI:** I am aware of all that; I was worried about your generalisation.

**The Hon. M.J. ATKINSON:** The member for Hartley quibbles with my reference to Aboriginal nations—

**The CHAIR:** Order!

**Ms CHAPMAN:** I have a point of order. It is contrary to standing orders for the minister to respond to interjections, and I ask him to get on with answering the question.

**The Hon. M.J. ATKINSON:** I will take the bait any time when the Liberal Party starts making interjections that suggest that Aboriginal people cannot be members of Aboriginal nations.

**The CHAIR:** Please proceed Attorney, or have you concluded your answer?

**The Hon. M.J. ATKINSON:** I have.

**Ms CHAPMAN:** I refer to page 4.106 and the Guardianship Service. Responsibility for the Guardianship Board and the Office of the Public Advocate has recently been transferred from the Minister for Families and Communities to the Attorney-General. The estimated result for 2004-05 shows a total of \$2.836 million, and this year's budget increases it by almost \$1 million to \$3.8 million. I would like some explanation from the Attorney as to why there was such a significant increase—and it may well be that the transfer costs are in that.

The Public Advocate has also been quite vocal in respect of cases concerning persons detained at the Baxter Detention Centre. Has any reimbursement been received from the commonwealth in respect of those matters or, in fact, has the state made any application for reimbursement? Also, has the Attorney received any report from the Public Advocate in relation to prisoners with mental health issues in state prisons (as distinct from going to the Minister for Correctional Services, that is)?

**The Hon. M.J. ATKINSON:** For the member's information, the Public Advocate would be going to the same minister, because I am the Acting Minister for Correctional Services. The first thing to say is that the increase in expenditure is due to the requirement for new accommodation and a fit-out for the Office of the Public Advocate.

The second point the member for Bragg makes is that the Public Advocate has been a nuisance to the Liberal federal government by taking up questions in respect of the detention of asylum seekers and their children, and she asks whether the federal Liberal government has reimbursed the state for the Public Advocate's work in this area. The answer is no.

**Ms CHAPMAN:** Have you asked for it?

**The CHAIR:** Given that the member for Bragg herself objected to interjections, I think she should refrain from doing it.

**The Hon. M.J. ATKINSON:** Why would the federal Liberal government pay money to the state for the Office of the Public Advocate when all that would do is fashion a rod for the federal government's own back? I think the Public Advocate has done good work; the member for Bragg seems to be implying that his work is wasteful unless it is paid for by the commonwealth.

**Ms CHAPMAN:** I have a point of order, Madam Chair. That comment is not only grossly inaccurate but it is also insulting in presuming the motive for the question, and I ask that you request the minister to withdraw it.

**The CHAIR:** There is no point of order.

**The Hon. M.J. ATKINSON:** What was your point, member for Bragg?

**Mr SCALZI:** Be a gentleman for a change.

**The CHAIR:** Order!

**Ms CHAPMAN:** You should remember that you are here to answer the questions and not to presume the motive for the question.

**The Hon. M.J. ATKINSON:** There is no reimbursement coming from the Howard Liberal government for the Public Advocate—

**Ms CHAPMAN:** The question was: have you asked for it?

**The CHAIR:** Order! The member for Bragg will cease interjecting.

**The Hon. M.J. ATKINSON:** —who was acting in defence of detained asylum seekers and their children, if they are in detention. I do not have any quibble with the Public Advocate acting in defence of people who are in Australia temporarily, and I have not asked the federal government for money because, if I did that, it would be in the sure and certain knowledge that it would be refused, and I do not do things in vain.

**Ms CHAPMAN:** I have a supplementary question. The Attorney omitted to make any reference to the third part of my question, which was in relation to receiving any report from the Public Advocate about prisoners in our state prisons having mental health issues.

**The Hon. M.J. ATKINSON:** No-one here has any recollection of that, but I will take it on notice and provide full details swiftly to the member for Bragg.

**Ms CHAPMAN:** In relation to 2005-06 targets on policy and legislation (and this is in relation to the child sex offender register), this year's target includes developing new legislation to provide for a child sex offender register. I ask the Attorney: what is envisaged in relation to the register of offenders living in this state? Is it for use only in this state, or is it to be part of the national register? There has been talk of a national register of child sex offenders since 2002; what has happened to that proposal?

I particularly remind the Attorney that the Layton report, which was tabled on 26 March 2003, recommended that an 'unsuitable persons register' be established. Ms Layton recommended against a public register because it could give rise to vigilantism and unfair harassment and victimisation of the convicted person, and I quote that from page 17.8 of her report. Has the government accepted Ms Layton's recommendation in that regard, that we not have a public register?

**The Hon. M.J. ATKINSON:** Yes, the register will not be public, so, in so far as Ms Layton recommended that, we accept her recommendation. It is a 2005-06 target because we are still working on it. I think the legislation is drafted. We hope to fall into line with the other states and territories, and the current budget is giving the South Australia Police \$500 000 to work on it. We think a national paedophile register is a good idea, but not a public one.

**Ms CHAPMAN:** Will it be national for each state to access?

**The Hon. M.J. ATKINSON:** Yes.

**Ms CHAPMAN:** In relation to crime prevention on page 4.103, the summary of financial performance shows that spending within the Attorney-General's Department on crime prevention has reduced. In 2003-04 the actual was \$2.4 million, in 2004-05 it is at \$2.19 million and the 2005-06 budgeted amount is reduced again to \$1.765 million. Therefore how can reducing expenditure on crime prevention be justified, especially as the employee expenses have increased by over 20 per cent from \$509 000 to \$615 000 over that period?

**The Hon. M.J. ATKINSON:** The reason the total budgeted figure is down is because the alcohol strategy budget, which was part of crime prevention, has been transferred to the Department of Health. It is still there, it is just in a different department.

**Ms CHAPMAN:** Is the Attorney-General aware of how much is being allocated in the health budget for that?

**The Hon. M.J. ATKINSON:** Yes, \$467 000.

**Ms CHAPMAN:** In relation to the 2005-06 targets, page 4.76, the targets include a review of longstanding WorkCover claims. My question is: how many cases are within the definition of longstanding, what will this review entail, who is undertaking it and what is the cost of it?

**The Hon. M.J. ATKINSON:** Total claims expenditure across the public sector has recently deteriorated after a plateau period, with annual costs rising from \$72 million to \$85 million between 2001-02 and 2004, despite reducing claim numbers from 7 230 in 1999-2000 to 5 536 new claims in 2003-04. DAIS Public Sector Work Force Relations Division commissioned a solicitor from Gun & Davey to do an independent expert review of aspects of public sector injury management strategies and practices and provide recommendations for improvement. The report and recommendations were delivered in December 2003.

One of the review's findings was that a vigorous and effective two-year review process was essential for the financial wellbeing of the government's workers' compensation scheme. It also found there was a general lack of understanding and failure to use the relevant two-year review provisions of the act, and it has recommended the introduction of two-year reviews that strategically link the obligation to employ injured workers and the redeployment process across the public sector. The review considered that the Crown Solicitor's Office had insufficient experience and a lack of resources and personnel to handle such a potentially large influx of two-year review work.

In response to the review's findings and recommendations, DAIS Public Sector Work Force Relations sought cabinet approval to fund the Crown Solicitor's Office to employ an additional two full-time equivalents to undertake the intensive legal work required for an effective two-year review program, for which a recruitment process is under way. In March 2005, cabinet approved additional funding of \$91 000 in 2004-05 and \$182 000 in 2005-06 and beyond to the Crown Solicitor's Office for an additional two full-time equivalents.

Targets for the forthcoming financial year are to: review the two-year review practices of all agencies within the justice portfolio, DECS and DAIS; provide representation in the Workers Compensation Tribunal on disputed public sector two-year review decisions; provide training to public sector claims managers about the conduct of two-year reviews; improve the incidence of completed two-year reviews by all agencies within the justice portfolio; and in conjunction with DAIS Public Sector Work Force Relations develop protocols and procedures aimed at helping the

redployment of work-injured employees across different employment areas. I hope that addresses the matters raised by the member for Bragg directly.

**The Hon. P.L. WHITE:** I move:

That the sitting of the committee be extended beyond 1 p.m.

Motion carried.

**Ms CHAPMAN:** I have a question in relation to the Kapunda Road Royal Commission (page 4.78). The budget papers confirm that there is an estimated cost provision here of \$440 000 for the royal commission. Given the expansion of the terms of reference and the inevitable delay in the finalising of the report, is that estimate still valid or is there some extension?

**The Hon. M.J. ATKINSON:** No, it is no longer valid for the reason that the member for Bragg speculates on. She is quite right. This morning, cabinet and then Executive Council, at the request of the royal commissioner, authorised an extension to 15 July for the Kapunda Road Royal Commission. Accordingly, expenditure will have to go up, including expenditure on legal representation for the parties.

**Ms CHAPMAN:** Who is paying for the legal representation of the Office of the DPP?

**The Hon. M.J. ATKINSON:** The Attorney-General's Department.

**Ms CHAPMAN:** Is that within that budget?

**The Hon. M.J. ATKINSON:** Within the DPP budget?

**Ms CHAPMAN:** Yes.

**The Hon. M.J. ATKINSON:** No.

**Ms CHAPMAN:** Is it within the budget to which you have just referred that has been extended?

**The Hon. M.J. ATKINSON:** It is not coming from the DPP's own resources. David Lovell QC, I understand, is acting for all people at the DPP who are appearing at the commission. There has been Teresa Anderson, Peter Barnett from the New South Wales DPP, Wendy Abraham was before the commission yesterday and Steve Pallaras is before the commission today. Paul Rofe has also been represented at the commission by David Lovell QC.

**Ms CHAPMAN:** In respect of those costs, how much has been paid to public relations in this current year, and what is proposed for next year? Obviously, it will now go into next year for the royal commission.

**The Hon. M.J. ATKINSON:** I do not know. I will have to take that question on notice, as the honourable member would expect me to, I think.

**Ms CHAPMAN:** Yes. I refer now to page 4.81. The Solicitor-General's cost was \$100 000 over the 2004-05 budget. The budget was \$594 000, the estimated result was \$695 000 and next year you have budgeted \$710 000. What is the reason for the blow-out and further extension?

**The Hon. M.J. ATKINSON:** For the Solicitor-General?

**Ms CHAPMAN:** Yes.

**The Hon. M.J. ATKINSON:** What do you mean 'further extension'?

**Ms CHAPMAN:** Into next year. It has gone from \$594 000. It turned out to be \$695 000. There is a \$100 000 blow-out in this financial year, and next year you have allocated \$710 000.

**The Hon. M.J. ATKINSON:** We will take that question on notice and get an answer for the honourable member.

**Ms CHAPMAN:** In relation to page 4.80 (which, again, comes under the DPP's office), additional funds have been allocated to the DPP's office to enforce the new Criminal Assets Confiscation Act. It is one of the three significant

areas of increased cost in the work that it is doing. On page 12 of the budget speech (that is, Budget Paper 2), the Treasurer said that the amount was \$3.6 million over four years. What additional funds will be spent on additional salaries in the DPP's office, or will some of that be allocated to police investigation and enforcement? Secondly, have you any informed estimate as to what can be made from the recoveries which are likely to be received?

**The Hon. M.J. ATKINSON:** There are no increases for the police; it is all for the office of the DPP. It is an increase of \$207 000, and it is because of the Criminal Assets Confiscation Bill. I am not sure whether that is through the parliament. I am pretty sure that it is through the House of Assembly. What it does, as the member for Bragg probably knows, is to bring our criminal assets confiscation legislation into line with the commonwealth legislation. It means that the assets and instruments of crime can be confiscated if the DPP can prove on the civil burden of proof (that is, on the balance of probabilities) that an asset or an instrument was the proceeds of crime or used in a crime.

That is to say that, without obtaining a criminal conviction, the assets can, in some circumstances, be confiscated because of the lower burden of proof. A number of regular Liberal Party callers to talk-back radio have been saying that this bill is an outrage. That is a very odd thing for the Liberal Party bank of regular callers to be saying, because it is not the position taken by the Liberal Party inside the parliament. I am grateful for the Liberal Party's support inside the parliament on this matter.

Civil forfeiture is new to asset confiscation legislation in this state. The intent of the legislation is to provide a comprehensive and extensive set of new powers targeting the assets and profits of criminals, and this includes organised crime groups and outlaw motorcycle gangs. SAPOL's Confiscation Section conducts all asset confiscation investigations in the state with the support of the Forensic Accounting Section. All confiscation matters are litigated by the Office of the DPP. Net proceeds recovered under the legislation are deposited in the Victims of Crime Fund. Specifically, the funding will provide an additional half-time LEC5 legal officer, a half-time LEC1 legal officer, one ASO3 administrative support and half an ASO2 administrative support.

**Ms CHAPMAN:** I refer to page 4.117, which relates to the 'bodies in the barrel' case funding. This year's budget was \$1.133 million, but it seems to have blown out to \$2.746 million as the estimated result for this year. Could the minister give some indication as to why that was significantly greater? In relation to the \$2.5 million that has been allocated for the 2005-06 year, my understanding was that, although originally one trial was left, that was not proceeding. Is there some explanation as to why that is budgeted for this forthcoming year?

**The Hon. M.J. ATKINSON:** The budget was closed off before the appeals were determined. So far as Bunting and Wagner are concerned, this matter was the first trial, and both were convicted of many murder counts. Appeals lodged by both Bunting and Wagner have been dismissed by the Court of Criminal Appeal. Bunting and Wagner now have the right to seek leave to appeal to the High Court against the decision of the Court of Criminal Appeal. If they do exercise that right, there is likely to be an application to the Attorney-General to consider funding for leave to appeal. That is a contingency for which we have to provide.

So far as Haydon is concerned, he was granted a separate trial from Bunting and Wagner. The trial ended in late December last year, when the jury convicted Haydon on five counts of assisting an offender to commit murder but was unable to reach a verdict on a further two counts of murder and one count of assisting an offender. Haydon was remanded for sentence on the matters on which he was convicted and remanded for trial on the matters on which the jury was unable to reach a verdict. Haydon has applied for leave to appeal against his convictions, that is, the convictions for assisting an offender. That matter is still pending before the Court of Criminal Appeal.

At some stage, the DPP will consider whether Haydon will stand trial on the unresolved counts. However, it is unlikely that this will be decided until after the appeal matters have been concluded, including any appeal against sentence if Haydon is sentenced by the court for the five counts of assisting an offender to murder. Consequently, the bodies in the barrel matters are unlikely to finish in the near future. It is estimated that \$2.5 million will be required in 2005-06 to continue funding these matters. I think I have said enough in reply to the member for Bragg that she should see why there might be a need for an increase.

**Ms CHAPMAN:** Leaving aside the \$2.5 million contingency for the reasons explained by the Attorney, what is the total cost so far for the bodies in the barrel case? I think we were at \$19 million last year.

**The Hon. M.J. ATKINSON:** We will tot it up for the member for Bragg. It is a lot of money. I think it shocks the public when they realise how much money is being spent on the bodies in the barrels trials. All I would say is that when it kicked off we were looking at 32 murder charges rolled into one. Per murder charge, it is actually quite reasonable.

**Ms CHAPMAN:** At page 4.76, under '2005-06 Targets', I refer to the evaluation of a police drug diversion initiative identified under 'Agency wide initiatives'. I am not certain whether the Attorney answered this in relation to the other initiatives, but is that a valuation that has been concluded?

**The Hon. M.J. ATKINSON:** No, not yet.

**Ms CHAPMAN:** When is it anticipated that it will be concluded?

**The Hon. M.J. ATKINSON:** Late this year.

**Ms CHAPMAN:** Who is undertaking it?

**The Hon. M.J. ATKINSON:** The Office of Crime Statistics and Research. Keep looking at that web site.

**Ms CHAPMAN:** It is not there yet, is it?

**The Hon. M.J. ATKINSON:** No, it is not there yet.

**Ms CHAPMAN:** What is the cost of doing it?

**The Hon. M.J. ATKINSON:** The cost of the evaluation?

**Ms CHAPMAN:** Yes.

**The Hon. M.J. ATKINSON:** I will have to take that question on notice.

**The CHAIR:** There being no further questions, I declare the examination suspended and referred to committee A.

*[Sitting suspended from 1.11 to 2 p.m.]*

Department for Families and Communities,  
\$585 245 000

Administered Items for the Department for Families  
and Communities, \$134 929 000

**Witness:**

The Hon. S.W. Key, Minister for Employment, Training and Further Education, Minister for Youth, Minister for the Status of Women.

**Departmental Advisers:**

Ms S. Vardon, Chief Executive Officer, Department for Families and Communities.

Mr S. Blight, Chief Executive Officer, Office for Youth.

Mr J. Ullianich, Director, Financial Services, Department for Families and Communities.

**The CHAIR:** The estimates committees are a relatively informal procedure and as such there is no need to stand to ask or answer questions. The committee will determine an approximate time for consideration of proposed payments to facilitate changeover of departmental advisers. I ask the minister and the lead speaker for the opposition to indicate whether they have agreed on a timetable for today's proceedings. I have been advised of the following: 2 p.m. to 2.30 p.m., Youth; 2.30 p.m. to 3 p.m., Status of Women; 3 p.m. to 3.15 p.m., the afternoon break; and 3.15 p.m. to 4.30 p.m., Employment, Training and Further Education. Is that the latest?

**The Hon. S.W. KEY:** That is my understanding of our agreement.

**Mr SCALZI:** Yes.

**Membership:**

Mr Brindal substituted for Ms Chapman.

**The CHAIR:** Changes to committee members will be notified as they occur. Members should ensure that the chair is provided with a completed request to be discharged form. If the minister undertakes to supply information at a later date, it must be submitted to the committee secretary by no later than Friday, 29 July. I propose to allow both the minister and the lead speaker for the opposition to make an opening statement of about 10 minutes each. There will be a flexible approach to giving the call for asking questions based on about three questions per member, alternating each side. Supplementary questions will be the exception rather than the rule. A member who is not part of the committee may, at the discretion of the chair, ask a question. Questions must be based on lines of expenditure in the budget papers and must be identifiable or referenced. Members unable to complete their questions during the proceedings may submit them as questions on notice for inclusion in the House of Assembly *Notice Paper*.

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—that is that it is purely statistical and limited to one page in length. All questions are to be directed to the minister and not to the minister's advisers. The minister may refer questions to advisers for a response.

I declare the proposed payments open for examination and refer members to the Budget Statement, in particular to appendix C, page C.2, and Portfolio Statements, Volume 3, pages 9.14 to 9.16, 9.38 and 9.39. Minister, do you propose to make an opening statement?

**The Hon. S.W. KEY:** Yes, I would like to do that. I welcome this opportunity to make an opening address regarding the activities and programs of the youth portfolio. This morning I had the pleasure of publicly releasing Part 2 of the South Australian Youth Action Plan. The release of the plan honours a commitment made by this government at the last election to provide vision and direction for government actions that were directly relevant to young people in this

state. The plan has two parts: Part 1, South Australian Youth Action Plan, Policy Framework, which was released in December 2004; and Part 2, South Australian Youth Action Plan, Framework for Action, which was released today, 16 June 2005. The plan has 18 goals which are aligned with the South Australian Strategic Plan; six objectives of building communities, fostering creativity, improving well-being, expanding opportunity, growing prosperity and obtaining sustainability; and brings together education, employment and training, health, housing, community services, the arts, recreation and juvenile justice.

The plan was developed by a task force which brought together representatives across government—the Minister's Youth Council and the Youth Affairs Council of South Australia in collaboration with an across government effort. I would like to take this opportunity to thank all the people from government and the youth sector who have been involved in producing the South Australian Youth Action Plan. The Office for Youth will now establish a Youth Action Plan Advisory Committee which will include representatives of the Minister's Youth Council, key government agencies and nominees from the Youth Affairs Council. The role of the advisory committee will be that of monitoring the implementation of the South Australian Youth Action Plan. The first task of the advisory committee will be to conduct an up-to-date audit to establish a baseline against which the progress of implementation of the Youth Plan will be measured. This is a comprehensive audit and will be completed by December 2005, with the first report on implementation presented by December 2006.

I will provide a copy of the South Australian Youth Action Plan to all members of parliament, as I do with all the publications that we have from the Office for Youth and other departments. Following the successful pilot phase, the ongoing activ8 program was launched on 24 August 2004. During 2004-05, 1 626 young people were funded to participate in 77 programs.

Fifty-three programs are annually funded, and young people participate for one or two years. I recently announced the funding of 24 active8 short programs to be completed in the 2005 calendar year. These programs are designed for young people who have special needs, are geographically isolated, are Aboriginal students at a risk of leaving school at an early age, or are under the guardianship of the minister. Seven of the 24 short programs are based in Aboriginal schools or benefit Aboriginal students directly. The active8 Premier's Youth Challenge is supporting the Office of Youth's school retention initiatives by fostering the development of self-confidence and self-esteem. It has been particularly successful at encouraging disinclined young people to keep going to school.

The youth parliament 2004-05 program is managed by the YMCA and it is being held in Adelaide from 11 to 16 July. This will include a residential camp with three full days of debating in both chambers of Parliament House. The 2004-05 program attracted a 40 per cent increase in applications, with 104 young people being accepted into the program. The 2005-06 program is now fully subscribed, with 112 young people selected throughout the state. As reported in the media this week, a notable achievement this year has been the fact that youth parliament has gained SACE accreditation for two units within the subject of integrated studies.

The Minister's Youth Council is a group of 15 young people from diverse backgrounds who report directly to me, provide advice on youth policy and raise issues of concern for

young people. In 2004-05, the Ministerial Youth Council provided advice on a range of issues, including the Relationship Bill 2004, traineeships and apprenticeships, federal government proposals on higher education, the new South Australian Works program, voluntary student unionism, the spent convictions legislation paper, and road safety.

An exciting development this year was the inaugural Ministerial Youth Council Chairpersons National Meeting which took place in Adelaide on 5 and 6 May. This meeting was initiated by the South Australian Ministerial Youth Council. I should say that on the basis of that meeting the federal minister has agreed, through his parliamentary secretary, Susan Lay, to have a special meeting of MCEETYA on youth issues.

I refer now to the recognition of indigenous young people. During 2004-05, the Office for Youth has sought to give increased recognition to indigenous young people. The Aboriginal Young Women's Forum was developed by the Office for Youth in partnership with the Office for Women to coincide with the Aboriginal State Women's gathering, which will be in July. Seven of the active8 Premier's Youth Challenge programs are based in Aboriginal schools or benefit Aboriginal students directly. A total of \$56 150 was allocated in grants to these programs in 2004-05.

The Office for Youth provides grants to councils with a significant indigenous youth population, to manage the Aboriginal youth advisory committees. Thirteen Aboriginal students in Ceduna, Whyalla and Murray Bridge are participating in the Duke of Edinburgh Award as part of the Regional Youth Development Initiative. In 2004-05, the Office for Youth developed and sponsored the Reconciliation Award as part of the South Australian Youth Media Awards 2005, and developed and sponsored the Outstanding Young Indigenous Achiever Award. This year it was won by Kiara Rahman.

In relation to the Duke of Edinburgh Award, 100 organisations (registered operators) are licensed to operate the award program throughout South Australia, including schools, youth organisations, disability and community welfare organisations, employment services, business and industry. Approximately 1 300 participated and joined in the program for 2004-05, with a total of 3 250 young Australians now participating in the award, which is a record number.

I turn now to the school retention social inclusion initiative. School retention is a significant focus for our government, ensuring that young people stay in school so they can reach their full potential. That is our aim. In 2004-05, the Office for Youth received funding of \$265 500 to deliver the initiatives within the School Retention Action Plan. These include the Premier's Memorandum on Youth Participation. Youth Participation workshops were developed and are being delivered. The Student Governance Resource Kit was developed in collaboration with the Department of Education and Children's Services. The Regional Youth Development Initiative involves 128 regional young people from country South Australia. There is also the Youth and Business Roundtable model. All of these initiatives were developed with significant input from young people themselves.

In relation to Youth Portfolio Targets for 2005-06, the Office for Youth, amongst other things, will review its present staffing structure and role allocation to strengthen its ability to develop pre-emptive and pro-active youth policy, establish baseline data to begin the implementation of the South Australian Youth Action Plan and develop its first

report to government. There will be focus on the development of initiatives which assist young people in Port Augusta, the Parks and the APY lands. There will be a complete evaluation of the MAZE web site. We will be evaluating the expenditure and outcomes from National Youth Week, expanding our Youth and Business Roundtable Initiative, and we seek to develop greater effectiveness and efficiency in working collaboratively with local government in the provision of program opportunities for young people by developing a more streamlined set of agreements.

In 2005-06, I will establish a separate Council of Youth Ministers to make sure that the youth agenda gains a proper hearing at the national level rather than, as I said before, being submerged by the education and training agenda of the ministerial council known as MCEETYA.

**Mr SCALZI:** I take this opportunity to not only acknowledge the work of the Office for Youth in its role of initiating, advocating and facilitating policies and strategies that create opportunities for positive outcomes for young people in South Australia but also to reflect on some areas where current youth policy and budget provisions have not been responsive to youth needs in our community. As the peak non-government body representing the interests of youth in South Australia, the Youth Affairs Council has noted that many existing issues faced by young people remain unresolved and unaddressed in this year's budget, the budget 2005-06 response and in 2005.

YACSA made 45 recommendations in its state budget submission in October 2004. A number of key recommendations were not met, including support for alternative education options, support for young people's service needs (such as mental health), a youth specific detox service, expansion of supported accommodation and respite for young people and their families, and support for professional development and training for the youth sector.

In summary, whilst there is some new funding for youth services, in several instances it has been non-recurrent funding, such as that in the disability sector. Although there have been some welcome large funding commitments associated with child protection—the CYFS office and security and case management information system upgrades—dedicated youth services, including the replacement of the Magill Youth Training Centre and the provision of a youth detox facility, remain unrealised.

Of specific concern is the lack of growth in the government youth traineeship program, despite mention of a target in 2005-06 that the Office for Public Employment develop initiatives within the South Australian public sector work force development plan to increase youth employment. According to my colleague the Hon. Michelle Lensink, in 2004 there were 423 trainees, and that is down 18.3 per cent since the last Liberal government, when there were 614 trainees in the public sector. Graduate recruitment is also down substantially.

Given that in May 2005 the full-time unemployment rate of 15 to 19 year olds was 22.8 per cent and that, according to the latest available data (2002-03), of all states and territories, South Australia has the highest proportion of migration of persons between the ages of 20 and 34, this lack of support has been hard to fathom. Finally, I commend the Office for Youth on the valuable work it does within a small budget. I agree that it is vital that we acknowledge and celebrate the diverse contribution of youth and encourage engagement across a range of ages—not just at the older end of the scale



but also those under 20 years of age—and across settings, namely, work, school and family.

I refer to the performance commentary in Budget Paper 4 Volume 3, page 9.39, relating to the Youth Action Plan and youth debt. The Youth Action Plan, released in December 2004, was the major government policy achievement in this area. I note that part 2 is now completed and will be implemented in 2005-06. Will the minister comment on the area of youth debt, which appears to have been overlooked? This area was one of the major concerns raised by participants in my youth and training forum held last year. As the minister may be aware, in September last year I brought a motion to the house calling for the issue to be examined by the Social Development Committee with a view to its formulating education and legislative initiatives to address the problem. Was this issue not raised during the consultation on YAP with some 100 people, 20 government and 25 non-government agencies consulted in 2004-05? I refer to the Budget Paper 4 Volume 2 of last year, page 7.21. The issue was also raised by *The Advertiser* and the Youth Affairs Council survey on 14 June.

**The Hon. S.W. KEY:** The honourable member will know that there are two reasons we have not discussed the youth debt proposal put forward by him; one is that we have not reached it on the private member's business list. I have been waiting with my speech, as I know have other members on the government side. Behind the scenes, I suggested to the honourable member that he consult and discuss the terms of reference with, amongst others, the Youth Affairs Council and the Ministerial Youth Council, if he saw fit. A number of young people have raised with me formally that, while they think that the reference is a really good one, and one that should be supported, some amendments need to be made. The honourable member will remember that I asked whether he would consider amending the reference himself, as I think he needs to take credit for bringing it to the parliament.

As the honourable member said, he consulted with young people and, through his consultation, it has been identified to him as a major issue. The fact is that we have not received the benefit of his consultation at the Office for Youth. I certainly have not heard what the issues are that have been raised. So, in a vacuum, it is a little difficult to know whether youth debt forms a priority, or whether we should look at other issues. I invite the member to make me aware of the priority areas identified in his consultation, if he wishes, and we will certainly look at a way of dealing with them. To get to the heart of the member for Hartley's question, I support the reference he has suggested, notwithstanding that there are some amendments that young people have said they think he should make, one of which relates to HECS.

A number of young people, particularly those pursuing higher education, are living in poverty. There have been a number of articles in the media about that. The advice I have is that some suggested amendments have been made to your reference. One is debt relating to credit cards, the role of education strategies (including school based and community based areas), the role of legislation, comparative interstate strategies, and the availability and access to dedicated support services or programs for young people in South Australia. The issue which has been given pre-eminence recently is debt relating to mobile phone contracts. A number of suggestions have been made, and I hope that there will be some forthcoming amendments. If the honourable member would like to move on that level of discussion, with the agreement of everyone in our house, I would be happy to assist him.

**Mr SCALZI:** The minister would be aware that the actual reference is not limited simply to mobile phones. The minister just outlined some of the references she feels are important and which are part of the motion. It refers to debt relating to mobile phone contracts, debt relating to credit cards, the role of education strategies (including school based and community based responses), the role of legislation, comparative interstate strategies, the availability of and access to dedicated support services for youth in South Australia and other related matters. The motion itself would have enabled all the minister's concerns to be addressed. It was adjourned on 23 September. I have spoken to the Government Whip and I was awaiting the amendments of the government. I have had contact with YACSA, which fully supports the motion. It believes that it could be extended to HECS and education related debt, and I have no difficulty with that. The original reference could have dealt with that if it had been passed. I would have thought that it would be a priority.

The minister says that she is committed to addressing the youth debt issue and that it is a priority, as reported in *The Advertiser* in the youth survey article. Will funds therefore be made available to support an inquiry in a similar fashion to the Attorney-General's funding for the Social Development Committee inquiry into the relationships bill recently? Madam Chair, I note that on yesterday's David Bevan radio program you said that there were other references being dealt with by the Social Development Committee. Members may be aware that the Social Development Committee has always had two or three references, and we gave priority to the relationships bill at the instigation of the government. The problems of youth debt are such that they should be given priority.

**The Hon. S.W. KEY:** The other areas that I should raise are concerns that have been raised with me with regard to debt, particularly those incurred with Centrelink, and that would be an important area to look at. Some work we have done through the Office for Women has been extended to the Office for Youth, namely, that one of the problems for young women is debt following the breakdown of a relationship. In the Office for Women we have called that 'sexually transmitted debt'. It has been an important campaign.

*Mr Brindal interjecting:*

**The Hon. S.W. KEY:** It certainly got the attention of the member for Unley and the attention of young people in the community, which was precisely why we used that terminology.

**Mr SCALZI:** I refer to Budget Paper 4, Volume 3, program 6.1, youth program performance indicators, the Duke of Edinburgh awards and active8 programs. Given the value of such programs in building self-esteem and confidence and in supporting the work of schools, businesses and youth organisations, will the minister provide information on participation rates in the Duke of Edinburgh and active8 programs with reference to the age, gender and cultural background, Aboriginal and non-english speaking background and school status? This would provide a valuable insight into the reach of such programs and how they might be made more accessible to relevant sectors of the community. I note that there are a number of new participants for the Duke of Edinburgh awards and that the number of approved participants in active8 for 2003-04 and 2005-06 is roughly static.

**The Hon. S.W. KEY:** I would be more than happy to provide further demographic details for the honourable

member. I am not sure whether I need to repeat what I outlined in my speech; suffice to say that I am more than happy to provide that information.

**Mr SCALZI:** I refer to the Duke of Edinburgh Awards, Budget Paper 4, Volume 3. Can the minister comment on screening procedures and criminal record check requirements for registered operators of the Duke of Edinburgh Awards scheme, especially in the light of recent moves to give SACE accreditation with respect to the award? Can the minister advise how many participants in the Duke of Edinburgh Awards are under 18 years of age? I understand that registered operators of the award can be schools, training providers, employers, government organisations, community groups, youth groups and other non-profit organisations.

**The Hon. S.W. KEY:** I am more than happy to provide the demographic details that the honourable member has requested. I am sure he will be pleased to know (and I think I may have reported this in the house) that, very early on in this government's term, we made sure that policy and procedures were put in place with respect to screening and criminal history checks for organisations and people who were participating in Office for Youth programs. This is something that I was very keen to introduce when I was the social justice minister, particularly noting the recommendations in Robyn Layton's report on child protection. Because of the connection we have with the youth sector and the number of organisations involved (I think that over 100 organisations now participate in and support the Duke of Edinburgh Awards), we needed to have a proper policy in place. I can say quite proudly that this is probably a first in Australia.

The Office for Youth was the first department, initially under the social justice portfolio but now under the Department for Families and Communities, to have a proper process in place. There are still some things that need to be done with respect to that process, but it has been made very clear to all the people who work with us that we expect a duty of care to take all reasonable steps to protect children, young people and vulnerable adults from harm and to ensure that clients are provided with services in a professional manner. That has been our motto. We can certainly provide that information to the honourable member.

**The CHAIR:** The time for questions has now expired. I advise that the proposed payments for the Department for Families and Communities will remain open, but I call the Minister for the Status of Women to the table. I refer members to the Portfolio Statements, Volume 3, pages 9.15 to 9.16 and 9.40 to 9.42.

#### **Membership:**

Mrs Hall substituted for Mr Scalzi.

The Hon. D.C. Kotz substituted for Mr Brindal.

#### **Additional Departmental Adviser:**

Ms L. McAdam, Director, Office for Women.

**The CHAIR:** Does the minister have an opening statement?

**The Hon. S.W. KEY:** Yes. The Rann Labor government has continued its commitment to the women of South Australia with the provision of \$1 848 000 to the Office for Women this year. In addition, a further \$100 000 was allocated for a one-off grant to support community education initiatives associated with the Women's Safety Strategy. The budget includes an allocation of \$521 000 to the Women's

Information Service and \$226 500 to support the work of the Premier's Council for Women. I would like to take this opportunity to highlight some of the excellent work undertaken in this portfolio over the past 12 months as well as outlining some of the initiatives planned for 2005-06.

The Premier's Council for Women, with an operating budget of \$226 500, has undertaken a number of important tasks this year. The council provided representation on the South Australian Strategic Plan implementation committee and the audit committee, ensuring that the perspectives of South Australian women are considered when dealing with the implementation of South Australia's Strategic Plan. The council also commissioned two major pieces of research on women and casual work in South Australia and the establishment of gender indicators and an online gender data resource to enable us to consistently monitor changes in the status of women in South Australia. Both these projects relate closely to issues addressed in South Australia's strategic plan, such as employment growth and the provision of transparent and useful data about the position of women in this state.

In the past year, the Premier's Council for Women has provided valuable advice to both the Premier and me on a range of issues affecting women. In collaboration with the Office for Women, it has continued to work towards the South Australian Strategic Plan target of an average of 50 per cent female membership of boards and committees. I would specifically like to mention the establishment of the Premier's Women's Directory in the latter half of 2004. The directory is a helpful online resource profiling many of the state's most talented women who are available for appointment to boards and committees both within government and across the community and business sectors.

Work continues on expanding and upgrading the directory, which is an evolving resource for government, community and business organisations. The government has also expanded the Premier's Council for Women from 14 to 18 members to enable input from a diverse range of leading South Australian women. This has given us an opportunity to appoint a number of new members who will be able to provide valuable input to the government on a range of issues.

The operating budget of the policy office in this financial year was \$1.101 million. The Office for Women has continued to collaborate with government agencies and women's services to raise awareness about women's issues. Some of this work has included establishing partnerships with a range of women's organisations to increase the activities and community awareness around International Women's Day (IWD)—and we received a great deal of positive feedback about the colourful banner celebrating IWD that was displayed across Hindley Street near the corner of King William Street during that week. The office also produced a coordinated calendar of events celebrating International Women's Day relevant to both metropolitan and regional South Australia.

The Office for Women has also contributed to whole-of-government policies such as the population policy, the South Australian Work Force Development Study and the South Australian submission on the Senate Inquiry into Work/Family Balance, and has provided a submission to the Trainee and Apprenticeship Futures project. The office has also, with the Thinkers in Residence program, hosted discussions led by Baroness Professor Susan Greenfield entitled 'Gender and the Brain' and has progressed some of the Baroness's ideas through a project exploring strategies to

increase the number of women entering the fields of science, engineering and technology and ways of encouraging them to remain in those fields.

The Office for Women has provided ongoing support and advice to women's leadership organisations such as Zonta, the Women's Services Network, the YWCA and the National Council of Women, and is taking positive steps to expand its connections with a diversity of women's groups across the state. The Office for Women has also collaborated with a range of key government departments and agencies, including the South Australia Police, to develop an across-government Women's Safety Strategy. A key feature of this strategy was the announcement of \$100 000 of community education grants that are currently being distributed to a broad range of organisations to promote the safety message within the community. This work will continue throughout the next financial year with a new position devoted to extending our community education initiatives around women's safety.

The Women's Information Service, with an operating budget of \$521 000, has continued to provide high-quality information, support and referral services to the community of women across the state. In addition, the Women's Information Service has undertaken a number of small projects in collaboration with other women's organisations, and I would particularly like to highlight the 'Protected Pets' project. In this initiative the Women's Information Service formed a focus group with the RSPCA, the Animal Welfare League, the Australian Veterinarian Association and the Domestic Violence Helpline to explore different options to house pets of women who are leaving relationships where there has been violence. This initiative is an important collaboration to fill a service need repeatedly identified by all women's services.

I might just say, Madam Chair, that it has also been shown that where there is violence to women and children there is quite often violence towards pets and animals in people's families, and there are a number of women (and I know them) who have said they have not wanted to leave home because of what may happen to their pets, which are very much part of their families. So I think that this is an unusual initiative but one that has a lot of extra meaning to women and children who are out there escaping violence. The Women's Information Service, of course, continues its volunteer program and provides excellent advice and support to women who call in on a whole range of concerns and issues.

Regarding indigenous women's initiatives, we recognise the fact that indigenous women in South Australia often experience high rates of disadvantage, and I am very pleased that the Office for Women now has an Aboriginal women's policy officer along with an Aboriginal information officer at the Women's Information Service. This enables the office to focus particular attention on advancing issues consistently identified through various consultations with the Aboriginal women's community. In August 2004 a gathering of approximately 40 Aboriginal women met at Nuttbush near Port Augusta. Numerous issues were discussed and a number of pressing concerns emerged. They included representation, safety, health, leadership, housing, racism, education and economic independence. Four delegates were chosen at this gathering to attend the National Indigenous Women's Gathering hosted by MINCO, the ministerial council, in Adelaide in August 2004, and I am looking forward to this year's gathering, which will be held from 26 to 28 July at West Beach. The theme of the gathering will be women's safety, and this year's gathering is of particular significance

as it will be held in conjunction with the first young Aboriginal women's gathering. The Office for Youth and the Office for Women have collaborated to ensure that these two important events occur at the same time and at the same place. As you can see, this portfolio continues to perform way above its weight.

**Mrs HALL:** Minister, in your outline you specifically mentioned the issue of domestic violence, and my question specifically relates to the reference you made to the Women's Information Service being part of a group exploring options to provide support for women experiencing domestic violence when attending court hearings. Could you indicate any of the options that have thus far been explored, and will you give a time frame for any implementation? Have any of these discussions on the options extended to the unique issues involved with domestic violence in multicultural communities, and has that extended to translation and interpreting services?

**The Hon. S.W. KEY:** I might get the Director of the Office for Women to answer that question. We have some specific information through the Women's Safety Strategy that I would be more than happy to provide to you, but so that we can ask a few questions in this area I might just ask Lindy to address that question. However, we will certainly provide further information to the honourable member.

**Ms McADAM:** The Family Court support service project is really quite a new one. It is a feasibility study that we are conducting in conjunction with a range of other organisations, and part of the purpose of doing it as a feasibility study at this stage is to enable us to explore exactly how the various groups like the culturally and linguistically diverse community can be properly supported through the court process. That is exactly what this project is about. It is anticipated that the first pilot will be completed by the end of this year and we should have quite a lot more detail about how we might proceed as an ongoing service by the beginning of next year.

**Mrs HALL:** How is the office handling the issue of interpretive and translation services? Is that being done through Multicultural SA?

**The Hon. S.W. KEY:** There is a very close partnership between the Office for Women and the Multicultural and Ethnic Affairs Commission. We work together on a number of projects, one of them being the women's leadership project. With that relationship and also the other work that we are doing, we have been able to get expert and immediate advice on all the projects that we are doing, because, despite the tiny budget, part of our responsibility, I believe, is to make sure that we get the other government departments, community organisations and anybody else who is relevant to work with us. We have really relied on the support, particularly of multicultural and ethnic affairs and also a number of multicultural women's groups that we have a close relationship with.

We have made sure that, on the Premier's Council for Women that there is a number of leaders in the multicultural community to help us make sure that we always have that perspective. With regard to translating and interpreting, that is part of what we are relying on our multicultural and ethnic affairs partners to do for us. John Kiosoglous, in particular, has been very helpful in making sure that things run as smoothly as possible.

**Mrs HALL:** The WIS performance commentary states that, next year, WIS will extend its internet access and training programs further into rural areas. Can the minister provide information to the committee on the specific rural

areas of greatest need? If so, which of the rural areas have thus far been identified as target areas for this most important initiative?

**The Hon. S.W. KEY:** So that we can provide a thorough response to the honourable member, let me say that part of our outreach program is working in conjunction with the Department of Administrative and Information Services, so DAIS and the Office for Women are working together through the services framework that is seen as particularly important for South Australia. We have already put a number of programs in place. If the member finds that acceptable, I will make sure that we provide a proper briefing for her on where we have been and where we are going.

**Mrs HALL:** I wish to move to the issue that I raised last year and that is as it relates to the Women's Prison. Are there any further issues that the minister and/or the council have recognised as they relate to the Women's Prison over the last financial year, given that the chair of the Parole Board and the General Secretary of the PSA have as recently as May this year condemned the prison as primitive and a disgrace and appalling for prisoners and staff alike? What measures is the Office for Women or the policy section undertaking in the next financial year with regard to the perennial problems of the Women's Prison?

**The Hon. S.W. KEY:** That is really a question that needs to be raised with the Minister for Correctional Services. We have been working with that department and raised a number of issues. I know the Premier's Council for Women has visited the Women's Prison and has come up with some suggestions, particularly about education within the prison. Wearing my DFEEST hat, we have been looking at how we can extend some of the work that is already being done. There has been some work done with regard to Aboriginal women in prison, in particular.

The direct contact that we have at the moment is through OARS, the offenders' rehabilitation organisation. There is now an organisation that is gaining strength all the time for women behind bars, and the Office for Women and Families and Communities, I suspect, as well as all the other portfolios, will be looking at ways in which we can assist. As far as the actual infrastructure of the prison is concerned, that is really not an area that I can answer. That is really for the Minister for Correctional Services.

**Mrs HALL:** Following on from that, I understand that the policy unit within the Office for Women has had some relationship working across government on it, but in particular I wonder whether there have been any initiatives taken out of the policy office relating to employment, recreational facilities and recreational programs, in particular for the clients at the prison.

**The Hon. S.W. KEY:** I am not sure that I have the staff here to answer those questions. Probably under the DFEEST portfolio we could provide extra information on that, but I am happy to provide that information at another stage to the honourable member even though it is not really part of this examination.

**Mrs HALL:** I thank the minister for that response. I understand that the implementation is in the other portfolio areas, but last estimates we did have a bit of discussion on the role that the Premier's Council for Women and the policy office within the Office for Women could take. Since that time I have taken the opportunity to visit the prison and it seems to me that employment opportunities, or lack thereof, and recreational facilities, or lack thereof, seem to be

enormous issues for those clients and the staff working at the prison in terms of the issues that it is creating.

I wondered whether the Women's Policy Unit does consider this to be an issue that needs to be pursued. I ask that question on the basis that, yesterday, I was present during the Treasurer's estimates at which he said:

The women's prison—

and he was talking about the Magill Youth Training Centre—has not been a sufficient priority to this government as other things have been that we have funded.

I just wonder what focus, emphasis and push can come out of the policy unit for the Office for Women?

**The Hon. S.W. KEY:** I think that I have probably answered that question already, with due respect. We have been working, through the Premier's Women's Council, on some of the areas the honourable member suggests need to be looked at. That is one area of follow-up. The Office for Women has been working with the women's organisations—either from OARS or, as I said, this newer organisation of Women Behind Bars—to make sure that we do try to assist across all portfolio areas.

As the member for Morialta has identified, there are a number of different government and community organisations that could potentially be of assistance to women in prison. I am very aware of the fact that, once they leave prison, some women are in a very difficult situation with regard to accommodation, support and reunification with their families. There has been quite an effort through families and communities (and before that social justice) to provide more comprehensive support. If it is acceptable, I think that it would be better if we undertook to make sure that the honourable member received—and anyone else who is interested—a briefing on how we are pulling those services and supports together. The Office for Women does not have responsibility for providing those services.

**The Hon. D.C. KOTZ:** As a supplementary question, listening to the discussion about the different groups with which you interact, the minister mentioned the Women Behind Bars group. I have not caught up with that group. Are any Aboriginal women in that group? It is often difficult to get information in areas such as the prison system. Do you have any idea of the percentage of Aboriginal women with regard to the population in the women's prison? What percentage of Aboriginal women are in prison at the moment? Could this group look at some of the concerns that we are raising?

**The Hon. S.W. KEY:** Last week or the week before I had the honour of attending a breakfast for Women Behind Bars. I must say that there was a very high representation of Aboriginal women at that breakfast. The point was made by the organisation that there was a need for it to continue to be culturally sensitive to the different women who are potentially able to join that association. I attended that breakfast as the Minister for the Status of Women, as well as representing the Minister for Aboriginal Affairs. The Hon. Angus Redford, I understand, was there representing the Leader of the Opposition.

It was clear that there was a need not only for a community effort but also a government effort with respect to women, and Aboriginal women in particular, who, I know, make up a fairly high proportion of Women Behind Bars. That issue formed a serious part of the discussion at that breakfast. I am advised that part of our work with Aboriginal women, and indigenous women in general, is to make sure that we do

support those networks together with the Aboriginal women's organisations that are already in existence. This is one of the many Aboriginal women's organisations with which we work.

In my opening statement I mentioned our commitment to both national and South Australian gatherings for indigenous women, as well as this added initiative which will be for young women. We are working closely with all those areas—basically, anyone who will work with us.

**Mrs HALL:** I will do the omnibus questions as they specifically relate to the Office for Women. Did the Office for Women meet all required budget savings targets for 2003-04 and 2004-05 set for it in the 2002-03, 2003-04 and 2004-05 budgets and, if not, what specific proposed project and program cuts were not implemented?

**The Hon. S.W. KEY:** I interrupt to say that none were set for the Office of Women, mercifully.

**Mrs HALL:** Will the minister provide a detailed breakdown of expenditure on consultants in 2004-05 for the Office of Women, listing the name of the consultant, the cost, the work undertaken and the method of appointment? How many surplus employees are there as of 30 June 2005, and for each—

**The Hon. S.W. KEY:** I can report to the member for Morialta that there are none.

**Mrs HALL:** Will the minister in the financial year 2003-04 report on any underspending on projects and programs that were not approved by cabinet for carryover expenditure in 2004-05? What is the estimated level of under-expenditure (and I jest when I say that) in 2004-05, and has cabinet already approved any carryover expenditure for 2005-06 and, if so, how much?

**The Hon. S.W. KEY:** As it is a fairly pathetic figure we thought that we could provide that, but some bills are still to be paid, apparently.

**Mrs HALL:** Will the minister provide the total number of employees with a total employment cost of \$100 000 or more per employee, and also as a subcategory the total number of employees—

**The Hon. S.W. KEY:** There is one staff member in that category.

**Mrs HALL:** Over \$200 000?

**The Hon. S.W. KEY:** No, \$100 000.

**Mrs HALL:** For the period 30 June 2004 and 30 June 2005, will the minister list the job title and total employment cost of each position that has been abolished and/or created, and will the minister provide a detailed breakdown for each of the forward estimate years of the specific admin measures that will lead to a reduction in the operating costs of the portfolio?

**The Hon. S.W. KEY:** We will do our best to answer those questions.

**The CHAIR:** The time agreed for examination of this line having expired, I declare the examination suspended and referred to committee A. I thank the minister and her advisers.

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Department of Further Education, Employment, Science and Technology, \$256 273 000.

#### Membership:

Ms Chapman substituted for Ms Hall

Mr Scalzi substituted for Ms Kotz

#### Departmental Advisers:

Mr B. Cunningham, Chief Executive.

Mr I. Procter, Deputy Chief Executive.

Mr T. Beeching, Director, Finance.

Mr R. Symonds, Director, Higher Education Unit.

Mr L. Hutchison, Director, Programs

Ms C. Haines, Executive Director, Employment Skills Formation

Ms E. Bensled, Executive Director, Shared Business Services.

Ms L. Windsor, Principal Policy Officer.

Mr P. Mylius-Clark, Director, Resources.

**The CHAIR:** I declare the proposed payments open for examination. I refer members to Appendix C, page C.2 in the Budget Statement and the Portfolio Statements, Volume 3, pages 10.1 to 10.11 and 10.14 to 10.17. Does the minister wish to make an opening statement?

**The Hon. S.W. KEY:** Yes, thank you. I welcome this opportunity to present an introductory statement as the Minister for Employment, Training and Further Education. Education and training and a skilled work force are critical for the future of South Australia. South Australia's strategic plan places a large focus on this area, because we are facing multiple challenges in the areas of skills and training. One of those challenges is the emergence of skills shortages, as the generation of baby boomers like me reaches retirement age and our employment level falls below 5 per cent.

Other challenges are the predicted high skills demand from the new defence contracts and the expansion of Roxby Downs, a changing local manufacturing base and increasingly competitive and volatile export markets. DFEEST has a range of resources at its disposal to deal with training challenges, and I want to make some comments about how we are planning to use those resources. TAFE has an important role to play as the state's major training organisation. I also want to say something about the range of employment and school development programs we have developed or expanded in the last year, such as South Australia Works and the Work Force Development Fund.

I will talk briefly about the higher education sector and some of the exciting developments we are undertaking there. However, first of all, this year has seen the appointment of Brian Cunningham as the new Chief Executive of the Department of Further Education, Employment, Science and Technology. DFEEST is now focused on the South Australian Strategic Plan objectives of job creation, reducing unemployment, increasing overseas student numbers and increasing participation and further education. I am pleased that the department, which is scattered around the city, has agreed to consolidate its activities in the new Green City central development, and I think the staff are pretty happy about that, too. This move supports the greening government operation framework and will bring significant ongoing savings in the form of reduced energy costs, and it will deliver environmental benefits. It will be about improved effectiveness through collocation.

Reforming TAFE to enhance its responsiveness to industry and the needs of the community is a significant achievement. The merger of eight TAFE institutes into three is bringing efficiencies and will ensure that TAFE plays a larger role in social and economic initiatives across the state. TAFE SA is leading the nation in employment outcomes and student satisfaction levels. South Australia's TAFE system topped a recent national survey of student outcomes, leading

the nation in its employment outcomes for students. Ninety-one per cent of our TAFE SA graduates gained a job or enrolled in higher qualification study within six months of graduating. This is 5 per cent higher than the national average of 86 per cent. Training must be affordable for all. In 2005, in line with inflation, TAFE fees were increased by 3.8 per cent. It is anticipated that the increase in 2006 will be under 3 per cent. The government has also applied a cap on fees paid by students in TAFE, and the 2005 cap was set at \$1 250. This represents a reduction on student fee payments of about \$3 million annually.

TAFE SA was a fundamental component of the state's successful bid to build the Australia air warfare destroyers. The investment the government is making in the air warfare destroyer project will strengthen the state's reputation as a hub of Australian defence and maritime industries. The Maritime Skills Centre was a decisive factor in the winning of this contract, and we have committed \$6 million to build the centre. In all, \$16 million will be going into establishing and running the centre in the first year, and the people in this state will benefit in an ongoing way from the most significant defence manufacturing initiative in the nation's history. It will ensure the development of critical skills across the maritime sector and important trade schools across a broad range of industries in this state, and it will provide a long-term future for many South Australians.

Important as the skills centre is, TAFE SA must remain relevant across strategic industries and contribute to a competitive economy, as well as integrate with international markets. A program of leadership and review will strengthen the links between TAFE SA and our local industries. In addition, significant work is being undertaken to improve the capacity of the TAFE SA work force through professional development activities and an innovative program of teaching and learning. An additional \$8.2 million has been allocated in this budget over four years for skills development that supports strategic industries and small business. This funding will increase the number of training hours available, assisting more South Australians to share in the spoils of a strong economy.

I am pleased that we have been able to expand TAFE SA programs on the APY lands, with an additional \$1.66 million allocated for skills development of Aboriginal people in the region. This builds on the important training and employment initiatives already under way in the APY lands. We are also ensuring that TAFE SA's facilities are maintained and improved when necessary, with \$16 million allocated in 2005-06 for capital works across TAFE. This includes \$13.1 million to refurbish outdated facilities at the Veterinary and Applied Science Centre at Gilles Plains, building on the state's already strong reputation in agricultural science.

In 2004-05, the design and approval stages for the new centre were completed. Funding from 2004-05 will be carried over to 2005-06 to support the construction of the facility, with the commencement in early 2005-06 subject to approval by the Public Works Committee. Complementing TAFE, the government continues to actively support the private VET sector, ensuring diversity and high quality education providers across the state. The establishment of nine industry skills boards will ensure that training activity meets the future needs of business as well as providing all South Australians with the best skills to find work.

The Work Force Development Fund increases our capacity to develop innovative strategies to address a range of work force issues, and this has been strengthened by a budget

allocation of \$1 million. Eight new industry-wide projects will be supported through the Work Force Development Fund, adding to the existing 17 small to medium industry projects that commenced in the past financial year in transport logistics, tourism and hospitality, manufacturing, maritime, agriculture, fitness and recreation, and community services.

We continue to support students engaged in the private VET sector through the ongoing operation of the training advocate and through the monitoring and quality functions. Recently we announced regulations that will enhance public confidence in the private training market and help the headline-grabbing stories about the failure or collapse of fly-by-night training operations. These regulations were brought in with consultation and support from the Australian Council for Private Education and Training (ACPET). DFEEST has been proactive in its approach in other areas of the protection of younger people in our vocational education and training system.

An independent expert was engaged in 2004 to identify and assess child protection risks in TAFE SA, and a full-time officer was employed to progress identified initiatives. A detailed child protection policy has been developed and introduced to all staff across the department. A mandate for the notification of training guidelines has also been developed, and implementation has commenced. In the coming year, the department will develop a model for undertaking police checks of staff engaged with younger people. More work remains to be done, but I am confident that the department's response to these matters has been timely and appropriate, and we have significantly decreased the risk for young people in TAFE.

I will now address shortages. As South Australia's economy continues to grow, the need for skilled tradespeople becomes even more critical. Apprenticeship and traineeship numbers are currently at the highest level ever, with 33 900 people currently engaged in this training activity. The most pleasing aspect of this trend has been that the number of people in skilled trades is now also at an all-time high. The government is progressing the training and apprenticeship futures project, which will set the framework of how we encourage people into trades and ensure that we are a leader in this approach to trade training and funding across the nation. The 500 000 skill shortages project will continue in 2005-06, building on the work done in 2004-05. The activities include identifying success factors for pre-apprenticeships programs and the promotion of apprenticeships in traditional trades, the area where there are significant opportunities for new employment.

In relation to commonwealth funding, funding arrangements for vocational education and training with the commonwealth are currently under negotiation. The commonwealth makes great play of skills shortages and what ought to be done about them. However, when you take away indexation for cost increases and the money which has been rebadged from other areas of commonwealth expenditure, the funding offer currently on the table contains only around \$40 million of genuinely new moneys, and this is to be spread across the whole of Australia over the next 3½ years.

My department will continue to proactively negotiate with the commonwealth on future funding arrangements to push for a better deal for South Australia. We will continue to work with the commonwealth to ensure that the Australian technical colleges build on the strength of the South Australian VET system, rather than unnecessarily duplicating

existing efforts. I am pleased to say that, in the area of higher education, we have continued to develop strong working relationships with the state's three universities through the Higher Education Council. The recent introduction of an amendment for the bills for the three university acts will ensure that we capture the benefits of additional commonwealth funding for the university sector.

The South Australian government is an important supporter of the university sector. In 2003-2004, the government paid about \$27 million to the state's three universities, with an additional \$1.5 million of in-kind support. It should be noted that this figure is conservative and does not include all payments, both of a direct and indirect kind, from health units across the state and other infrastructure contributions. In addition to this funding, the University of South Australia and the University of Adelaide will receive \$11.5 million in new money this year, and \$20 million over four years for three important projects: the Australian Mineral Scientific Research Institute, which is \$2.5 million; the Wine Innovation Cluster of \$7 million; and the Mawson Institute for advanced manufacturing of \$2 million.

The government is also assisting discussions between the universities and Carnegie Mellon on opportunities for them to benefit from the location of one of America's most prestigious universities in South Australia. South Australia continues to perform well in attracting international students. The number of international students studying in South Australia is currently around 15 476 students. Of these, 7 404 are in higher education; 2 041 in vocational education and training; 1 883 in schools; 2 683 in English language courses; and a further 1 465 in other miscellaneous areas.

The government has set ambitious targets to grow the international education sector as a key component of the economy. The aim is to double our share of Australia's overseas students within 10 years. Education Adelaide has been important in marketing to the international education sector. We need to be sure that improvements can be built on and sustained. Therefore, in the coming year I intend to review the government's strategy for attracting international students. I want to work with interested groups, such as the three universities and Adelaide City Council to look at how we can improve the work of Education Adelaide and also Austraining.

I also draw the committee's attention to an exciting event the state government will be hosting next month—the International Education Seminar. This is in conjunction with Adelaide City Council and various organisations from across the education sectors. This is a seminar of international education that will set the scene for a major international conference on the future of education cities in the Asian Pacific region in Adelaide in September 2006.

We have already received acceptances from over 30 overseas participants for the July seminar. We anticipate that it will be a milestone in the further development of the state's reputation as a regional leader in this field. I am particularly proud that the state's labour market continues to strengthen, with a record number of 738 200 people in work. This means that, since we came into office in 2002, 46 000 jobs have been created.

As to South Australia Works, the government continues to focus on the most disadvantaged groups in our society, delivering targeted training and further education initiatives and employment programs to provide opportunities for Aboriginal, mature age, disabled and young members of our community to engage in training and work. The South

Australia Works program has been the primary vehicle for supporting those most at risk. Its implementation has been progressing well over the past 12 months, and it has been strengthened by its connections with TAFE, schools, VET and industry and, as a result, has provided some exciting employment and training outcomes.

An amount of \$22.61 million has been allocated to all the South Australian learning and works programs in 2005-06 and, in 2004-05, 18 921 people participated in them. This is an impressive result, and it ensures that thousands of people at risk of disengaging from society have been given new opportunities in work or training. South Australia Works has also been important in supporting displaced workers, such as those at Mitsubishi. Further assistance has been provided, through South Australia Works, to the Lower Eyre Peninsula region, which was devastated by bushfires in January 2005. An additional \$250 000 was provided for rural reconstruction and environmental regeneration, and the government has waived the construction industry training levy on reconstruction activity.

I am confident that we will continue to move forward in these critical areas over the coming 12 months and will ensure that all South Australians are able to enjoy the benefits of the state's transformation over recent years. I welcome any other questions from members in regard to this portfolio.

**The CHAIR:** Does the member for Bragg wish to make a statement or proceed to questions?

**Ms CHAPMAN:** I have no opening statement, Madam Chair. The minister may have already had some omnibus questions put to her during the course of her appearance before the committee. I am happy to read them into *Hansard*, and the minister can take them on notice or answer them now. The questions refer to all agencies and departments relevant to the minister, if they have not been put in separate portfolios. First, did all departments and agencies reporting to the minister meet all required budget saving targets for 2003-04 and 2004-05 set for them in the 2002-03, 2003-04 and 2004-05 budgets? If not, what specific proposed project and program cuts were not implemented?

**The Hon. S.W. KEY:** I am advised by my team that we did reach those targets.

**Ms CHAPMAN:** For both financial years?

**Mr BEECHING:** Yes.

**Ms CHAPMAN:** Will the minister provide a detailed breakdown of expenditure on consultants in 2004-05 for all departments and agencies reporting to the minister, listing the name of the consultants, the cost, the work undertaken and the method of appointment?

**The Hon. S.W. KEY:** Yes.

**Ms CHAPMAN:** For each department or agency reporting to the minister, how many surplus employees are there as at 30 June 2005? What is the type or classification of each surplus employee and the total employment cost of the employee?

**The Hon. S.W. KEY:** We will be happy to provide that information.

**Ms CHAPMAN:** In the 2003-04 financial year, for all departments and agencies reporting to the minister, what underspending on projects and programs was not approved by cabinet for carryover expenditure in 2004-05?

**The Hon. S.W. KEY:** Because of the date in June we have reached, it is difficult to answer that directly, but we will provide that information.

**Ms CHAPMAN:** For all departments and agencies reporting to the minister, what is the estimated level of

underexpenditure for 2004-05, and has cabinet already approved any carryover expenditure into 2005-06? If so, how much?

**The Hon. S.W. KEY:** Mr Beeching will answer that question.

**Mr BEECHING:** The mid year review indicated that the department would underspend its capital program in relation to the BAS project. Approval was granted to carry that over, and that is reflected in the budget. Any other carryover is still subject to review after the completion of the financial year.

**Ms CHAPMAN:** Is the minister happy to provide that information at the conclusion of the financial year?

**The Hon. S.W. KEY:** Certainly.

**Ms CHAPMAN:** What was the total number of employees with a total employment cost of \$100 000 or more per employee? As a subcategory, what was the total number of employees with a total employment cost of \$200 000 or more per employee for all departments and agencies reporting to the minister as at 30 June 2004? What is the estimate at 30 June 2005? Between 30 June 2004 and 30 June 2005, will the minister list the job title and total employment cost of each position with a total estimate of \$100 000 or more which has either been abolished or created?

**The Hon. S.W. KEY:** I am happy to provide that information.

**Ms CHAPMAN:** Will the minister provide a detailed breakdown, for each of the forward estimate years, of the specific administrative measures which will lead to a reduction in operating costs in the portfolio?

**The Hon. S.W. KEY:** I think we will have to provide that information, too.

**Ms CHAPMAN:** I think, Madam Chair, that you indicated that the principal information on this portfolio is to be found in Budget Paper 4, Volume 3. I refer to page 10.1, on which the work force number of employees is provided. Page 18 of the 2004 DFEEST annual report indicates 3 436.25 FTEs. The budget papers indicate that this was understated by 82.8 FTEs. What information was omitted to cause the error in the FTE data? Can the minister assure us that the information now published in the budget is now correct?

**The Hon. S.W. KEY:** I will ask the Deputy Chief Executive to answer that question.

**Mr PROCTER:** The explanation for the understatement relates to the great difficulty we have every year in calculating our full-time equivalent staff, in particular looking at the area of hourly paid instructors, who spend variable amounts of time working with us. Getting accurate data in the area is extremely difficult. That is the principal area in which we have trouble with the numbers. The document reflects the present knowledge we have of the likely end of year outcome for 2004-05, as it does reflect the actual outcome for 2003-04, and the difference between them is very close.

**Ms CHAPMAN:** The annual report for the department is provided usually in the first few months of each calendar year and relates to the preceding financial year. So, when that report is prepared and approved by the minister and tabled in the parliament it is in relation to information that is nine months old. You are saying that someone in your department has not been able to check and provide the correct information nine months after the closing date. If that is the case and it continues to be a problem, what action is the department taking to ensure that when we have that data tabled in the parliament in future it is accurate?

**Mr PROCTER:** The references I made did not include a reference to the annual report.

**Ms CHAPMAN:** On page 10.1 the Budget Paper states that the FTE figures provided to the Office of the Commissioner for Public Employment for 30 June 2004 were understated by 82.8 FTEs as a result—is that correct?

**Mr PROCTER:** Yes.

**Ms CHAPMAN:** On page 18 of the DFEEST report, the annual report of the department tabled by the minister in the parliament, usually in the first few months of each year, refers to that calendar year. In that annual report, consistent with what you have told us, it indicates 3 436.25 FTEs, which is the wrong number, as it is 82-odd understated, just as you have indicated. This is an annual report, prepared as at 30 June 2004, which comes to the parliament in March—

**The Hon. S.W. KEY:** The annual report I understand is not under examination today, which is the first point. As the honourable member correctly pointed out, we receive the report nine months, on her calculation, after the period we are reporting on. It would seem that it is quite likely, considering movements in the department and the fact that we have a number of hourly paid instructors, that the numbers would change from year to year or from reporting period to reporting period. The second point is that, as far as the budget Portfolio Statements are concerned, Mr Proctor has given you an explanation of why those figures need to be confirmed at the end of the financial year. That is the best estimate we have at that time. If the honourable member would like to pursue the issue of the numbers of staff in the annual report, I am happy to provide a briefing on that at some stage, but that is not what we are examining at the moment.

**Ms CHAPMAN:** Minister, I am simply pointing out that, whilst a correction is acknowledged in the budget document, it explains why the annual report is 82 FTEs out—a document produced this year—but similarly, in the explanation given here, it refers to the figures provided to the Office of the Commissioner for Public Employment for 30 June 2004, so whether you use the annual report or this budget, prepared in the last couple of months, it is still nine months after the erroneous data has been collated. If it is a situation where there is a difficulty in relation to making some assessment of what the number of hourly staff are, one would expect to see this correction every year. It is not something I have observed in the past. If that is the reason, what are you going to do to ensure we have this remedy in the nine months available as we get the budget each year so that we do not have this problem again?

**Mr PROCTER:** We have had difficulties with the Empower payroll system in our department in particular, and significant work has been done over the past six months to deal with that. In dealing with that the difficulties you are identifying did emerge, and at that stage we became aware that we had a difficulty with our previously quoted final figures for the previous financial year—the ones included in the annual report. It is not a regular occurrence—far from it—but we did have some problems.

**Ms CHAPMAN:** It could always have been a problem, but you are saying that you have identified it and you think the process you have set in place will remedy it in future?

**Mr PROCTER:** We do. This is a very new department. We have had particular difficulties in extracting ourselves from the former DETE, in particular in the area of our systems and the whole HR side of things, particularly the data questions. We have worked hard and resolved them.



**The CHAIR:** Does the honourable member have a question after all those supplementaries?

**Ms CHAPMAN:** I refer to page 10.1 in relation to the Chief Executive. The Chief Executive Officer will shortly complete the first six months of his five-year contract. In addition to the remuneration package valued at \$280 000, the Chief Executive is entitled to 12 days leave per year for work as a private consultant (paragraph 6.4 of the agreement). Has any leave been taken for this purpose and, if so, how much income has been earned in that time?

**The Hon. S.W. KEY:** It would be most appropriate if I ask the Chief Executive to answer that.

**Mr CUNNINGHAM:** No, I have not taken any leave for that purpose.

**Ms CHAPMAN:** I have a third question.

**The CHAIR:** That is strange counting and does not accord with that of any of the people at the front desk.

**Ms CHAPMAN:** I thought, Madam Chair, that you rather curtly asked whether I had another question after the many supplementaries on the first.

**The CHAIR:** Not on the first—it was on the second. Do you have another question, member for Bragg?

**Ms CHAPMAN:** Thank you, I do. Some \$800 000 was spent on a feasibility study in 2004-05 with respect to the Carnegie Mellon University. Why was it spent through the Department of the Premier and Cabinet, and will the report be tabled? I cannot find the other \$20 million in the budget, so perhaps the minister can indicate where that might be.

**The Hon. S.W. KEY:** That is a question, with respect, to which it is very difficult for me to provide any details because it is being handled through Premier and Cabinet. It is really a question for the Premier to answer.

**Ms CHAPMAN:** Can I put this to the minister: \$20 million is referred to in the Budget Statement. Is the minister saying that it is disclosed nowhere in her budget?

**The Hon. S.W. KEY:** My role with regard to Carnegie Mellon is different from that of the Premier. My job through the legislation that is available, and also the national protocols for higher education approval processes, is to establish an assessment panel and ask that panel to examine the application by Carnegie Mellon and also, once I have its recommendations, to consider them and make a determination. The role I have as the higher education minister is different from that of the Premier, who, as we know, is extremely enthusiastic about having Carnegie Mellon join South Australia as one of our universities. Most of the questions that the member would probably want to ask me are really more relevant to the Premier.

**Ms CHAPMAN:** So, the \$20 million is not in the minister's budget?

**The Hon. S.W. KEY:** No.

**Ms CHAPMAN:** Is there any amount in the minister's budget for what she is doing, which is to establish the assessment panel and consider the recommendations? I cannot find anywhere in the budget any figure in relation to that.

**The Hon. S.W. KEY:** The advice I have received through the quality branch of my portfolio is that there is a figure that is charged, which we think is \$40 000, to go through this process. The member will realise that this is a first in Australia. It probably seems as though I should be able to answer some of these questions very easily, but this is the first attempt in Australia to go through the process of assessing an application from an international university. There is a fee—

**Ms CHAPMAN:** I am not worried about the issue of the process: I appreciate what you are doing there.

**The Hon. S.W. KEY:** A fee is charged. The application is being assessed by an assessment panel that I have drawn together—and I can give the member the names of the people on that panel. I understand that the assessment is nearing completion. My next task, under the terms of the Training and Skills Development Act, will be to see whether the national protocols are being met and whether this is an appropriate application for us to accept.

**Ms CHAPMAN:** My question was: where does the \$40 000 that you have budgeted for appear in the budget?

**The Hon. S.W. KEY:** I am saying that we believe that the cost for the application, bearing in mind that this is the first time this has been done, is \$40 000.

**Ms CHAPMAN:** Where does that show up in the minister's financial accounts? That is all I am really asking.

**The Hon. S.W. KEY:** It has not as yet. It is still to come in, and it will show up in our revenue probably in the next financial year.

**Ms CHAPMAN:** So, there is no provision for it in the forecast budget in 2005-06?

**The Hon. S.W. KEY:** No, not at this stage.

**Mr PROCTER:** To the extent that costs for the department are involved in it, they would be reflected in the budget, because in the quality area that would be part of the ordinary tasks of the area. That is then to be offset at the time by the receipt of the revenue, the \$40 000. However, as the minister said, that is not a fixed figure.

**Ms CHAPMAN:** We have seen the \$800 000 (which was really the first part of the question) that has come out of the Premier's budget, and he has paid for this feasibility study. Has the minister seen the report?

**The Hon. S.W. KEY:** Yes, I have seen a synopsis of the report, and I have received the report.

**Ms CHAPMAN:** Is the minister happy to provide us with a copy of that report?

**The Hon. S.W. KEY:** I am not sure about the status of the report. In principle I am, but I would need to check whether there are any commercial in confidence issues or issues that need to be detailed. If the member is happy to accept that, I will follow it up for her.

**Ms CHAPMAN:** Thank you.

**The CHAIR:** The member for Bragg.

**Ms CHAPMAN:** Four questions now?

**The CHAIR:** The member has had her four questions. This is her fifth. Keep going.

**The Hon. S.W. KEY:** This is a great opportunity for the government to make sure that opposition members get to ask all their questions.

**Mr SCALZI:** I refer to Budget Paper 4, Volume 3, page 10.4, under the heading 'Targets' and the subject 'Education seminar'. The targets for 2005-06 include the conduct of a major international educational seminar, to which the minister has referred. When will this occur, over what period and how much has been budgeted for the cost of that seminar?

**The Hon. S.W. KEY:** I do not have the specific breakdown for the international seminar. This is a joint initiative between Adelaide City Council and the state government, through my portfolios, and we have been offered assistance from the federal ministers, minister Nelson and minister Hardgrave, with regard to the initiative. I am happy to provide to the honourable member the details about the breakdown for our initial meeting, which will be held in July this year. Depending on the views of the different countries

that are represented at that forum, particularly those in the Pacific rim, we will be putting together a budget for the big international conference in September next year.

**Mr SCALZI:** So, no money has been put aside for that as yet?

**The Hon. S.W. KEY:** Money has certainly been put aside, but I do not have the details in front of me. The advice I have just received is that at this stage the budget is made up of \$20 000 from DFEEST, \$20 000 from DECS, \$20 000 from Adelaide City Council, Education Adelaide is contributing \$20 000, Austraining is contributing \$5 000 and DTED is contributing \$5 000. That is the overall budget. I do not know whether you want any more details, but we can certainly make them available at a later stage.

**Mr SCALZI:** Thank you. I refer again to Budget Paper 4, Volume 3, pages 10.14 and 10.17, Statement of Financial Performance, and the City Central development. When during the 2005-06 year will the department commence tenancy in the City Centre development, which has cost an additional \$6.1 million during the 2004-05 year?

**The Hon. S.W. KEY:** I am advised that we are looking at December next year.

**Mr SCALZI:** How much was spent in the 2003-04 year for this planned tenancy, and is there any allocation in the 2005-06 year? If so, how much?

**Ms BENSTED:** There was none expended in the 2003-04 year. For the 2005-06 year, we are looking to employ a part-time project office to assist with some of our planning, and that will be covered within our existing resources.

**Mr SCALZI:** I again refer to Budget Paper 4, Volume 3, pages 10.14 and 10.17, on the subject of carryovers. The budget papers indicate a cessation of expenditure of \$13.9 million incurred in 2004-05 relating to carryovers from 2003-04 and other items. To what does this relate?

**The Hon. S.W. KEY:** Just before we answer that question, I need to advise the honourable member that, regarding his previous question about the international seminar, DECS, DFEEST, Adelaide City Council and Education Adelaide are putting in \$25 000 each—not \$20 000. I apologise to him but, as I said, we did not have that information with us; however, that is the correct figure.

**Mr SCALZI:** That is understandable; we will not hold you to that figure.

**The Hon. S.W. KEY:** I will ask Mr Beeching to answer the question you have just asked.

**Mr BEECHING:** The question of carryovers was assessed in some detail after the last estimates committee hearings, so this information has been detailed previously. It includes a significant amount of funding related to the airconditioning of the TAFE institutes. There were significant delays in those projects which occurred due to market conditions last year, and they were carried forward into 2004-05. Work has essentially been completed, as I understand it, and therefore that budget has now been fully spent.

There were a range of science initiatives which are probably not relevant to this portfolio, but I do not have an explicit list here that I can quote from, although I can provide that if you wish to see the exact detail. That is the nature of the carryovers.

**Mr SCALZI:** Mr Beeching, you said that there was delay due to market conditions; what were those conditions?

**Mr BEECHING:** The agency handling the letting of those contracts, the Department of Administrative and Information Services (DAIS), was experiencing problems in getting an appropriate tender response given that the market

was, if you like, saturated with work, so it decided to let those contracts out in a more strategic way rather than just hitting the market all at once. That decision led to delays in our actual program.

**Ms CHAPMAN:** In relation to the restructure of TAFE, I believe that it is now essentially completed; is that right?

**Mr PROCTER:** The positioning project, as we call it.

**Ms CHAPMAN:** Yes, I am happy to use that word.

**Mr PROCTER:** There are further relatively small changes still required in relation to some positions in each of the institutes, as we have progressively restructured the organisation. That will be completed by 30 June.

**Ms CHAPMAN:** What has been the total cost of the positioning project?

**Mr PROCTER:** The general point I would make is that the project was undertaken, if you like, on a budget-neutral basis. We were not required to make savings, nor was any additional money supplied to undertake the positioning. On the question of whether there are additional costs, I do not have those details with me now, but I would make the point—

**Ms CHAPMAN:** Someone in your department would have that, would they?

**Mr PROCTER:** I guess I am making the point, though, that we have received no additional money for the positioning project. What has been required has been found from within our own budget.

**Ms CHAPMAN:** What is the expected annual saving as a result of the positioning project?

**Mr PROCTER:** As I said, there were no explicit savings requirements made of us in making the decisions that we did to make up the positioning project: it was done on a budget-neutral basis. Having said that, we would clearly acknowledge that, as intended, in moving from eight institutes to three and in going from relatively small TAFE colleges to three quite substantial businesses there are potential opportunities for making better use of resources, and for being more efficient and more effective. Positioning meant that we would get ourselves in a position to begin to address those, following the present phase of the project.

**Ms CHAPMAN:** If I ask the same question next year, will you have done any assessment as to what cost savings there have been?

**Mr PROCTER:** We will certainly be setting out from 30 June onwards to try to achieve the efficiencies that are potentially there and would return to the topic if that is what happens at the next round of the estimates committee.

**The Hon. S.W. KEY:** I will certainly be looking at finding out where the efficiencies are and making sure that we are working in a more streamlined and efficient way. I think the staff in TAFE have been most cooperative in this process, and it would only make sense to ensure that we continue to match up the delivery of courses that we have—I think some 1 450 different courses are available through TAFE—as well as making sure that we have the appropriate staff to deliver on those courses.

I have also said that I want to make sure that TAFE continues to be a leader in Australia. TAFE SA is certainly a leader with regard to employment outcomes and the quality of courses that we have, and that will be part of the challenge that both the chief executive and I have put to the TAFE community, that we want to continue to be innovative and creative. We also want to be efficient. We will look at a number of measures over this time to see that we do have some measurement and evaluation as to whether this repositioning puts us in a better position. I have my own

views about the future of TAFE that we will be looking at over the next couple of months, in particular.

**Ms CHAPMAN:** I appreciate that will be taking place. The original announcement of the repositioning was made in a previous budget, and we have heard that no extra funding has been given to do the job. Those initial announcements and publications were to the effect that this would provide a more streamlined and efficient organisation, presumably then having the benefits of better product and service delivery, etc. Was it your expectation this repositioning would save money?

**The Hon. S.W. KEY:** I am not sure that I am particularly bent on saving money. What I want to be able to see as a result of the repositioning—an initiative that I inherited from the previous minister, Dr Jane Lomax-Smith—is that this will put us in a better light within the next few months because we do have a more efficient organisation. All those things are being looked at by the staff. The staff have been quite cooperative, and I think quite patient, with this new structure. We have now to get on with it and make sure that we do make it a more efficient structure. The proof is probably in the next few months for us to assess where we are going in the future. It is certainly my aim as minister that we will make TAFE a much stronger and better positioned organisation as a result of these changes.

**Ms CHAPMAN:** This time next year, if you are in that position and I am in this position, do you think you will have some kind of report done as to the efficiency gains, whether they are financial, staff or productivity? Is it your expectation that the department will do that?

**The Hon. S.W. KEY:** I expect that I will be able to report on that, yes, as to what this process has shown us and where we may need to make some changes or where we reinforce the fact that this is a better system for TAFE SA. One thing that is particularly important is that, having the brand of TAFE SA and a unified organisation rather than having eight different institutes with 56 campuses, there is a real need to make sure that we have a better networked and better identified vision for the organisation itself. While working on the repositioning, we are also working on where we want to be in the next 10 years, how that fits in with the South Australian Strategic Plan and how we can deliver on all the pressures and expectations from within the community. A lot of that is not necessarily quantifiable in a monetary sense, although I would like to see some monetary efficiencies as well. We need to talk about how we can position TAFE as we have said.

One of the initiatives that I have asked for this year is to have a TAFE forum where the TAFE community, so to speak, gets to talk about those things. I am looking at getting some work back shortly on having such a forum so we can hear from the many hundreds of people who have supported TAFE and the campuses over the years, in some cases 25 years—a number of people have been on TAFE councils for 25 years and more, which is a significant effort. The challenge is how we harness that goodwill from the literally thousands of students who have been through TAFE and make sure that we move for the better. As I said, that is more of a philosophical and ideological view about TAFE than a financial one, but I would be expecting some financial advantages, as well, from this new organisation. Ian, being one of the architects of this, needs to make some comments, too.

**Mr PROCTER:** I only wanted to continue what the minister has said about the realisation of efficiencies. There

is clear evidence already in the area of procurement, where we could expect to make gains through agglomeration, that is, instead of eight individual institutes going to the market to purchase or procure things, we are now doing that in a systemic way. It is early days but the clear evidence is that that is going to be more efficient because it will be cheaper to procure the same materials we were going to procure previously, and there will be other examples like it.

**Ms CHAPMAN:** How long has the title TAFE SA been used now?

**Mr PROCTER:** It has been discussed and in use for about 12 months now.

**Ms CHAPMAN:** Why then do you think there was a shortfall of \$1.23 million in student hours in the 2004-05 period? The budget was for \$19.5 million and there was a significant shortfall, in the year of its first operation.

**Mr PROCTER:** It is not a shortfall in the sense that it is a reduction in the previous years. Importantly, it is a comparison between an estimate made at a time about what might be achievable in the course of the year and what transpired. However, that will not be reflected in the Budget Paper, but we did achieve the figures that were required of us through the national planning body.

**Ms CHAPMAN:** For the purpose of the 2004-05 budget, someone guessed wrong, is that what you are saying?

**Mr PROCTER:** No, I am not saying that it is wrong.

**Ms CHAPMAN:** Someone guessed wrong.

**Mr PROCTER:** The estimate proved to be inaccurate.

**Ms CHAPMAN:** Who provides that?

**Mr PROCTER:** That is an estimate that the department has made.

**Ms CHAPMAN:** Is that someone at your level? Who provides that?

**Mr PROCTER:** I do not think it is down to anyone in particular. The machinery of the department does attempt to estimate these things, and it did so in this case. As I say, it proved to be inaccurate in terms of where we were going, but we did satisfy our national requirements, and going into next year we will be looking at a slight increase on what was achieved.

**Ms CHAPMAN:** On the actual?

**Mr PROCTER:** On the actual, yes.

**Ms CHAPMAN:** Are you satisfied that whatever process you have in place and whoever does it in your department will guess a little more accurately in future?

**Mr PROCTER:** Certainly; we always hope to do accurate estimates.

**Ms CHAPMAN:** We are talking about a 10 per cent variation here.

**Mr PROCTER:** Yes, it is certainly away from where we would have hoped.

**Ms CHAPMAN:** Do you have an expectation of a higher amount given the new restructure?

**Mr PROCTER:** A higher number of hours?

**Ms CHAPMAN:** Yes.

**Mr PROCTER:** To the extent that, as we have already said, we have become more efficient in what we do; and, certainly, that will give us the capacity to generate more hours than we do at the moment out of the same amount of resources.

**Ms CHAPMAN:** I hope that you are right.

**Mr SCALZI:** I refer to Budget Paper 4, Volume 3, page 10.7 under the heading 'Performance indicators'. The subject is the percentage of VET population by type of student. I note that the Aboriginal and non-English speaking background

student participation as a proportion of VET enrolments is down compared to the 2004-05 and 2005-06 targets and the 2003-04 actual numbers. Will the minister comment?

**The Hon. S.W. KEY:** I will have to provide that information to the honourable member. I do not have that information with me. Suffice to say that a major effort has been made to make sure that we do engage young Aboriginal people and connect them to education and training, whether it is in the VET area, higher education or in the registered training or TAFE area. I do not have with me those specific figures. I am happy to provide them, if that is acceptable to the honourable member.

**Mr SCALZI:** I refer to user choice and the traineeship and apprenticeship training subsidy policy to target skills priorities. Will the minister review user choice eligibility criteria to address problems for young people who have completed certificate courses (which have not led to sustainable employment) and who are subsequently ineligible for state user choice funding? Will funds be made available to assist young people in this situation? In a letter to me, the Executive Manager, Human Resources, Uniting Care, Wesley, states:

Funding is available for persons with no qualifications to enter our jobs or traineeships. We support this. However, we are finding that many young people have qualifications at certificate I and II level in something like cleaning or from working at Hungry Jacks, and this is precluding them from getting a traineeship which will lead them to long-term employment and saleable skills. We will train and give real jobs if we can utilise the funding. Schools and short-term employers are tapping into new apprenticeship training, and the funding rule of one shot only is barring young people from jobs.

I understand that an individual cannot redirect user choice funding to recommence qualifications in a new field within seven years, although one can get funding if one can build a sequence and get some status for the prior qualifications. Many young people and their families apparently do not understand that such an exclusion can occur and are therefore effectively punished for early training choices, which have proved not to lead to sustainable employment. It is a serious problem that has been brought to my attention.

**The Hon. S.W. KEY:** This area has been discussed at ministerial council level. Quite a few concerns have been raised around Australia and, certainly, by me with respect to access to user choice funds and the application of those funds. Some states think that the whole area needs to be reviewed, but reviewed on a national level. I understand the point made by the honourable member. I have some sympathy for what he is saying. At the last ministerial council meeting, I raised a number of issues about the process and operation of the fund, because I think that there are some inadequacies.

I understand that, at the next meeting, we will be concentrating on looking at the application of the user choice area. This is in the context of coming up with a new system, because, as the honourable member would know, the Australian National Training Authority ceases on 30 June. We have a bit of a hiatus, I suppose, at the moment, about what the next system will be. Also, legislation is going through the federal parliament about the federal government's expectations of the states and territories with regard to the future for vocational education and training.

This is a very difficult time as far as predicting what will happen into the future. Mr Hutchison is here and he can probably speak specifically about what is happening with the operation of user choice in South Australia at present. Hopefully, that will respond to some of the questions that have been raised by the member and also by Uniting Care

Wesley. If the member wants to pass on that information at an appropriate stage to that community organisation, perhaps we could address some of those issues specifically to the federal minister.

**Mr HUTCHISON:** I will make a couple of points that might help clarify the matter for the honourable member. Under current state funding policy, it is possible for a person who has already undertaken a contract of training in a traineeship to be refunded for a second traineeship. However, it must be in an occupational category that does not align very similarly to the qualification that has already been undertaken. There is also provision for the previous contract of training to provide credit towards a new occupation. One of the areas of great difficulty (and I think the minister was referring to that in terms of the national sense) is that, while the state provides the funding for the training, the commonwealth incentive regime, which provides the wage subsidies to prospective employers, is quite restrictive in terms of funding a second qualification.

While we have been discussing that with the commonwealth for a number of years, hopefully that may resolve itself through the national training system. However, that is a great disincentive in the labour market for people who are going to undertake a further qualification in terms of a prospective employer. Most of them do not qualify for the commonwealth incentive payment. But, certainly under the current state regime, we will accommodate a second qualification and, in many instances, we will recognise components of the first qualification towards the second.

**Ms CHAPMAN:** The ANTA agreement (the commonwealth-state agreement) is about to expire, as the minister has explained. I am not sure what the new agreement will be called, so at this stage we will simply indicate that there will be a future commonwealth-state agreement. First, where is the estimated revenue South Australia receives from the commonwealth in respect of that agreement? I am looking at page 10.14, under 'Statement of financial performance'.

**The Hon. S.W. KEY:** I will ask Mr Beeching to answer that question.

**Mr BEECHING:** The reference on page 10.14 to commonwealth revenue, which is about one-third down the page, shows \$90 million in 2005-06. That is all ANTA funding.

**Ms CHAPMAN:** That is all ANTA funding?

**Mr BEECHING:** Yes.

**Ms CHAPMAN:** Nothing else?

**Mr BEECHING:** It is all commonwealth funding, including all ANTA funding.

**Ms CHAPMAN:** That is why I am asking you.

**Mr BEECHING:** I would need to check that. By a long shot, that is ANTA money, but there might be a small amount of other funding there.

**Ms CHAPMAN:** So, a small amount identified there is an increase for this year?

**Mr BEECHING:** Yes.

**Ms CHAPMAN:** I am talking about the forthcoming year. Is that based on the current ANTA entitlement under the current agreement, or is it based on the benefit South Australia will receive if the new agreement is signed, or is it some other hybrid?

**Mr BEECHING:** Based on the assumption that the existing funding arrangements continue, we will be reviewing that post agreement, when the agreement is there.

**Ms CHAPMAN:** Minister, do you have any knowledge at this point as to what extra funding South Australia will receive under the new agreement?

**The Hon. S.W. KEY:** As I said in my opening statement, we will not be getting any extra funding at all, other than some CPI increases. This is what the states are very concerned about, particularly the legislation that is going forward with regard to training. I think that, in just about every case, the states and territories provide the bulk of the funding. I think over 70 per cent is provided by the state and 30 per cent by the federal government. However, the federal government is asking us to do specific things for basically returning the same funding. I would use slightly different terminology to that used by the member for Bragg. I do not see it as a benefit: I actually see it as an entitlement of this state to receive funding. I am concerned that we may be in a worse position as a result of the ANTA agreement expiring.

**Ms CHAPMAN:** So, if there is no anticipation of a change in financial benefit, is the \$90.872 million what you would receive, even under a new agreement? If what I am hearing from the minister and Mr Beeching is correct, you have had the \$90.729 million, which is the anticipated revenue for this year, which, to the best you can understand, is all ANTA money. There is \$80 million extra that is budgeted to come in here, based on the fact that, even if you sign a new agreement, this is all the extra money you will have.

**The Hon. S.W. KEY:** Things are still in a state of negotiation, so I cannot give a complete answer to the question the member is asking. We estimate the offer from the federal government for 2005 will be \$90.050 million. As I have said, this is still a very fluid situation, but I am just trying to give the member an indication of how miserable the situation is with regard to the federal government. In 2006, \$93.634 million—

**Ms CHAPMAN:** Will the minister repeat those figures?

**The Hon. S.W. KEY:** It is \$90.050 million in 2005, \$90.634 million in 2006, \$96.505 million in 2007 and \$98.074 million in 2008.

**Ms CHAPMAN:** Just to clarify that, how is that reconciled with the figures that are in this budget paper?

**The Hon. S.W. KEY:** This is what we are estimating will be the sort of negotiations we will be getting into. I am giving the member advance information. As I said, we can be hopeful and think that it will be more than that. So, with regard to the state contribution, we are looking at a state government base of \$188.990 in 2005. It is a pity I cannot just hand you this. In 2006, it is \$195.132.

**Ms CHAPMAN:** Madam Chair, if it is a tabled statistical document, is it open to the minister to table the document?

**The Hon. S.W. KEY:** I can provide this information to the honourable member.

**The CHAIR:** It can be provided to the chair and copies provided to committee members, but it cannot be tabled. A statistical table can be incorporated in *Hansard*, but you will not see that immediately.

**The Hon. S.W. KEY:** The point I am making is that this is a very fluid situation. I am not entirely convinced that South Australia's position will be any better, considering the sorts of negotiations that are taking place at the moment.

**Ms CHAPMAN:** I understand that it is fluid. Perhaps if we go back to the original aspect—the \$90.729 million for this year and \$90.872 million. Is that just an assessment that is done on the basis of some CPI increase or something? Just give me some understanding of how it has been calculated.

**Mr BEECHING:** The \$90 million is a continuation of funding on existing policy.

**Ms CHAPMAN:** On existing policy?

**Mr BEECHING:** Yes. So, in terms of the changed agreement, which may or may not generate a change in revenues, those revenue adjustments have yet to be (a) calculated and (b) included.

**Ms CHAPMAN:** That is what I thought; thank you.

**The Hon. S.W. KEY:** So the point I was making in my opening statement was that, from what we can understand, if you take away the indexation of cost increases and the money which has been rebadged from other commonwealth expenditure, the funding offer currently on the table contains only around \$40 million of genuinely new moneys, and this has been spread across the whole of Australia over the next 3½ years. So, we are in a very serious negotiating situation at the moment. What I was trying to do through you, Madam Chair, was give some indication of us trying to work out how we are going to cope with that, albeit that we provide most of the funding through the state, if the commonwealth situation is as grim as we think it is.

**Ms CHAPMAN:** At pages 10.14 and 10.17, there is a transfer of \$3.35 million from operating to investing in 2005-06 with an explanatory note. What is that for?

**Mr BEECHING:** That reflects a change in the profile of our capital investments and it is purely a question of definition as to whether it is classified in the budget as expenditure of an operating nature or investing. So, in this case, it is investing to a higher level.

**Ms CHAPMAN:** Why is it being transferred?

**Mr BEECHING:** Because it explains a variance from the previous year and we have moved it. The expenditure of an operating nature was the previous year and we are transferring it.

**Ms CHAPMAN:** Do you mean that it was not spent?

**Mr BEECHING:** Yes, it was spent. It is a variation between the years and it is explaining part of that variation.

**Ms CHAPMAN:** I am none the clearer, I have to say.

**Mr BEECHING:** In 2004-05, we spent—

**Ms CHAPMAN:** Where is it in the financial accounts, if you go back to 10.14?

**Mr BEECHING:** It would come up under supplies and services.

**Ms CHAPMAN:** Yes.

**Mr BEECHING:** To the extent that in 2004-05 it was an expenditure of an operating nature. In 2005-06 all of the program has, by definition, been classified as investing.

**Ms CHAPMAN:** This is where you have taken a program and put it into a capital works column? Is that what you are saying?

**Mr BEECHING:** Effectively, yes.

**Ms CHAPMAN:** What was it?

**Mr BEECHING:** The program itself?

**Ms CHAPMAN:** Yes.

**Mr BEECHING:** I would have to generalise. It would be the fact that we were perhaps spending less on the maintenance of buildings and moving towards completing one of our major projects. I could be more explicit on that, but that is the nature of the exercise.

**Ms CHAPMAN:** Would you like to check that out?

**Mr BEECHING:** Yes.

**Ms CHAPMAN:** Thank you. I am happy with that.

**Mr PROCTER:** That might simply be us taking advantage of the flexibility there is to better manage the budget.

**Ms CHAPMAN:** Sure.

**Mr BEECHING:** And the following year we might revert.

**Ms CHAPMAN:** Do not worry. I am not making a criticism. I just want to know what it is and where is this \$3.35 million transferring it across. You are not the only department that has done it.

**The Hon. S.W. KEY:** Through me as the minister we will provide that information for you.

**Ms CHAPMAN:** Thank you. Have the TAFE fees increased during 2004-05 and, if so, by how much, and are any course fees exempt from the increase and, if so, please identify them?

**The Hon. S.W. KEY:** I again refer to my opening statement where I talked about the fact that we have a commitment to cap TAFE fees, although there has been an increase to take into account CPI.

**Ms CHAPMAN:** Minister, just on that point, I understood your proposed cap was for the forthcoming financial year. Perhaps I did not hear you correctly.

**The Hon. S.W. KEY:** The TAFE student years are on a calendar-year basis, so it is slightly complicated with regard to the financial year. In the 2005 calendar year, we are expecting a 3.8 per cent increase in TAFE fees. This is in line with the indexation factor approved by cabinet for application to other government fees and charges for 2004-05.

**Ms CHAPMAN:** That means there would be a 3.8 per cent increase for the academic year commencing 2004 compared to academic year 2004? Is that right?

**The Hon. S.W. KEY:** That is right, and that is in line with the indexation factor that is approved by cabinet. There is no change in the fee to be charged to pre-vocational, preparatory or English as a second language courses within

the FSI-500 group of activities, and the fee will remain at 50 cents per curriculum hour. The level of the fee capping was increased to \$1 250 from \$1 200 in line with the 3.8 indexation factor.

**Ms CHAPMAN:** This is the cap amount?

**The Hon. S.W. KEY:** Yes. So, we have been trying very hard to keep a cap on the fees, to assist students in the TAFE area. The increase in the apprentice/trainee user-choice training fee is from \$1 to \$1.50, to allow for all the new and existing apprentices and trainees, and this has been effective from 1 January 2004. The current training fee of \$1.50 per curriculum hour puts South Australia into the mid-range of training fees charged by other states and territories. The collection of the user choice training fee is optional for the training provider. Registered training organisations may collect up to \$1.50 per curriculum hour for each apprentice and trainee.

**Ms CHAPMAN:** Will there be any increase in TAFE fees in January 2006?

**The Hon. S.W. KEY:** At this stage, I anticipate that I would submit to cabinet that, again, only an indexation factor be considered, but I will have to put that to cabinet.

**Ms CHAPMAN:** To the best of your knowledge, has the estimate for six months of 2005-06 been calculated on the basis of revenue capped at or near the CPI increase?

**The Hon. S.W. KEY:** The answer to your question is yes.

**The CHAIR:** The time agreed for the examination of this line having expired, I declare the examination suspended until 20 June. I thank the minister and her advisers.

#### ADJOURNMENT

At 4.31 p.m. the committee adjourned until Friday 17 June at 9.30 a.m.