

**HOUSE OF ASSEMBLY****Tuesday 30 June 2009****ESTIMATES COMMITTEE B****Acting Chair:**

Ms L.R. Breuer

**Members:**

Ms F.E. Bedford

Mrs E.M. Penfold

Mr T. Piccolo

Mr D.G. Pisoni

Mr J.R. Rau

Mrs I.M. Redmond

*The committee met at 09:00***DEPARTMENT OF EDUCATION AND CHILDREN'S SERVICES, \$2,038,971,000****ADMINISTERED ITEMS FOR THE DEPARTMENT OF EDUCATION AND CHILDREN'S SERVICES, \$179,782,000****Witness:**

Hon J.D. Lomax-Smith, Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide.

**Departmental Advisers:**

Mr C. Robinson, Chief Executive, Department of Education and Children's Services.

Ms J. Riedstra, Acting Deputy Chief Executive.

Mr P. Kilvert, Chief Executive, SACE Board.

Ms C. Williams, Acting Director, Accounting.

Mr C. Vetere, Acting Director, Finances.

Ms J. Emery, Director, OCE.

Mr V. Marshall, Manager.

**The ACTING 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 the changeover of departmental advisers. I ask the minister and the lead speaker for the opposition whether they have agreed on a timetable for today's proceedings and, if so, provide the chair with a copy.

**The Hon. J.D. LOMAX-SMITH:** We have decided that we will start with the SACE Board and the SACE system and we will then proceed to the rest of the education portfolio.

**The ACTING CHAIR:** Are you comfortable with that?

**Mr PISONI:** Yes.

**The ACTING CHAIR:** Changes to committee membership will be notified as they occur, and members should provide the chair 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 17 July 2009. This year the *Hansard* supplement, which contains all estimates committees' responses, will be published on 2 October.

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 into *Hansard* is permitted on the same basis as applies in the house; that is, it must be purely statistical and limited to one page in length. All questions are to be directed to the minister, not the minister's advisers. The minister may refer questions to advisers for a response. I also advise that, for the purposes of the committee, television coverage will be allowed for filming from both the northern and southern galleries.

I declare the proposed payments open for examination and refer members to the Portfolio Statement, Volume 2, Part 9. Minister, would you like to make an opening statement?

**Mr PISONI:** I have a point of order, Madam Chair. You made comment in your opening statement that answers that need to be brought back to the committee must be brought back by 17 July. What are the consequences if that does not happen? I ask that question because last year it took me substantially longer than that to receive answers from the minister. I got the last set of answers back this month from last year. Who is responsible for ensuring that we get our answers back by 17 July, if they are being brought back to the parliament?

**The ACTING CHAIR:** I think we will deal with that issue when it happens, if it happens, member for Unley. It is up to you to bring it to the attention of the house if it is delayed longer than 17 July.

**Mr PISONI:** What are the consequences?

**The ACTING CHAIR:** Well, bring it to the house and see what happens.

**Mr PISONI:** So you are saying that you don't know the answer? Are there consequences?

**The ACTING CHAIR:** There is no formal procedure or consequence; it is up to the house.

**Mr PISONI:** Thank you.

**The ACTING CHAIR:** Minister.

**The Hon. J.D. LOMAX-SMITH:** The hallmark of the Rann government's approach towards education is our consistent, long-term commitment to reform and revitalise education services in South Australia in the best interests of every child. The benefits that accrue from our commitment to education are the opportunities that are created over a lifetime for our children and the future social and economic prosperity of our state.

Our support for education over seven years in government is in stark contrast to the years of neglect by the opposition when it was in government and its continuing negativity towards public education now.

Since the Rann government first came to office in 2002 we have listened, consulted and worked in partnership with school communities. Our collaborative approach aims at working across government and non-government sectors with parents, schools, further education and industry. That collaborative approach has achieved results, including:

- the best year 12 retention rate in 13 years;
- significant improvement and stronger investment in literacy and numeracy, particularly in the important early years of education;
- additional teachers to support smaller class sizes in those early years;
- significant improvements in engagement and achievement by some of our most vulnerable young people, especially and including Aboriginal children;
- the introduction of the new SACE for senior students in Catholic, Independent and government schools, supported by a \$54.5 million investment;
- new Trades Schools for the Future, with more young people gaining apprenticeships and practical skills while still at school; and

- improved schools through the \$216 million Education Works initiative to build six new schools and upgrade existing school infrastructure.

We have lifted the school leaving age, and introduced new 'learning or earning' legislation that requires all young people to be engaged in education or training until they are 17 years or gain a qualification such as the SACE. Again, this reform foreshadowed similar initiatives at the national level.

There have also been other legislative reforms which have strengthened teacher registration and the protection of children, and legislation that paved the way for the new SACE and the new SACE board. Of course, we are continuing to consult and listen to local communities and interested parties as part of our long-term reforms to the 37 year old Education Act. Our reforms in senior secondary are particularly significant in light of the current economic climate. We have worked together to ensure more young people develop skills and knowledge, not only in the traditional school classroom but also through more flexible approaches to learning in the community and through further education, university and in the workplace.

After those years of Liberal neglect, we have seen South Australia again take the lead nationally, particularly in the early years and in senior secondary education. I particularly take this opportunity to acknowledge my predecessor (Hon. Trish White, the member for Taylor) for initiatives which helped establish the foundation for our reforms. Our long-term aims are reflected in South Australia's Strategic Plan objectives. Our aim is to ensure that all young people have a better start and are more effectively prepared for skilled jobs and citizenship through the delivery of quality education services.

The state budget for this year enables us to further our efforts against the backdrop of the biggest ever commonwealth and state government investment in education. Our next steps will build on progress to date, while also putting the spotlight on primary school education. Again, we are leading the nation in that regard by establishing minimum teaching times so that children learn those fundamental skills of literacy, science and maths in the important primary school years.

Our endeavours are supported by an extra \$51.1 million in commonwealth government funds over four years, delivered through our state budget this year. These funds provide for one-off grants to every primary school and support for the professional development of our primary school teachers so that they are even better equipped to teach science and mathematics. Our increased primary education focus, together with our 'school to work' strategy, will further strengthen skills and encourage increased qualifications. This is critical to effectively live and work in a global technological world.

Many of our long-term reforms across the early years, primary and secondary education have involved a real commitment by the Catholic, independent and public school sectors to work together in the best interests of children in South Australia. For example, the sectors continue to work collaboratively as we implement the new SACE for senior students.

We are also working together to ensure South Australia as a whole benefits from the significant investment and initiatives by the commonwealth government. That investment, together with South Australia's overall \$2.3 billion budget for education and children's services, will benefit children and our state. Indeed, the state budget investment will increase spending per student to an average of \$12,627 in the coming financial year, I am informed, which is up from \$7,598 per student in 2001-02. I am delighted that there is significant investment through the commonwealth and state partnership to provide federal government funds to further improve South Australian schools and preschools.

The commonwealth investment adds to our social inclusion measures to create better opportunities for children in socially and economically disadvantaged communities through initiatives such as our successful Innovative Community Action Networks, or ICANS. It will build upon our investment in literacy and numeracy, provide more computers for students in years 9 to 12, and assist in further developing a quality education workforce. It will add to our education works investment to improve school and community infrastructure, while also supporting regional employment at this time of global economic downturn.

In contrast, we have witnessed the disappointing negativity and divisiveness of the opposition towards education, and public education in particular. This is an opposition that, when in government, closed schools without listening to or consulting with communities. It was under the former Liberal government's watch in 1999 that school retention was at a low of 67.2 per cent. The opposition has unfortunately been too eager for short-term headlines, regardless of facts or substance. Indeed, their comments have denigrated public education in South Australia: they do

not reflect the achievements and passionate commitment of so many teachers, support staff, principals, parents and children in our public schools.

In contrast, the Rann government's state budget underpins our long-term confidence in South Australia's schools and preschools. We recognise that schools are at the heart of our efforts to create better opportunities for young people. I acknowledge that there is more to do as we continue to invest, reform and revitalise education after many years of neglect. I am pleased that the state government's budget for Education and Children's Services will help us build on the priorities identified as a result of listening and responding to both local communities and research evidence we have gathered through reviews, community forums and analysis over the past seven years.

However, I should make it clear that government investment alone will not improve opportunities for children. The support of parents and the professionalism and skills of staff, together with support from agencies across government and in the community, all play a significant role. Together, we are investing in the future and ensuring all young people can achieve their potential.

I place on record my sincere appreciation to our staff and communities for their commitment to the education of young people throughout our state and, in turn, their contribution to investing in South Australia's future.

**The ACTING CHAIR:** Member for Unley, do you want to make an opening statement, or do you want to move to questions?

**Mr PISONI:** I just have some questions. I would be interested to know who wrote that for you, minister. Was it a public servant, or did you write that? It was absolute nonsense.

**The ACTING CHAIR:** Order!

**Mr PISONI:** I will start on my questions now. I refer to Budget Paper 4, Volume 2, page 9.6, targets, regarding the new SACE. When will universities announce their entry requirements with regard to the new SACE?

**The Hon. J.D. LOMAX-SMITH:** I think the new SACE has been broadly accepted by both the schooling systems and the university and TAFE sectors. They understand the goals of achieving more completions in year 12, and I believe that there has been an enormous amount of work put in place by both SATAC and the universities. It is particularly pleasing that all three of our main universities have endorsed our SACE system collectively. Many of their comments have been written jointly, with jointly signed letters, and I am delighted that the progress that has been made has allowed them to explain how the tertiary selection for the new SACE will occur.

It is true to say that this is obviously a very complex arrangement in 2008. The tertiary selection working party worked with a higher and further education task group to determine the criteria and the subjects that will be assessable and they have decided that the higher education selection subjects (formerly HESS) will now be referred to as tertiary admission subjects. The accreditation by SATAC has been agreed and whilst I am not able to report on the university's pronouncements—a different minister is in charge of further and higher education—I am pleased to say that the university sector is in support of the system.

**Mr PISONI:** So you have no interest in knowing when they are going to be announced so that students can plan their study?

**The Hon. J.D. LOMAX-SMITH:** I said that I am not the correct minister to discuss the university sector. I have just explained—

**Mr PISONI:** So you don't even know. You don't know the answer to that question.

**The Hon. J.D. LOMAX-SMITH:** I have just explained—

**Mr PISONI:** Your students don't know what they need to study to enter university under the new SACE and that is of no interest to you; is that what you're saying?

**The Hon. J.D. LOMAX-SMITH:** I am happy to talk about the schools having announced the procedures. They know the procedures.

**Mr PISONI:** Well, I am shocked that you can't answer that question, minister—such a vital and important question to students.

**The ACTING CHAIR:** Member for Unley, do you have another question? I think the minister has clarified it.

**The Hon. J.D. LOMAX-SMITH:** I have just explained to the member for Unley that the schools have been informed of the procedure.

**Mr PISONI:** Well, students don't know. When will students find out?

**The Hon. J.D. LOMAX-SMITH:** On 19 June 2009.

**Mr PISONI:** I ask this question because this couldn't be answered at a forum for educators on the new SACE. As part of the new SACE, if you fail a subject in year 11, but you go on to pass it in year 12, do you still pass the subject?

**The Hon. J.D. LOMAX-SMITH:** There will be different procedures as to whether it is a stage 1 or a stage 2 subject. It is essential that we, for the first time, have mandated that there be passes in literacy and numeracy. That is a very important step forward in terms of employability for SACE stage 1. I think that it was perhaps an oversight that the previous SACE did not include a requirement to pass, only a requirement to take part in those courses, but there is no mandated year during which any student should take part in any of the programs.

In fact, there is a level of flexibility, as I understand it, so that we might well have the personal learning plan beginning in earlier years and progressing at a different rate. One of the great strengths of our SACE system is that it is highly flexible and it doesn't mandate in which school year each student should be required to get a pass.

**Mr PISONI:** So, again, you don't know the answer to that? That can't be clarified?

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley wasn't listening.

**Mr PISONI:** Sorry?

**The Hon. J.D. LOMAX-SMITH:** Madam Chair, I think the member for Unley wasn't listening.

**Mr PISONI:** So, if you fail in year 11 but pass the same subject in year 12, is it a pass? Do you complete SACE in that subject?

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley is determined not to listen to what I said. I explained that there was a level of flexibility; there is no mandate about the year in which a pass occurs.

**Mr PISONI:** I'm actually listening for a yes or a no.

**The ACTING CHAIR:** Member for Unley, I think the minister has explained it. Read the *Hansard* report. Do you have another question?

**Mr PISONI:** On the same reference, at page 9.6 of the budget paper, relating to 'Targets', dealing with the new SACE, is the minister aware of the large number of secondary teachers who remain confused about the future arrangements and are not confident in their ability to teach the new subjects? In a recent survey of teachers, 66 per cent foresaw problems with implementing the SACE and nearly a quarter wanted it delayed for another year. How, minister, can you then assure parents and students that teachers will be properly informed and prepared to train and properly implement the new curriculum?

**The Hon. J.D. LOMAX-SMITH:** I think that the member for Unley is somewhat confused about the management of surveys. One doesn't expect every year level of secondary school teacher to understand the new SACE. There has been targeted training, a very significant investment, effectively on a needs-to-know basis in that the teachers who are involved in the trialling of programs across the whole non-government and government sector have been involved in training.

At this stage, we are planning for the new SACE to be completed in year 12 the year after next, so that there is a staged training program as part of this more than \$54 million package. It involves a massive training program and it is staged. I have every confidence in the independent board's management of this process and I believe that the system is running smoothly. I can ask Dr Kilvert to explain how many teachers have been involved in the training program but I have every confidence in the system.

I don't believe that the member for Unley has ever supported reform in the SACE system. I remember even the previous Liberal prime minister used to say that people should leave school in

year 10 and get a job rather than being forced to stay on at school. This is obviously a predilection for his party. They don't believe in attainment and year 12 completion.

**Mr PISONI:** On a point of order, the minister is not qualified to speak on behalf of the Liberal Party.

**The Hon. J.D. LOMAX-SMITH:** I wonder who is!

**Mr PISONI:** Some would doubt her qualifications to speak on behalf of educators as well. So, you don't believe the survey? You don't believe that 66 per cent of teachers have foreseen problems in implementing the new SACE? You don't believe that?

**The Hon. J.D. LOMAX-SMITH:** I have every confidence in the independent board. There has been a massive amount of money spent. Maybe Dr Kilvert can tell us how many teachers have been trained.

**Dr KILVERT:** Through the minister, there are workshops occurring during term 2 and term 3 for teachers of year 11 or stage 1. During term 2, the focus will be on English and mathematics and, to date, there are 458 teachers for English and 506 teachers for mathematics who have attended those workshops. Those workshops followed the release of all the subject outlines for year 11 and year 12 which were released at the beginning of June as well.

During term 3, there will be workshops for all other subjects and, in fact, 1,700 teachers have already applied to attend those workshops. The process is through provision of the subject outlines, and those training programs that teachers for stage 1 or year 11 will be well prepared to teach the SACE next year.

The indicator of that strategy being effective is that that was exactly the same strategy we used for the introduction of the personal learning plan. During 2008, teachers were prepared for the personal learning plan at about the same time. They were provided with those materials and those supports, and this year the personal learning plan is being taught successfully to year 10 students across the state.

**Mr PISONI:** That concludes my questions on SACE, Madam Acting Chair. I believe we are doing the non-government sector next. I refer to Budget Paper 4, Volume 2, page 9.5. Under the heading 'Objective', it states:

To ensure that the state's public education and children's services offer high quality and responsive services to all South Australians.

I refer the minister to this objective in particular and the subtle difference between this objective and the opening sentence in the 'Building Strong Foundations' synopsis in the education budget for 2009-10, which begins, 'A better education for every child is a key success in work/family and community life.'

Whilst we accept that any and all investment in public schools is welcome and warranted, can parents of children in non-government schools be forgiven for thinking that the state government is concerned only about what is best for the education of children in state schools and is leaving non-government schools out of the equation?

**The Hon. J.D. LOMAX-SMITH:** The member for Unley continues his divisive 'us and them' strategy. In South Australia, we have an unusually collaborative atmosphere between the government and non-government sectors. We work closely together on a range of initiatives. The government has funded, for instance, police checks of all teachers—something the former government refused to do; it only funded police checks of new teachers, not existing teachers—and we funded those checks across the government and non-government sectors.

We work with SSABSA across all sectors. We work on planning for anti-drug and anti-bullying strategies and a whole range of areas collaboratively. Particularly impressive has been the work that has gone on between the three sectors in the build-up to the Building Education Revolution funding package, where I think we are the only state that has a steering committee with each of the sectors working together to find a way of saving money by having similar programs across the three sectors.

That work is possible only because of the good relationship and good understanding and the respect that the systems have for each other. In fact, the three heads of sectors meet regularly, and they are involved in funding joint projects that are innovative and unusual, such as the new Smolicz Awards for language teachers. Having said that, the member for Unley's contribution to

this debate is to constantly criticise public education. He is the one who coined the now memorable statement that public education was rotten to the core.

**Mr PISONI:** That is only under your management, minister—and they are not my words; they are the words of educators. That is what they are saying out there, minister. You do not know, because you do not listen.

**The ACTING CHAIR:** Order, Member for Unley! You will let the minister answer the question; we do not need your opinions.

**The Hon. J.D. LOMAX-SMITH:** Thank you, Madam Acting Chair. I had the courtesy to remain silent whilst the member for Unley was speaking, and I ask him to do the same for me.

**Mr PISONI:** You have the ability to say what you like; I do not, because the chair is not even-handed in her chairing of the committee.

**The ACTING CHAIR:** Member for Unley, will you allow the minister to answer the question? You are here to get answers to questions. If you want to be antagonistic, go and join the party room; I believe there is a meeting going on in there this morning.

**Mr PISONI:** We are not getting answers, Madam Acting Chair; we are just getting political statements from the minister.

**The ACTING CHAIR:** Minister, would you like to finish your answer?

**The Hon. J.D. LOMAX-SMITH:** Thank you, Madam Acting Chair. I am particularly proud of the level of collaboration between the non-government and government schools. I know that must be anathema to the member for Unley because he would like divisiveness—and I personally and my government reject it.

**Mr PISONI:** I have a supplementary question. The latest national survey report on schools shows that the current funding per student to independent schools from the South Australian government is the second lowest in Australia after Victoria. Research conducted on behalf of the independent and Catholic sector in 2008 indicated an increase in state government per capita funding for non-government schools from 2002 to 2006 of 19.8 per cent compared with the Australian average increase of 26.56 per cent. Based on those figures, where is the interest by your government in the non-government sector?

**The Hon. J.D. LOMAX-SMITH:** I remind the member for Unley that he is required to ask questions on the budget, not on other extraneous documents.

**Mr PISONI:** This refers to your budget line. I know why you want to walk away from it; it is because you are embarrassed. However, it clearly states under 'Objectives': 'a better education for every child'. You have consistently said that education is linked to funding, and I have exposed that you have failed in your support for funding for the non-government sector. Is that something you would like to respond to or make a comment about? Can you explain to the non-government sector why it is that South Australia offers the second lowest per capita funding for independent schools in Australia?

**The Hon. J.D. LOMAX-SMITH:** If the member is talking about embarrassment, he might like to reflect on his behaviour with those emails.

**Mr PISONI:** So, you do not want to answer that question. You are telling the independent sector that you are not interested; is that right?

**The Hon. J.D. LOMAX-SMITH:** I am telling you that you should be embarrassed, not me.

**Mr PISONI:** Obviously, you do not want to discuss this matter—you do not want to discuss it with them and you do not want to discuss it in parliament.

**The Hon. J.D. LOMAX-SMITH:** My discussions with the non-government sector are cordial, regular and very productive, which bears no resemblance to this discussion.

**Mr PISONI:** You might be misleading parliament with those sort of claims, minister.

**The ACTING CHAIR:** I think this is getting ridiculous. Does the member for Florey have a question?

**Ms BEDFORD:** My question follows on, in a vague sort of way. I refer to Budget Paper 4, Volume 2, page.9.7. What initiatives is the state government taking to ensure that children are safe

at school, which includes being safe from the cyber world and the development of skills and respectful relationships?

**The Hon. J.D. LOMAX-SMITH:** The state government has made the safety of children and young people paramount in a raft of new initiatives that I am announcing today to crack down on cyber bullying in our schools. The South Australian government will continue its reputation as a leader in this area.

Since putting cyber bullying on the agenda five years ago—the first state to recognise it as an issue facing schools—the complexity of the issue and its many facets have changed significantly. Consequently, we are introducing a range of new initiatives, which have occurred progressively over the last five years, to address cyber bullying into the future. The Department of Education and Children's Services, in consultation with the Australian Communication and Media Authority, has developed a step-by-step guide to detailing how to keep safe in the cyber world. This document, entitled 'Keeping safe in a connected world', urges teachers to educate students in an age-appropriate way about personal safety and privacy, reporting offensive behaviour, illegal activity, and emerging issues such as 'sexting' and the consequences of such behaviour. Students and parents will also be required to sign new cyber safety use agreements that commit to a shared responsibility with their school or preschool to keep children safe.

In addition to new guidelines for schools, I am announcing a major parent and community forum on the topic of cyber safety that will be hosted in Adelaide. A number of renowned cyber safety and anti-bullying experts will be present at the forum, which will be held on 24 August. In consultation with the South Australian Association of Schools Parents' Club, the department has developed a new parent information sheet that explicitly discusses the rights and responsibilities of parents in regard to keeping their children safe in the cyber world. This information will be distributed to parents of school-age children this year, and will also discuss modern cyber risks, including e-crimes such as children circulating lewd images of themselves or others.

This builds upon the information provided and the advice parents received in the pamphlet 'Cyber bullying, e-crime and the protection of children', which was produced jointly by the three education sectors in collaboration with the government's Coalition to Decrease Bullying, Harassment and Violence in South Australian Schools. A total of 150,000 copies of the pamphlet were provided to schools for distribution to all families. Of course, it is also available on the web. This information is vital for parents, as parents and their children may not realise that what they are doing could actually constitute a crime.

My thanks go to the department for its outstanding work, under the guidance of the coalition, in this area, as I recognise the ever-changing nature of cyber bullying. I commend the staff of the department and those experts on our cross-sectoral coalition for keeping abreast of these issues as they have developed and evolved, and ensuring that South Australia remains well ahead of the game. I am also introducing a new cyber safety grants program, which will provide \$100,000 to support schools to develop innovative programs to reduce the incidence of cyber bullying and e-crime among young people in South Australia.

This government has been unrelenting in its efforts to protect children from harm. In 2008 the South Australian 'Keeping Safe' child protection curriculum was rolled out in state schools and preschools, with specialist training delivered to all staff teaching the new child protection curriculum all over the state before it was introduced into the classroom. It is important that young people are taught the skills to maintain respectful relationships for life, and 'Keeping Safe' is leading the way as the most successful respectful relationships education program in schools across the country.

To reflect the resounding success of the program, I recently announced, together with the Minister for the Status of Women Tanya Plibersek, the evaluation of the 'Keeping Safe' child protection curriculum at Black Forest Primary School. The federal government is investing \$130,000 to conduct an evaluation of the program with a view to identifying best practice in teaching about respectful relationships, and possibly rolling out our state's curriculum more widely across the nation.

Every three years our entire teaching and non-teaching workforce undertakes training in responding to abuse and neglect so that they remain up to date in this crucial area of training and development. This three-yearly update training is being delivered across the state throughout 2009. It has been developed in collaboration with Catholic Education and the Association of Independent Schools of South Australia. This continues our strong collaboration with the non-government sectors in ensuring that we have consistent standards in child protection. All staff training in responding to abuse and neglect is recorded on a central database.



Of course, these issues are not confined to schools, although they are taken more seriously and acted upon more promptly than in social and workplace settings. Schools have a very significant role in informing, protecting and advising students, families and local communities about this terrible scourge.

**The ACTING CHAIR:** According to my timetable, we now move on to DECS.

**Departmental Adviser:**

Ms J. Andrews, Deputy Chief Executive, Schools and Children's Services, Department of Education and Children's Services.

**Mr PISONI:** I refer to Budget Paper 3, Page 2.2, Education and Children's Services, and the dot point 'Strengthen school accountability, improve partnerships with parents'. Bearing in mind that in the minister's opening statement she claimed that school retention rates have increased, surely the minister is aware that over 5,000 students are absent from our state schools every day without good reason, and up to 2,000 of those children are habitual truants. Do those numbers relating to the minister's retention rates include school truants?

**The Hon. J.D. LOMAX-SMITH:** I just want to clarify the member for Unley's question: is he implying that schools are being funded to have children in year 12 that do not exist?

**Mr PISONI:** I am asking whether your retention rates include the 5,000 school truants every day and the 2,000 habitual truants; in other words, kids who have not been to school for weeks at a time. Are they included in your retention rate figures?

**The Hon. J.D. LOMAX-SMITH:** I think that the member for Unley is, without intending to, finding a correlation between attendance and school retention. In fact, what is quite clear is that any young person who is going to be an early drop-out from school very often starts their trajectory into dropping out through poor attendance or late attendance in the morning. One of the issues that is apparent is that, first, we must have a good record of who is attending and who is late, and, to that end, we use a much better tracking system than was in place previously, and we have encouraged schools to monitor and reduce unexplained attendances.

One of the first issues is that explained attendances are when students have an illness, a doctor's appointment and a reason for not being at school. The unexplained absences have been hovering, I think, around 3 per cent in the past couple of years. In terms of recognising these students, attendance is not a goal in itself. Attendance is an indication, a sign, that that child is struggling. It is an indication that, perhaps, in that child's life there may be an issue to do with crime or a whole range of domestic issues—children may be carers—and we would seek to intervene in those instances.

We have a range of systems in place to intervene early in those issues, but, certainly, to imply that those children who are truanting are counting as school completions is stretching the point somewhat. I believe that, clearly, attendance is based on enrolments, but there would be, I believe, relatively few students in year 12 who would be enrolled if they were non-attenders. I do not have the exact number for those; I do not know whether anyone can clarify that.

**Mr PISONI:** It is compulsory for them to be enrolled until the age of 17 unless they are working, isn't it, minister?

**The Hon. J.D. LOMAX-SMITH:** I think that the honourable member misunderstands the age spectrum of children who are in schools. There is a large number of children, young people, who are 18 and 19 in schools and it is not compulsory.

**Mr PISONI:** But a large number are in year 12 and they are 17. Are you denying that?

**The Hon. J.D. LOMAX-SMITH:** The member for Unley is trying—

**Mr PISONI:** I am asking about school truancy. There is a compulsory age for them to be at school; and if you are not at school when the law says that you must be at school, surely that is truancy?

**The Hon. J.D. LOMAX-SMITH:** I think that the honourable member is using words in a way that he is dissembling and trying to confuse the matter. There are many children—

**Mr PISONI:** I do not think so.

**The Hon. J.D. LOMAX-SMITH:** —who are past the age of compulsion. Whilst we would want every child to complete a post-secondary education, it takes extra work and inducement once a child is past the age of compulsion.

**Mr PISONI:** The Premier said in 2004 that he would 'rein in' school truancy. No dent has been made in this figure in the past four years—it amounts to about 3 per cent of students every day. No parents have been prosecuted under the provisions of the Education Act in the past five years. Minister, you said on radio:

I understand from my legal advice that the Education Act does not allow us to compel parents to work with our schools and attendance officers...

You also said that advice from your legal officers was that 'our prosecutions do not stick...we cannot progress with them'. You then said that you would make changes to the act. Perhaps, minister, you might want to explain what those changes to the act are and just why it is that prosecutions—

**The ACTING CHAIR:** Member for Unley, I am having a bit of trouble working out whether this is relevant to estimates.

**Mr PISONI:** It is relevant.

**The ACTING CHAIR:** This, again, seems to be another opinion.

**Mr PISONI:** No, this is relevant.

**The ACTING CHAIR:** What line is the honourable member referring to ?

**Mr PISONI:** Here it is. I am referring to the first dot point on page 2.2, Education and Children's Services, which states, 'strengthening school accountability...improve partnerships with parents'. It is quite clear—

**The ACTING CHAIR:** Well, get to your point, then.

**Mr PISONI:** The minister's Dorothy Dixers come from lines such as that, and I cannot see any problem why my questions cannot come from the same lines. It is all in the budget.

**The ACTING CHAIR:** Get to your question, then. A considerable amount of opinion is included in this question.

**Mr PISONI:** Thank you very much for your advice, Madam Acting Chair. Also, conflicts and reasons are given by the department, as opposed to the minister, as to—

**Mr PICCOLO:** I have a point of order, Madam Acting Chair. What is the question?

**The ACTING CHAIR:** Yes. Member for Unley, get to the question.

**Mr PISONI:** Yes, I will get to the question, but the question needs substantial explanation just as the minister's answers need substantial explanation. The question is quite simple.

**Mrs REDMOND:** Can I ask a question while you people—

**The ACTING CHAIR:** No, that is not appropriate. Member for Unley, will you get to your question.

**Mr PISONI:** What changes will the minister be making to the act? The minister has made—

**The ACTING CHAIR:** Your question is: what changes will the minister be making to the act? Is that your question?

**Mr PISONI:** That is the question; it is quite simple.

**The ACTING CHAIR:** Minister, would you like to respond to that question?

**The Hon. J.D. LOMAX-SMITH:** I am not sure where that lies within the budget statements, but, certainly—

**Mr PISONI:** So, you do not want to answer the question again, minister? It is your own budget. You are answering questions from your own side, from dot points, but you will not answer them from me.

**Mrs REDMOND:** That is what she said in response to the member for Florey's question.

**The Hon. J.D. LOMAX-SMITH:** Can I ask for a little quiet while I try to answer the question? I cannot out-shout the member for Unley. His bullyboy tactics and his screaming are something that I cannot compete with. I just ask him to be quiet whilst I answer the question.

*Mrs Redmond interjecting:*

**The ACTING CHAIR:** Order! The member for Heysen will allow the minister to answer the question.

**Mrs REDMOND:** She is not answering the question; that is the problem.

**The ACTING CHAIR:** The member for Heysen will come to order.

*Members interjecting:*

**The ACTING CHAIR:** Could we have some order or we will adjourn for a few minutes. Minister, would you like to answer the question, in silence?

**The Hon. J.D. LOMAX-SMITH:** Thank you. It is worth noting that there are some amendments that we wish to make to the Education Act, and that would certainly strengthen the power of the department. The reality is that the best outcome from a poor attendance incident is to have a child return to school, and that is the goal of any intervention, collaboration or prosecution.

Certainly, the changes that are required will be the substance of consultations. They will occur over the next months. The discussion papers I believe have gone out and there are a whole range of people putting in submissions. I do not believe the member for Unley has made any submissions to our legislative review, although I may be mistaken. I would be interested to look at his legal advice as he obviously has a legal adviser.

**Mr PICCOLO:** I draw the minister's attention to Budget Paper 4, Volume 2, page 9.6, Highlights: Education Works. This is an area of interest in my electorate, which has had huge success with the Education Works programs. Will the minister advise the committee how schools can participate in the Education Works program?

**The Hon. J.D. LOMAX-SMITH:** The Education Works program is a \$216 million program aimed at giving school communities the opportunity to reshape education and the way it is delivered in their neighbourhood. It not only delivers better school environments but also ensures that students have greater choice. The most familiar element of Education Works is the Rann government's \$134 million commitment to deliver new schools in Adelaide's northern and western suburbs, and this investment will enrich the member for Light's community substantially.

The way in which school communities embraced this project gave rise to stage 2 of Education Works, with a further \$82 million being committed to school and preschool communities across South Australia to also offer them the chance to restructure. This gives them the opportunity to look at what infrastructure is needed to ensure that an amalgamated school delivers better choices for students. Unlike the Liberals when last in office, the Rann government does not choose to close down schools against community wishes. We believe that school closures—

**Mrs REDMOND:** You are the most outrageous—

**The ACTING CHAIR:** Order!

**The Hon. J.D. LOMAX-SMITH:** —must be voluntary and approved by the majority of parents.

**Mrs REDMOND:** Is she going to sit there just telling blatant untruths?

**The Hon. J.D. LOMAX-SMITH:** On a point of order, I think the member for Heysen has called me a liar—she said I was saying untruths.

**Mrs REDMOND:** I said you are sitting there telling blatant untruths—I did not call you a liar.

**The Hon. J.D. LOMAX-SMITH:** Well, I find it offensive.

*Mrs Redmond interjecting:*

**The ACTING CHAIR:** Member for Heysen, you will need to end up apologising to the minister if you continue in that vein.

**The Hon. J.D. LOMAX-SMITH:** We want to ensure that restructuring achieves the following sensible objectives: improving curriculum choices and opportunities; arrangements that

support collocation, sometimes from birth to year 12; a school size that allows for a broad curriculum that is diversely relevant to the particular area; involvement of other agencies or community services; and demographic sustainability.

The Rann government knows that school communities know what is right for them, and that is why parents, teachers and school leaders have worked together as a planning committee to draft proposals. As initial consideration is given by the school's governing council, I would be very surprised if schools chose not to advertise their interest through their newsletters. This is a voluntary process and, if school communities like Waikerie are not happy with the proposal, then the idea goes no further.

In February, schools across Australia were delighted with the federal government's \$12.4 billion Primary Schools for the 21st Century package. Schools considering Education Works proposals were equally excited, as this funding could be combined if they amalgamated. Nobody can deny that the time frames imposed on schools were tight, but it would be foolish not to ask the communities if they wanted to combine these funds as part of a possible future restructure.

Whilst most schools under Education Works, stage 2, usually bring together two or three schools, the circumstances in some communities are quite different as a very large number of schools are involved. In the case of Whyalla, for instance, the community is discussing bringing together 19 schools down to, I think, five if I am correct. Rather than simply taking a vote for schools to close, a special two-step process is currently being used. Last week the communities voted on whether they supported the proposals put together as a result of consultation by their local planning committees. If they chose not to support such plans, then the commonwealth funds would be allocated to each school as it exists now.

This will give these schools more than enough time to decide on separate projects before applications are submitted in July. Should the school communities vote in favour of any proposal, it will then be worked through by DECS before being considered by cabinet and, if the proposal is viable, school communities in August will be asked to vote a second time to close. Regardless of what schools decide, they will each receive every last penny of the money promised to them by the commonwealth.

Communities across the state have realised that Education Works is about delivering better facilities for students. Once they are in place this leads to better choices and ensures more opportunity for our children. I apologise, the proposal was for seven sites in Whyalla.

**Ms BEDFORD:** I refer to Budget Paper 4, Volume 2, page 9.5. How is the state government working with the commonwealth to improve school facilities as part of the Building the Education Revolution (BER) roll out?

**The Hon. J.D. LOMAX-SMITH:** I am sure the honourable member is not the only person in the chamber who was ecstatic when the commonwealth announced its \$14.7 billion stimulus package. Not only will schools receive funding for maintenance and new buildings, but local businesses will also have a chance to get back on their feet following the recent economic downturn. The South Australian government is working closely to ensure these programs are delivered to meet the tight deadlines and that schools get as much value for money as possible.

The South Australian government school sector anticipates receiving over \$70 million from the \$1.3 billion National School Pride initiative. Our schools are in a perfect position to recruit locally from the maintenance work that this program allows. As some schools are amalgamating under Education Works, they are able to buy equipment like electronic white boards that they can take with them once their new school opens.

In the meantime, the state government will maintain their school facilities. I understand that there are some schools wishing to upgrade their airconditioning. This can occur in the new buildings built under the Primary Schools for the 21st Century Program, but not under the federal guidelines for National School Pride.

The good news is that this support by the Rudd government frees up our resources to concentrate on matters like air conditioning, and I am delighted to take this opportunity to announce that the state government's 2008-09 School Pride asset grants this year of \$12 million are being spent to improve school facilities as part of our three year \$36 million program. I have no doubt that many members will be delighted by improvements in such things as air conditioning, and the member for Flinders, who is not here at the moment, would be pleased to know that—

**Mrs REDMOND:** Madam Chair, I think it is disorderly for the minister to suggest that a person is not in the chamber.

**The ACTING CHAIR:** I think it was suggested on a number of occasions yesterday.

**The Hon. J.D. LOMAX-SMITH:** I am sure the member for Flinders would be delighted to know that this program will direct \$41,000 on improving school air conditioning in her electorate.

Since 2002-03, \$908 million has been invested in school capital works, maintenance and asset funding: \$908 million. When the commonwealth announced \$12.4 billion for Primary Schools for the 21st Century, it confirmed that Canberra shared our priorities. As this represents an investment of over \$850 million for government schools, every effort has been made to ensure the speedy and effective delivery of the program. Following the Prime Minister's announcement of this program on 4 February, the Premier was instrumental in organising a gathering of school leaders on the 17th to explain the processes involved.

It is easy for some people in our community to forget that the tight deadlines are there to ensure our economy gets back on track quickly. As with many projects constructed in regional areas, whether a home or police station, higher prices occur in the country. Whilst every effort is made to keep prices down through measures such as bulk tendering, funding is based on enrolments, with the commonwealth funding measures choosing the same formula for both country and metropolitan schools.

To minimise difficulties in regional areas, where schools have indicated their knowledge of a builder willing to undertake their project at a lower price than could be tendered elsewhere, DECS has requested that their details be sent to DTEI so that the department can potentially contract the builder should their price be truly comparable. Every effort is made to ensure that local builders are used. Unfortunately, not every town has a pre-qualified builder. In their absence, a builder from a nearby town is sought.

It is worth noting that, on the broader issue of the capacity of the building industry, DTEI has advised that the construction industry in South Australia has not suffered such a large downturn as that experienced interstate so that, whilst there may be pressure on the construction industry to supply suitably qualified builders, everything is being done to make sure that we receive value for money.

The initial cost estimates by the government for standard designs have been revised by Rider Levitt Buchnall, and the government, together with DTEI, has taken these figures and tested them against builders' costs. As a result, builders have been set an upper cost limit when submitting their prices. To ensure that the millions of dollars are spent wisely, different plans are not submitted for every school, with the use of standard designs cutting costs.

As the Rann government has devoted significant resources to school projects in recent years, very fine designs, some of them award winning, have been selected for our most recent projects. I am told that the 26 standard designs offered in South Australia eclipse what has been offered interstate, and this comes on top of 180 projects in schools where an architect will be used because standard designs are not suitable.

All of this work represents an enormous amount of effort by state government agencies, and that is why we are grateful that a further sum of money amounting to 1.5 per cent of the entire Building the Education Revolution program has been allocated to cover administration costs.

In finishing, I commend all the staff involved for their work in fulfilling the commonwealth's requirement to have work commenced on round 1 of Primary Schools for the 21st Century projects by 30 June. As all contractors have now been appointed, I am advised that South Australia is progressing well in satisfying the federal government's deadlines.

**Mr PICCOLO:** I draw the minister's attention to Budget Paper 3, page 2.22 and the third dot point dealing with the Digital Education Revolution program. Will the minister advise the committee how the state government is assisting the commonwealth in ensuring that each public school student in years 9 to 12 has access to a computer?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Light for his question. I can see that the member for Unley is listening; I know he is interested in emails. I imagine he is also delighted that South Australian students will have one to one access to a computer in years 9-12 by 31 December 2011. This is a \$2 billion program, to be spent over five years. From this fund \$100 million has been spent on providing fibre to the premises broadband connections. I have no doubt that Liberals from Unley to Wentworth will be envious of how quickly students will be able to send and receive emails.

The first round of the Digital Education Revolution commenced last year, with 47 government schools receiving \$4.4 million. This lifted schools with a computer to student ratio of 1.8 or worse to an improved ratio of 1.2. All computers ordered so far were delivered by the end of January. These saw 1,780 replacement and 2,662 new computers, I am informed, delivered to the 47 schools.

Round 1 of the program has been an outstanding success. Initially, schools were told that out of the \$1,000 allocated per computer there would be a modest \$40 administration fee and \$25 recycling fee but, due to the efficiency of the DECS team, only \$12.50, or 1.25 per cent, was charged for these costs for each computer. The department has arranged for a program to collect old computer equipment from schools in July at no charge.

By bulk purchasing, the government has been able to deliver the standard desktop to schools at a far reduced price. DECS has done a significantly good job in procuring these computers, so much so that Christies Beach High School has ordered an additional 87 computers, as I understand. I am delighted to announce that, following negotiations in May, no school involved in round 1 will need to buy an additional licence. Negotiating between DECS and Microsoft concluded with all new computers to be covered by the existing agreement.

This means that the 2,662 computers will not be charged a three year licence fee. It means this money can be passed onto schools to spend on even more computer-related products. Negotiations continue in the hope that a similar outcome will be achieved in future rounds.

South Australia successfully negotiated an extra \$37.8 million to cover the on-costs for all the new computers. While planning is in an early stage, the government is in discussion with key stakeholders and the commonwealth on how we can best achieve the one-to-one ratio. I understand that some schools had already made investments in their infrastructure before the issue of on-costs was resolved. Of course, reasonable reimbursement will be the department's next priority in allocating these additional funds. Once this has been completed any remaining funds will be allocated to schools on a per capita basis.

The second round of the digital education is now in full swing. This aims to ensure that students in Years 9 to 12 will have a student to computer ratio of one to two. All additional computers for round 2 will be purchased to suit the needs of each school, with the next procurement round scheduled for September. This will mean that only five government schools will not have benefited from this commonwealth program as they have already achieved or eclipsed a student to computer ratio of one to two.

As the funding deed with the commonwealth has now been finalised, the department is currently collating orders to ensure these schools also enjoy the benefits of bulk tendering. While the Liberals talk down the digital education revolution, the state government is getting on with the job of making sure that our students are better prepared for jobs of the future.

**Mrs REDMOND:** Every answer you give you say something about the Liberals which is not true; and you just smirk. You are just outrageous.

**The ACTING CHAIR:** Minister, have you finished your answer?

**The Hon. J.D. LOMAX-SMITH:** I have finished my answer thank you, Madam Acting Chair.

**Mrs REDMOND:** I refer to Budget Paper 3, page 2.22, to which the member for Unley referred previously; that is 'more flexibility for school staffing, management and operational arrangements'. I also refer to page 2.23 and the reference 'implement evidence based interventions to achieve accelerated and sustained improvements in literacy and numeracy outcomes for all students, particularly those most in need'.

I also refer to your unbelievably strange comment in your answer to the member for Florey where you asserted that the state government has made the safety of children paramount. You said that in the face of the Coroner's findings about an 11 year old boy who died because of the failure of the department to actually follow up on truancy.

Given that apparently there has been no attempt at a prosecution under the Education Act for truancy over the past five years, on what basis do you assert—as you have on numerous occasions—that the Education Act needs amending specifically in the area of dealing with truancy of students?

**The Hon. J.D. LOMAX-SMITH:** There were three references, and we are still trying to work out which was which. The reference that was given did not relate to this issue, but I think I

have explained before that we have taken legal advice. While I have great respect for the member for Heysen—she is a lawyer and I imagine she understands such things—our legal advice is that we should amend the act.

**Mrs REDMOND:** How can you say that, minister, if you have not attempted a prosecution? On what basis do you say the act is inadequate?

**The Hon. J.D. LOMAX-SMITH:** I take legal advice; I do not go by hearsay.

**Mrs REDMOND:** Obviously, the minister does not know what the term hearsay specifically means. In the absence of a failed attempt to prosecute because of the act being inadequate, how can there be a basis for any legal advice to the effect that the provisions in the Education Act are not adequate to enable the truancy provisions—which are not being enforced by the department—to be amended?

**The Hon. J.D. LOMAX-SMITH:** I do not believe that the assertions by the member for Heysen are accurate. We have very focused attention on attendance, and we have been involved in a range of issues to do with training staff, focusing on attendance, making sure records are kept properly and having attendance officers attend and work with families and other agencies.

I take the death of any child very seriously. Clearly, the Coroner's report had a range of comments that were important and significant. We take those into account. Many of the issues about coordination and whole of government strategies are certainly being worked upon.

Having said that, I am told that in the last seven years the process of prosecution has commenced, but has been unsuccessful and has not been resolved. With that in mind our legal advice is that we need to amend the act. Having got that advice, it would be remiss if we did not do it.

**Mrs REDMOND:** You said 'in the last seven years'. We have had the death of one boy. Numerous children are not attending school every day and there is a failure by your department to act on it. When will something happen?

**The Hon. J.D. LOMAX-SMITH:** I believe our investment in school retention and attendance has been successful at rescuing many children who have been at risk. I would draw the attention of the committee to the measures of our attendance processes. I believe 1,500 children this year, who were poor attenders, at risk and likely to drop out, have been re-engaged. There was a similar number last year. Over the future years we will be extending that program. Certainly, recognising poor attendance and other risk factors is a very important way of ensuring children stay engaged and are retained in the education system.

The focus on truancy that the government has implemented has been quite significant. We have reshaped many of our processes, our intergovernment relationships and our capacity to work across government. We are continually monitoring and measuring the achievements in this area. That relates to the accountability. When we talk about accountability we make it quite clear through our administrative guidelines that the accountability does rest with schools—school teachers, school principals and local districts—and reporting and giving information so it can be centrally collated.

I think much of the reform is about making sure that interventions are early and are prosecuted intensely in order to help every child. But, clearly, it is not just about truancy measures; it is about re-engagement, and about early intervention with learning difficulties. The accountability is about identifying children who struggle and have other issues in their lives, and making sure that intervention occurs early.

I point to the fact that a large number of those students involved in the ICAN programs are actually the poor attenders, and they are rescued through collaboration with police, Families and Communities, and sometimes the corrections services, and they are given opportunities in a more flexible environment. Sometimes, that is the way to ensure that people are re-engaged in schooling.

**Mr PISONI:** I refer to Budget Paper 3, page 2.22: 'strengthened school accountability and improved partnerships with parents'. How many full-time DECS personnel deal with truancy and attendance issues? Perhaps you can break that down into districts.

**The Hon. J.D. LOMAX-SMITH:** As I said earlier in my response, the role of attendance monitoring and intervention is one for every teacher. It is not just for specialists who fly in and fly out; it is a role that involves our teachers at the coalface.

I have to say that the other interesting element that the member should take into account is that our counsellor numbers have increased. Counsellors are in 63 per cent of our schools, and that is a 17 per cent increase since we have been in government. The presence of counsellors, the focus on attendance within our schools, the recognition that poor attendance is a precursor to dropping out early, and the need to have collaboration (as the member for Heysen said, improved collaboration was highlighted in Mr Johns' report), are all part of the whole picture. As I understand the districts, we have 10 full-time equivalents across our system.

**Mr PISONI:** How many of the counsellors that you mentioned are in primary schools?

**The Hon. J.D. LOMAX-SMITH:** We will take that on notice.

**Mr PISONI:** I refer to Budget Paper 3, page 4.6: commonwealth payments to South Australia. Can you provide a breakdown of the 2008-09 and 2009-10 education payments by type of payment, that is, recurrent funding for education service delivery (such as teachers' salaries, etc.) versus infrastructure payments, federal nation building and other national infrastructure programs?

**The Hon. J.D. LOMAX-SMITH:** Can I clarify that? That is a breakdown of the federal government's funding used in those ways in state government schools?

**Mr PISONI:** Can you provide a breakdown of the 2008-09 and 2009-10 education payments, by type of payment, recurrent funding for education delivery versus infrastructure payments? So, a breakdown of the federal government payments. If you are going to bring that back on notice, could you also provide a breakdown of the forward estimates for each type of education payment? The forward estimates are in the—

**The Hon. J.D. LOMAX-SMITH:** Can I check the page number? The line number we have includes non-government schools. I just need to check the line number again. Can you repeat it, please?

**Mr PISONI:** The page number is 4.6. There is a line there for education. So I am asking for a breakdown of the—

**The Hon. J.D. LOMAX-SMITH:** The member is asking a combined question that relates to government and non-government schools.

**Mr PISONI:** I will have the government funding, the funding for government schools.

**The Hon. J.D. LOMAX-SMITH:** So he does not wish to know about non-government schools, only government schools?

**Mr PISONI:** I am happy to take it, but—

**The Hon. J.D. LOMAX-SMITH:** Well, you will be able to subtract it, but you want to have every line?

**Mr PISONI:** —we have completed the non-government school part of the estimates process. I am sorry, minister, you can call me cynical, but I was thinking that maybe you were looking for an out. But, if that is not the case, I would be happy to have a full breakdown of the revenue grants. Commonwealth payments to South Australia 2008-09 and 2009-10' is the heading. In the budget for this year there is \$1.154 billion and there is an estimated result for the current year. It is all covered by that budget line so, if you are able, would you give us a breakdown and also a breakdown in the forward estimates?

**The Hon. J.D. LOMAX-SMITH:** Can the member explain to me where he sees the forward estimates, because they are not on that line?

**Mr PISONI:** Treasury has copies of forward estimates, and they relate to—

**The Hon. J.D. LOMAX-SMITH:** No, not on that line.

**Mr PISONI:** So, are you saying you are not prepared to give that information?

**The Hon. J.D. LOMAX-SMITH:** I am saying they are given not on that line because they are—

**Mr PISONI:** So, you are not prepared to give that information. You are using any excuse to hold information back from this parliament, is that what it is?



**Mr PICCOLO:** I have a point of order, Madam Chair. I understand that the committee process is to examine the documents before us, and forward estimates are not. The member is quite at liberty to ask that in parliament during question time next week, if he is there.

**Mr PISONI:** I can understand the member for Light being so upset and embarrassed by this government's performance in education, because he will be the first to go.

**The ACTING CHAIR:** Order! Minister, do you want to respond to this question or take it on notice?

**The Hon. J.D. LOMAX-SMITH:** Can I explain? I know the member for Unley struggles to understand simple accounting processes, but—

**Mr PISONI:** On a point of order. You are the one struggling, minister. It is a very simple question.

**The ACTING CHAIR:** I do not think this is a point of order.

**Mr PISONI:** If you cannot answer it now, take it on notice and get it back to us before 12 months.

**The ACTING CHAIR:** Member for Unley, would you stop yelling over the top of the chair?

**The Hon. J.D. LOMAX-SMITH:** Madam Acting Chair, can I explain again that the line that the member for Unley is directing his question towards is a federal government budget line. We are not the federal government. They have not given us a forward estimate. So, I am explaining to him that the question he is asking is not appropriate. I can ask Ms Riedstra to explain again slowly, and he might like to listen, but I think she will explain it in more or less the same way. I will ask Ms Riedstra to explain why the forward estimate is not on the line that the member has asked about.

**Mr PISONI:** I'm asking about the forward estimates. If you're not prepared to answer that question, that's fine, so perhaps you can answer this question.

**The ACTING CHAIR:** No; we'll get an answer from Ms Riedstra, member for Unley, and get this clarified, and then it will be the government's turn to ask questions.

**Ms RIEDSTRA:** Through the minister, the forward estimates aren't published in the budget papers.

**Mr RAU:** This question refers to Budget Paper 4, Volume 2, page 9.10, sub-program 1. Can the minister inform the committee how the government continues to support students with disabilities?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Enfield for his elegantly enunciated question. The number of students with disabilities in mainstream schools has increased by 46 per cent since 1999. Since this government came to office, we have increased funding to all students with special needs by \$120 million. This is additional funding.

In addition, DECS provides a range of other funding and support for students with disabilities, including transport assistance, disability units in special schools, support teams throughout regions in South Australia which includes speech pathologists and psychologists, and additional support and funding for students with challenging behaviours.

In December 2006, I announced a \$24.1 million funding boost over four years to support students with disabilities in state schools and \$16 million over four years to support students' needs in non-government schools. In 2008, the Disability Support Program provided \$38.5 million in funding directly to students with disabilities in mainstream schools. This does not include students in specialised behaviour units, classes or special schools who receive an additional \$62 million in funding to support their learning.

An extra \$5.72 million is provided through the District Disability Supplementary Funding program across all schools to support students with very complex needs locally. In addition to the \$120 million in funding and support, I also provide special grants to organisations through the Ministerial Advisory Committee for Students with Disability. Through this grants program, the state government provides a recurrent grant of \$2.4 million to child and youth health for the Access Assistance Program.

The advisory committee also distributes commonwealth funds to all organisations that offer services to assist students with disabilities, this year totalling over \$4.2 million. Organisations that

receive funding include Cora Barclay, Downs Syndrome, Autism SA, Novita, Guide Dogs Association, Townsend House and Inclusive Directions. These are important measures, and we recognise the role played by non-government organisations and we express publicly our gratitude for their efforts.

**Mr PICCOLO:** I draw the minister's attention to Budget Paper 4, Volume 2, pages 9.5 and 9.6, and also sub-program 2.1 on page 9.12 and sub-program 2.2 on page 9.16 in relation to science and mathematics skills. Can the minister please inform the committee what the government is doing to improve the skills of students in the areas of science and maths?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Light for his elegant question. The government recognises the importance of science and maths skills and acknowledges this in the South Australian Strategic Plan. We are well placed to achieve our ambitious target of increasing the proportion of students gaining a tertiary entrance rank or equivalent by 15 per cent in mathematics, physics or chemistry by 2010.

Last year, for the first time since the year 2000, there was an increase in the number of students gaining a TER in mathematical studies, chemistry and/or physics. Compared with 2007, 208 extra students studied these subjects. This is a fantastic result, but we realise there is still much to do. That is why we are stepping up our approach by introducing mandated teaching times for primary school students. We realise students need to engage with maths and science regularly at an early age to develop enthusiasm, interest and the fundamental skills they require to continue taking these subjects in senior school.

The skills of our young people are of paramount importance, which is why \$105 million will be spent on lifting the skills and achievements of every state primary school student over the next four years. This move will establish South Australia as a leader in science and maths education around the nation. An immediate one-off primary skills grant will be provided to every primary school to support the development of science and maths priorities in line with their improvement plans.

This grant represents an investment of \$7.8 million. Every primary school teacher from reception to year 7 will receive new specialist training in science and maths between 2010 and 2012. Minimum teaching times will be in place by 2012. This will mean that all primary school students will receive a minimum of five hours per week of maths teaching. Reception to year 3 students will spend a minimum of 90 minutes a week learning science; and students in year 4 to 7, a minimum of two hours engaging with science.

This move is in line with the recommendations from the Australian School Science Education National Action Plan and the National Numeracy Review. In addition, research has shown that science sometimes forms as little as 3 per cent of the curriculum time in primary schools. Our minimum times will lift students' participation in science to 8 per cent which is on par with the OECD averages. This strategy recognises that primary school provides a foundation for children's participation, motivation and success in later years.

**Ms BEDFORD:** My question relates to school-to-work initiatives and I refer to Volume 2, page 9.18, sub-program 2.3. What investment is the Rann government making in senior secondary education to ensure that students are better prepared for future careers and further education beyond school?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Florey for her question, also nicely articulated. I have often said that the biggest brain drain for our state is young people not reaching their potential, and dropping out of school early is one of the greatest risks to an individual's future wellbeing and participation in the community.

Research shows that young people who do not complete their senior secondary education are at a greater risk of being unemployed or in lower skilled jobs. This can impact on their social and economic opportunities over a lifetime. That is why a central commitment by the state government ever since coming to office has been the provision of support for young people to stay engaged in education and training.

Indeed, that commitment is reflected in the South Australian Strategic Plan, which has an explicit target for learning or earning. We aim to work with young people in communities to address that target by 2010 and increase the number of 15 to 19 year olds engaged in full-time school, work or further education to 90 per cent.

We have made significant inroads with our retention of students in schooling. In South Australian government schools in 2007, the year 8 to 12 full-time equivalent retention rate

increased to 74.5 per cent. In 2008, this rose to 75.3 per cent, which is the highest year 8 to 12 full-time equivalent student retention rate since 1995. It has been central to the government's strategy to make sure that those students most at risk are targeted with additional resources and support.

Among our successful programs are the innovative community action networks (ICANs), which were implemented in 2004 as an initiative of the Social Inclusion Board. ICANs target young people who are at significant risk of leaving school early or have left school without any formal qualifications. The program especially focuses on vulnerable groups. These can include young indigenous Australians, some recent migrant groups, students with poor literacy and/or numeracy skills, young people in rural or remote areas or from socially and economically disadvantaged backgrounds. They can even include young people whose life is affected by family, drug or alcohol use; those from a Juvenile Justice background; those with mental health issues, or those who are homeless or act as carers within their families.

A key to the success of the program is that it involves schools and communities together. ICANs bring community and school services together to help those young people access further education, training and employment. Key regions have been the northern, southern and north-western metropolitan areas and the Upper Spencer area in the state. There has been such success with this program, with outcomes showing that more students have been engaged each year. For example, in 2007, 77 per cent of the 803 targeted students achieved a positive learning or earning outcome. In 2008, there were 1,486 targeted students in the 37 secondary schools connected with ICAN; and in term 1 of 2009, there were 1,546 targeted students enrolled in the 39 ICAN-linked secondary schools.

To build on this success, last year's budget allocated an additional \$10.5 million over four years towards a program called 'ICAN Works'. This initiative integrates three of the successful programs that were originally developed under the Social Inclusion Board's Schools Retention Action Plan. Between July 2008 and May 2009, 2,642 students participated in 'ICAN Works' programs.

We are now looking to expand ICAN to include more secondary schools, whilst also supporting, in addition, upper primary age students who are at risk of not successfully engaging in secondary school. To complement the ICANs, the government has also invested in mentoring and support programs at the vital secondary year levels.

In 2008, DECS implemented a secondary mentoring program, with funding support of \$4.58 million from 2008 to 2010. This mentoring program is specifically aimed at supporting young people who need support to complete their SACE or to successfully move into further education, training and employment. At this stage, 54 schools with secondary enrolments are participating in the program. These schools were invited to participate, based on their year 10 to 12 enrolments, retention data and their index of disadvantage. Each school in the program has been allocated specific teacher time to support one-on-one mentoring for 10 students and to facilitate coordination of mentoring support in the schools.

In addition, the schools involved received a Student Learning Support Grant to address the individual learning needs of a targeted number of students identified by the school. In 2008, 1,166 students received mentoring support. Of these students, 644 were in year 12; 297 in year 11; and 225 in year 10. Aboriginal students accounted for 19 per cent of the total number of students.

Retention and destination figures show (and this is an astounding result) that 97.7 per cent of those students targeted through this mentoring program were retained in learning or earning, with 94.1 per cent engaged in schooling. In addition, Aboriginal retention destination figures show that 96.3 per cent of targeted students were retained in learning or earning and 93 per cent of these students were engaged in schooling. Half (50 per cent) of the year 12 students targeted through the mentoring program achieved the SACE, and of these students 40 per cent achieved a TER; 495 students achieved a TAFE score; and 9 per cent of these students re-enrolled for 2009.

The achievements and broad reach of these programs build on previous mentoring programs funded by the Rann government and have supported over 9,000 students across years 6 to 12 since 2003. I am pleased that these young people are being assisted to achieve their potential through education and training. It is not only good for them as individuals but also good for our community.

**Mr PISONI:** In response to a Dorothy Dixier from the other side in relation to the TER scores, I refer to Budget Paper 4, Volume 2, page 9.6, the second dot point. By omission of the full facts, you came very close to misleading the committee when you suggested that the government has made inroads into TER or equivalent in maths, physics and chemistry. I ask why

you did that, and I direct your attention to your own government's Strategic Plan, which shows that, when your government came to office in 2002, 41 per cent of students were receiving a tertiary entrants rank or equivalent in at least one of the following subjects: mathematics, physics or chemistry.

In 2007, after a continual decline since your government came to office, we are now at 35 per cent, which is the latest figure in the Strategic Plan. There is a footnote in the budget papers that also states that the target was rated as negative movement and unlikely in a 2008 progress report. Can you explain, then, how you can claim success in achieving increases in TER in your term of government?

**The Hon. J.D. LOMAX-SMITH:** I think the statistics are difficult in terms of those children who are involved in particular courses. Of course, we have had the highest ever number of students completing SACE; so there is a larger overall number. Certainly, last year was the first year there has been movement in our science completions. I have been informed that there were 208 extra—

**Mr PISONI:** No, they have been moving down for years, minister.

**The Hon. J.D. LOMAX-SMITH:** —students who studied those subjects compared with 2007. I am informed that there were 208 extra students. It does not matter which way you cut it, that number appears to be true. It is the number I have been given by the department.

**Mr PISONI:** It is your own target and you are falling way behind. It is your own target. It is not my target: it is your target.

**Mr PICCOLO:** Madam Chair, can the minister be given the chance to answer the question?

**The ACTING CHAIR:** Yes.

**The Hon. J.D. LOMAX-SMITH:** Madam Chair, one of the issues I have noticed about those in opposition—and I hate to quote Seneca, but Seneca said, 'Unless you know to which port you sail, all winds are unfavourable'—is that they do not appear to have any targets, goals or aims. They are not in a very good position to criticise the fact that we have chosen stretch targets to set ourselves.

**Mr PISONI:** My question refers to Budget Paper 4, Volume 2, page 9.5: commonwealth revenues income line. You will notice, minister, that commonwealth revenues have decreased from \$248 million in 2007-08 to \$137 million in 2008-09 to only \$32 million in 2009-10. Conversely, we see an increase in the intra-government transfers line underneath.

First, I am interested to know the explanation for the changes. Where are the intra-government transfers coming from and where did the government receive that money in the first instance? Some would argue that this is an attempt to reduce, at first glance, the federal government contribution to the state budget.

**The Hon. J.D. LOMAX-SMITH:** I am glad the member for Unley has clarified his position by explaining that it is 'at first glance', because obviously we have not drilled into the matter and I cannot find the numbers he quotes on the page he has given.

**Mr PISONI:** Page 9.5: the income statement. I thought you were an expert on this, minister. You are talking as though you are an expert on this, but you cannot even find the page number.

**The Hon. J.D. LOMAX-SMITH:** I think you have the wrong page number.

**Mr PISONI:** Page 9.25, Income.

**The Hon. J.D. LOMAX-SMITH:** Perhaps the member for Unley would like to apologise; he gave us the wrong page number.

**The ACTING CHAIR:** I would like to know what is the correct page number.

**Mr PISONI:** Page 9.25.

**The Hon. J.D. LOMAX-SMITH:** He has been saying '9.5'.

**The ACTING CHAIR:** You have been saying '9.5'. So you are now talking about page 9.25.

**Mr PISONI:** Looking at 'Income', the second line down, you have 'Intra government transfers', commonwealth revenue, and you can see that there are quite significant changes from last year to this year. We are seeing intra-government transfers. I am very keen to know where those intra-government transfers are coming from and where the government got them in the first instance.

**The Hon. J.D. LOMAX-SMITH:** I am glad the member for Unley clarified his position by saying that it was 'at first glance', because he might have read further and then he would have discovered that, on 1 January 2009, the intergovernmental agreement on federal financial relations came into operation. Under the new arrangements, Department of Treasury and Finance, rather than the Department of Education and Children's Services, will be the recipient of commonwealth funding, the national partnership payments, the national specific purchase payments. The financial statements recognise that funding from 1 January 2009 is provided to DECS in the form of appropriation and other transfers from DTF, rather than revenue directly from the commonwealth.

**Mr PISONI:** Are you saying that the full amount of \$559,907,000 on that income statement is all federal government money?

**The Hon. J.D. LOMAX-SMITH:** The explanation for the transfers that you asked for, as I understand, is the one I have just read out.

**Mr PISONI:** I am asking: is that all federal government money? Is the \$559,907,000 all federal government money?

**The Hon. J.D. LOMAX-SMITH:** It is all intra-government transfers.

**Mr PISONI:** Yes, but it is all federal government money?

**The Hon. J.D. LOMAX-SMITH:** It is a different question now.

**Mr PISONI:** You have just said that that is the mechanism for distributing federal government money. I want to know how much of that is federal government money.

**The Hon. J.D. LOMAX-SMITH:** It is not all federal government money, but that is the definition of the intra-government transfers. We believe that most of it is.

**Mr PISONI:** Can I have the figure please?

**The Hon. J.D. LOMAX-SMITH:** We will take it on notice.

**Mr PISONI:** Where are the commonwealth national building funds captured in this table?

**The Hon. J.D. LOMAX-SMITH:** Do I take it that the member for Unley wants us to find a reference for him?

**Mr PISONI:** It is the same reference.

**The Hon. J.D. LOMAX-SMITH:** Can the member explain whether he is requesting revenue or expenditure?

**Mr PISONI:** Where are commonwealth national building funds captured in this table? This is income.

**The Hon. J.D. LOMAX-SMITH:** I will ask Ms Riedstra to explain to you simply.

**Mr PISONI:** Well, minister, you have been telling everyone that you are an expert on the budget and I am not, yet you are referring to your staff. Goodness me.

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley should be more civil.

**The ACTING CHAIR:** Minister, did you want Ms Riedstra to answer this question?

**Mr PISONI:** You verbal people at every opportunity you have.

**The ACTING CHAIR:** Member for Unley!

**The Hon. J.D. LOMAX-SMITH:** I am quite happy for Ms Riedstra not to answer the question if the member for Unley wants to heckle any further—

**Mr PISONI:** I would like the question answered.

**The Hon. J.D. LOMAX-SMITH:** —because I think his verballing and abusive manner is really offensive.

**The ACTING CHAIR:** It really is quite offensive this morning. I am not sure what he ate for tea last night, but it seems to have affected his liver. Ms Riedstra, would you like to answer that?

**The Hon. J.D. LOMAX-SMITH:** I do not think we should subject a member of staff to heckling from the opposition benches. I think it would be courteous if those opposite were quiet while Ms Riedstra speaks.

**Mrs REDMOND:** I am confident that a member of staff will not be gratuitously insulting, as the minister has been throughout this—

**Mr RAU:** I have a point of order. Madam Acting Chair, it might help everyone if you were to name me as an example to the others of what will happen if they keep this up, because then I would have to leave.

**The ACTING CHAIR:** Minister, do you want to refer the question to Ms Riedstra or do you feel that you have answered the question adequately?

**The Hon. J.D. LOMAX-SMITH:** I think it has been answered. I am prepared to extend further information to help the member for Unley—he definitely needs it—but I do not want to subject staff to the constant heckling and abuse.

**The ACTING CHAIR:** I request that the member for Unley remain silent if we allow the adviser to respond to the question.

**The Hon. J.D. LOMAX-SMITH:** I would like to offer one extra contribution. I am informed that there are 138 full-time equivalent primary school counsellors—some of them are fractional positions—so there are counsellors in 260 primary schools.

**The ACTING CHAIR:** Do you want to continue with the other question?

**The Hon. J.D. LOMAX-SMITH:** I will ask Ms Riedstra to respond.

**Ms RIEDSTRA:** Within the income line 'Intragovernment transfers', that does include Building the Education Revolution funds.

**Mr PISONI:** I will get a breakdown of that? Thank you.

**Mr RAU:** I refer to Budget Paper 4, Volume 2, page 9.7: Program net cost of services summary. What initiatives is the state government undertaking to ensure that our public schools are staffed properly?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Enfield for his question. The Rann government values teachers and appreciates the positive impact that a single teacher can have in a child's life. That is why we are employing more teachers, as we recognise that smaller class sizes in the crucial early years give teachers greater opportunity to provide individual attention and tuition to children. Smaller class sizes in the early years also mean that children's special needs, learning difficulties and talents can be identified and addressed early, so that intervention strategies can be more effective.

The significant investment in 2002 provided 160 more junior primary teacher salaries each year from the start of 2003. Further early years teacher salaries, up to 140 each year, have been allocated since the start of 2006. This government has also provided an additional 100 year 3 teachers every year since 2007 to reduce class sizes in the early years of schooling. For the 2009 school year, our investment in additional teachers for the early years of schooling meant an extra 327 teachers, representing 359.7 FTEs. These were employed over and above the industrially-agreed staffing levels in state government schools. In 2008 DEC's annual report confirmed that an average class size in junior primary was 16 in reception, 20 in year 1, and 22 in year 2.

One of the major initiatives in the 2006 enterprise agreement was the introduction of a new system for local selection and recruitment of teachers. This significant reform provides greater opportunity to schools to interview and select the teacher they believe is best matched to the job vacancy, their school and their community. It also enables teachers to apply for jobs they want rather than wait for the department to place them in a particular vacancy; safeguards are also in place to protect the rights of existing permanent teachers.

For the 2009 school year, 512 permanent teaching positions were filled by local selection. Of these, 291 new teachers were recruited to permanent positions, and an additional 480 permanent teaching positions were filled from the existing permanent teacher workforce. Since the introduction of local selection in 2007, 803 contract and temporary teachers have secured

permanent positions in schools. The ongoing reforms to teacher recruitment and selection processes has meant that the number of positions required to be filled at the start of the school year has been declining year on year.

In 2009, only nine positions were not filled in state government schools at the start of the school year and only 10 in 2008. Whilst it has always been the case that any unfilled position is covered by a part-time or casual teacher, it has been pleasing to note that all but a few of the thousands of teaching positions in our schools have been filled by the time class starts. With their support, DECS is encouraging schools to review all vacancies and to make sure that, whenever possible, they are advertised as permanent, ongoing positions rather than contract or temporary vacancies.

The state government is committed to creating more opportunities for permanency in 2010. DECS has been working closely with the Principals Association and the AEU to ensure that contract teachers are able to apply for more permanent positions. Thanks to the cooperation of those involved, this process is paying early dividends, with 613 permanent vacancies already identified in 2010 compared with 542 this time last year. The new online recruitment system launched in 2008 also allows teachers to apply for South Australian positions online from anywhere in the world.

I take this opportunity to pay tribute to the hard-working and dedicated staff working in public schools in South Australia. The state government acknowledges the considerable effort made by teachers, school support officers, school leaders and volunteers in making sure that young South Australians enjoy the very best start in life.

**Mr PICCOLO:** I draw the minister's attention to Budget Paper 4, Volume 2, page 9.18, Sub-program 2.3. How is the government ensuring that students are work ready with the skills needed for their future and to meet current and future industry demand?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Light for his question because I know he has taken a particular interest in these sorts of programs as they work at Gawler High School and other schools in his electorate. I must say that he seems to have an astounding knowledge not only of the programs but also the students in every class.

**Mr PICCOLO:** In a positive way.

**The Hon. J.D. LOMAX-SMITH:** He seems to know their names. The Rann government, through the School to Work initiative (which includes our Trade Schools for the Future and the development of a new senior secondary certificate), is tackling skills shortage from many angles within secondary education. For example, last year we announced a \$5.7 million investment in our School to Work initiative as part of the \$54.5 million for the new SACE. The SACE initiative has so far helped 55 government, Catholic and independent schools to introduce 64 programs for senior students.

These programs aim to better prepare students for their futures and include industry-endorsed training, the strengthening of maths and science career paths, diagnostic testing and supporting areas of literacy and numeracy, as well as support for students to be the first in their family to take a university pathway. Now the Rann government is also investing \$16.2 million in a new Industry Skills program. This will harness existing resources to place a stronger focus on high level VET skills. The initiative will include the provision of industry-endorsed training programs in areas of strategic importance to the state, such as defence and manufacturing, in each of the state's high schools.

The focus of the Industry Skills program will be on providing greater opportunities to students to undertake high level certificate III qualifications that are designed to meet industry needs and to address skills shortages. Students will do these practical studies as part of the new SACE. The measure is part of our broader commitment to enabling young people to enter the workforce ready, skilled and able to take up jobs as the global economy improves. These new programs will allow students to walk straight from school into ongoing study at TAFE or straight into employment.

I can advise that 17 industry skills managers will drive the implementation of the new strategy, especially the provision of a specialised VET curriculum. Each industry pathway program developed by schools and the community will be endorsed by industry. Programs will be developed in defence, construction, automotive, health, business services, community services, electrotechnology, engineering, manufacturing and primary industries.

A specially designed curriculum will be developed in these areas for years 11 and 12 students, which will combine with training delivered out of school through a registered training organisation. The industry-endorsed training will assist students into apprenticeships, further training, higher education or direct employment in areas of skills shortage.

The industry-endorsed vocational packages will include VET units from national training packages, literacy and numeracy for targeted industry application, career information and advice and resources for career planning and decision-making.

The Industry Skills Program complements trade schools for the future by increasing the number of young people who may be ready for an apprenticeship in areas of high skill demand. Trade schools have led to more than 900 students undertaking higher level certificates as part of their apprenticeships; however, we need to do more. The national training reform study has estimated that, to meet their skills demand in 2016, some 85 per cent of vocational education and training qualifications will need to be at Certificate 3 level, or above. Already more than 10,000 senior secondary school students undertake vocational education and training, but only 6 per cent of those doing this are at a higher level certificate course standard, and this needs to be rectified.

Our initiative is among South Australia's responses to the challenges that will help us target the current mismatch between young people's skills and the available jobs. Importantly, employers, industry leaders and teachers will work together to shape the new industry pathways programs. These new industry-backed programs will complement our reform so far, helping to lift the level of vocational education and training offered in the state's high schools.

Over the next four years, we aim to boost the number of students doing high-level vocational education and training courses by 20 per cent. The reality is that industry is increasingly demanding people with higher levels of skills to produce more sophisticated products and services in a competitive global market. Better quality careers create better opportunities for young people over their lifetime, while also building a better social and economic future for South Australia.

The new Industry Skills Program builds on the achievements of the previous Futures Connect program to engage students in vocational education and training studies, and it is funded through existing state and federal funds.

#### **Membership:**

Mr Goldsworthy substituted for Mrs Redmond.

Mrs Penfold substituted for the Hon. I.F. Evans.

**The Hon. J.D. LOMAX-SMITH:** I would like to read some answers into *Hansard* from this morning as we have some updates on the questions. One of the complex multiple funding lines includes TAFE and a whole range of other elements of government. It is not within our bailiwick to get that information, we need to get it from Treasury, but I will ask Ms Riedstra to give the information that she has in answer to the other questions.

**Ms RIEDSTRA:** In relation to page 9.25, income intra-government transfers, I refer to the budget figure for 2009-10 of \$559.9 million. Of that figure, \$547 million relates to commonwealth funding and \$12.9 million relates to funds from other government agencies. Further, within the commonwealth allocation of \$547 million, \$520.3 million relates to Building the Education Revolution funding.

**The Hon. J.D. LOMAX-SMITH:** We have an additional update on Building the Education Revolution contracts.

**Ms RIEDSTRA:** In relation to the 105 school sites, 100 of those sites have had builders appointed. One builder has withdrawn, so we will negotiate with other builders to take his place, and another four are currently under negotiation.

**Ms BEDFORD:** I refer to Budget Paper 4, volume 2, page 9.7. My question relates to green schools. What action is being taken by government schools to manage the effects of climate change?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Florey for her question. All sectors in our state, led by the Rann government, have been working to come to terms with the realities of climate change. Initiatives such as the Building Tune Up program or the solar power feed-in laws



are two examples of the many government programs in place to reduce our ecological footprint. As with all government services, schools are expected to play a role in a more sustainable future.

As we are all aware, from 2008 schools are required to reduce energy and water consumption by 25 and 10 per cent respectively, based on consumption in 2000-01. More than 25 schools have already met their energy targets, and more than 294 have met their water targets. The effectiveness of the targets and the support provided to schools will be more accurately assessed in the latter half of this year, once 2008-09 consumption data becomes fully available.

Some schools may have experienced circumstances that would have dramatically altered their energy and water consumption, such as a substantial increase in the number of students or extra development. When this happens, schools have been asked to contact DECS so that a revised target can be calculated that takes such changes into account.

To further assist schools in meeting these targets I am announcing today the 2008-09 Green School Grants program. This is part of the Rann government's annual commitment to spend at least \$1 million a year to ensure that our schools and pre-schools are global leaders in managing climate change. Since 2002, \$9 million of funding has been allocated to Green School Grants programs, benefitting 888 schools and pre-schools.

Last year, 58 schools were given funds to conduct energy audits. A total of \$415,000 will now be given to these schools to turn these audits into electricity bill savings. Some 60 schools will also receive up to \$1,500 to install water sub-metering equipment. A trial of this at Urrbrae Agricultural High School detected a water leak of approximately one or two litres per minute and, by fixing this problem alone, over 1 million litres of water has been saved annually. It also translates, of course, to yearly savings of \$1,450 from the school's water bill.

It can be argued that the most significant contribution we as a government can make to our environment is through our schools and the education of our children and, by installing green infrastructure in our schools, students gain a greater understanding of climate change and, more importantly, what they can do to reduce its impact. I am looking forward to further projects this year and must say that sustainability is an issue whose time has come. I congratulate the Messenger newspaper for giving awards to schools for green initiatives. I commend it for that.

**Mr PISONI:** On that same budget line, minister, could you detail whether the head office of DECS has met the same energy targets that have been imposed on schools, which is a 25 per cent reduction from 2001 energy use? Could you also confirm whether all lighting and other means of illumination are still within government standards?

**The Hon. J.D. LOMAX-SMITH:** I am sorry; I do not know about other means of illumination other than lights. Perhaps the member for Unley could clarify that.

**Mr PISONI:** Perhaps you could tell us whether you have met the target.

**The Hon. J.D. LOMAX-SMITH:** I am sorry; I do not understand the question. What are the other means of illumination?

**Mr PISONI:** Have you met the 25 per cent reduction in electricity consumption that you are imposing on schools in the DECS head office? Have you met that?

**The Hon. J.D. LOMAX-SMITH:** I think the issue about reducing our energy and water usage is inherently attractive to all South Australians. They understand the need for reducing our carbon footprint, water usage and energy, and using renewables.

**Mr PISONI:** But not DECS head office?

**The Hon. J.D. LOMAX-SMITH:** This is clearly a matter of some significance. This is not a financial saving, although, of course, any money that is redirected away from electricity and water bills can be spent on the education of our children. It is a matter of using this target as a tool for educating students and also using this as a way of directing funds into education. It is essential that we as a state recognise the need to reduce our carbon footprint. Whilst I know the member for Unley has opposed these measures, I think he is out of step with the community, because most school children and families understand the need to reduce our carbon footprint, and no-one—

**Mr PISONI:** But not head office, obviously. You are avoiding answering the question by waffling on and verballing me.

**The ACTING CHAIR:** Member for Unley, you did not ask a question about DECS: you asked a question about targets for schools.

**Mr PISONI:** No; I beg your pardon, Madam Chair. I asked whether DECS head office is meeting the same targets that the minister has imposed on schools. It's a very simple and easy question to answer and it does not require the minister to verbal other members of this committee in order to answer it.

**The ACTING CHAIR:** Minister, would you like to continue your answer?

**The Hon. J.D. LOMAX-SMITH:** Thank you, Madam Acting Chair, for allowing me to continue. I know that the opposition has not supported the State Strategic Plan targets to reduce water and energy usage. I know that it has been a consistent position of the opposition. I do not believe that any member of our community would support lights being left on overnight or the profligate use of the world's resources or our community's energy.

**Mr PISONI:** Which schools do that? Name them.

**The Hon. J.D. LOMAX-SMITH:** I do not believe that anyone would seriously want us to not audit energy use and reduce it. It is clearly in step with community values. Certainly, I applaud the Messenger, as I said earlier. In relation to the central office, there is usually an implied criticism from those who oppose public education and believe it is rotten to the core. The basic tenet is that—

**Mr PISONI:** My kids are in public education. Are your kids in public education, minister?

**The Hon. J.D. LOMAX-SMITH:** The basic tenet of the argument is that schools and head office are separate. I would like to clarify that—

**Mr PISONI:** We know that—and schools know that, too. There is no connection whatsoever.

**The ACTING CHAIR:** Allow the minister to answer or we can go home.

**The Hon. J.D. LOMAX-SMITH:** The entire system works as whole. There are teachers in head office. They move in and out. When there are difficult issues to address within head office, we pull in our best principals to help us work on issues. The whole organisation has the same targets. The whole organisation is in step with the State Strategic Plan—

**Mr PISONI:** Have you met them in head office?

**The Hon. J.D. LOMAX-SMITH:** —and the head office is no different from the schools. I am very pleased to explain to the member for Unley—now that he is allowing me to continue to speak—that the DECS central office has met the whole of government energy efficiency target. As a tenant with responsibility for light and power, the building owner has reported an improvement of approximately 53 per cent since 2001. I think we have met our targets.

**Mr PISONI:** Does the building still have the same standards for lighting? Have you removed fluoros or things such as that in order to achieve that outcome? How have you done that?

**The ACTING CHAIR:** Member for Unley, the minister has answered the question. She has indicated that the targets have been achieved. I think you should move on to your next question.

**Mr PISONI:** Schools that are having difficulty achieving those targets are very keen to know how DECS has done it.

**The ACTING CHAIR:** Do we really care whether or not they have changed the light globes? Surely, there are more important issues.

**Mr PISONI:** This is the advice that DECS is giving schools, Madam Acting Chair.

**The ACTING CHAIR:** The minister has indicated that they have achieved their targets. Ask your next question.

**Mr PISONI:** I refer to Budget Paper 3, page 3.21. In table 3.18 there is a line for school fundraising. Will the minister explain what this is and how fundraising typically occurs? How is the government involved in school fundraising?

**The Hon. J.D. LOMAX-SMITH:** I think the member is referring to the fact that these are locally initiated activities. I think we are just complying with accounting standards and the requirements of Treasury. Clearly, the government is not involved in fundraising, but when money is collected or used it is in the bank accounts. I suspect there are strict requirements from the Treasury. Of course, we comply with all those requirements.

**Mr PISONI:** Does the government use any fundraising money raised by a school to otherwise offset its contribution to that school?

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley's question probably complies with the psychological concept of projection. I do not think the government would be so dishonest as to do that. Obviously, he has thought of this little wheeze, but it is not something in which the government would involve itself.

**Mr PISONI:** Are you saying that it has no impact whatsoever? Are you saying that schools' fundraising has no impact on your funding of schools? I am asking you to clarify the situation. It is a very simple question.

**The Hon. J.D. LOMAX-SMITH:** Fundraising is an independent activity.

**Mr PISONI:** So there is no impact whatsoever? Just say yes if that is the case.

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley might like to verbal me and intimidate and bully. I just ask him to accept an honest answer. I know he finds it difficult to understand that anyone could be straightforward and honest. Certainly, he has difficulty managing the inflow of emails through his office, so we have to regard some of what he says with suspicion.

The reality is that fundraising is an independent activity conducted by schools for the benefit of the community, and to suggest that fundraising does not benefit the school is a nonsense. The fundraising is in the interests of the school. They engage in many activities. It is supported by the community. I will not be verballed into saying that school fundraising is no advantage to a school. Clearly, it is. It is a bizarre tenet.

**Mr PISONI:** I don't think it is. I think it is fair to ask whether schools that are successful in fundraising receive the same amount of support from the government as those schools that are not so successful. You are refusing to answer the question. It is a simple question.

**The Hon. J.D. LOMAX-SMITH:** It is not a simple question. It is entirely not simple because the most successful schools at fundraising would be in the socioeconomically comfortable suburbs and they would not receive as much funding in terms of index of disadvantage; so to pretend that that is a meaningful question is foolish. The implication is that the government, of course, looks at the fundraising account and then does something suspect or dishonest. That is the projection from the member for Unley's mindset. The reality is that fundraising is independent and useful and some communities do it well. It advantages those communities, but I reject the suggestion by the member for Unley because it is an entirely inappropriate way in which to fund schools.

**Mr PISONI:** I refer to Budget Paper 4, Volume 2, page 8.18: Program Information, Sub-program 3.1, Performance Commentary. It outlines the initiative *Your classroom—Safe, orderly and productive*, a learning program designed to assist teachers manage poor student behaviour, which was trialled in the Flinders, Metro West, North East and Salisbury districts. There is no mention of this program in the current budget, so I am asking whether this program has failed or, alternatively, have you given up on managing student behaviour? Can the minister advise the number of teachers who have completed the training, and student incidents that have been managed or avoided as a result of the training? Can the minister advise the cost of implementing the program?

**The Hon. J.D. LOMAX-SMITH:** I am a bit confused. Is the member referencing last year's budget?

**Mr PISONI:** This is last year's budget, and last year's budget is referenced right throughout this year's budget, minister; but, if you do not want to answer this question and you want to hide behind the excuse of saying it is not in the budget, that is up to you: you can do that. I also note that there is an extraordinary number of Dorothy Dix questions that you have prepared for this year compared to other years. I think you are obviously not in touch with your portfolio, and it is showing today.

**The ACTING CHAIR:** Member for Unley, I fail to see that this has anything to do with estimates.

**Mr PISONI:** If the number of Dorothy Dixers that you have organised—

**The ACTING CHAIR:** Now, do you have a question? You have asked your question.

**Mr PISONI:** I have asked a question—

**The ACTING CHAIR:** Member for Unley, stop talking over the chair! You asked a question. You have not allowed the minister to answer the question. Do you want her to answer that question, or do you want to move on to another question?

**Mr PISONI:** I would like her to answer the question.

**The ACTING CHAIR:** Then let her answer the question.

**The Hon. J.D. LOMAX-SMITH:** Thank you. I think the crux of the question that I recognise in that small speech was about the number of teachers trained in innovative behaviour management strategies.

**Mr PISONI:** No, it was about a program not being mentioned at all in this year's budget.

**The Hon. J.D. LOMAX-SMITH:** There was a question as to how many teachers were trained in—

**Mr PISONI:** Yes, that was in there as well, but that was the second question. The first question was: did the program fail, or have you given up managing student behaviour? Why is there no mention of the program in this year's budget when it was a prominent piece of last year's budget?

**The ACTING CHAIR:** Member for Unley, your question seemed to change from the first—

**Mr PISONI:** No, get the *Hansard* out, Madam Acting Chair. It is there.

**The ACTING CHAIR:** Minister, I hope you understand what is happening.

**The Hon. J.D. LOMAX-SMITH:** Yes. I think, in terms of behaviour, the member for Unley could take some lessons from some of our teachers. Certainly, one of the questions he did ask was about the number of teachers who have been trained in *Your classroom—Safe, orderly and productive*, and the answer to that is around 2,000 teachers. This was a very well supported program, and those teachers who were trained I think are back in the classroom implementing what they have learnt.

The government has been involved in a range of behavioural management strategies. Certainly, there are children who have a range of behavioural problems. We have implemented anti-bullying strategies. We have a very strong training program, as well as the coalition discussing issues and working across the sectors. We have given extra powers to principals to enable them to suspend and exclude students, particularly where their phones are used to make threats or bully others, even when those incidents occur outside the school gate. Principals can also confiscate students' phones and hand them over to the police as evidence if there is a reasonable suspicion that the phones have been used to record a crime. We introduced intruder regulations that give police and principals the power to refuse entry to, evict and ban people who behave in a violent or threatening manner. In case the member for Unley wants to know how many of those there were, there were 52 since 2004.

We have 21 regionally-based managers coordinating support (personal and services) provided to assist schools, including behaviour consultants, social workers and attendance counsellors. We invested significant funds in what I call designer security fencing, so that it does not look unsightly, for about 30 schools to prevent out-of-hours intrusion, and that has been a \$5 million investment over five years. We have had tougher laws to deliver harsher punishment to criminals who target school teachers and other professionals whilst doing their job. We give ongoing advice to schools, as well a School Watch certification for schools with an active role in safety and security issues. We believe that bad behaviour is unacceptable. It is also unacceptable in this chamber.

**Mr PISONI:** I would like to go back to the topic of BERs which the minister answered a Dorothy Dix question about earlier. I refer to Budget Paper 4, Volume 2, page 9.8: Investing payments summary, 'Nation building—Economic Stimulus Plan'. Is the minister concerned that there may be repercussions in terms of the federal government payments under this plan due to her government's breaking the rules and cutting funding for capital works programs in schools this year by 12 per cent from the 2008-09 budget? Is she able to provide the forward estimates that were provided last year to the parliament for state-funded capital expenditure?

**The Hon. J.D. LOMAX-SMITH:** The member for Unley, once again, is embarrassing himself by his inability to understand the budget documents.

**Mr PISONI:** It is on the front page of *The Australian*, minister. It was a big story.

**The Hon. J.D. LOMAX-SMITH:** The member for Unley is, once again, embarrassing himself by making accusations that are unsubstantiated and untrue. The reality is that the forward budgets were locked in and approved by the federal government and there has been no cut in our capital works program. I have explained to the member for Unley, and to the committee, that this budget brings us to \$90 million on capital maintenance and asset investment. I have explained that we have increased funding per capita for our children, but he continues to dissemble and say things that are clearly not true.

The idea that there has been a cut in funding is clearly not accurate. I understand that he has difficulty looking at these budget documents, but I can assure him that the only difference between last year's and this year's documents is large capital investments—large building projects that have flowed from one year into the next. There has been no cut in funding. The amount was set earlier in the year, the numbers were given to the federal government, they were agreed to and locked in, and it is part of the funding agreement. Whilst the member for Unley might like to think that people can do things that are dishonest, that is not our modus operandi. It may be the way that he would like to project his own views onto us, but we have not acted corruptly or dishonestly, or failed to comply with the regulations for the BER.

**Mr PISONI:** Minister, can you confirm that the state contribution to capital expenditure last year was \$70.705 million but this year is only \$62.929 million? It is a 12 per cent drop or an \$8 million drop. Was that amount of \$62.929 million in last year's forward budget estimates?

**The Hon. J.D. LOMAX-SMITH:** That's what I just explained: it was in the forward budgets. I know the member for Unley doesn't like to believe—

**Mr PISONI:** Can you present those forward budgets, minister?

**The Hon. J.D. LOMAX-SMITH:** They were presented last year, and last year's budget was in last year's documents. This year's budget has been locked in and there have been no cuts. What the member for Unley has failed to remember is that we have had extra funding attached to the basic capital works program, some budget line activities have flowed over to two financial years, we have invested extra funds in trade schools for the future and we have invested extra funds in children's centres.

This was an extra budget commitment that was a promise that we are delivering on and that was an extra budget investment, but the basic capital works funding has stayed around the same level year after year and over \$900 million has been spent. For the member for Unley to keep suggesting that our officers have behaved corruptly, allowed a funding agreement to be signed and then dishonestly and corruptly changed the numbers is offensive, and I will not accept that because he is not telling the truth.

**Mr PISONI:** They are numbers from your own budget papers.

**The ACTING CHAIR:** Thank you, member for Unley. I just point out, in reference to the member's issue about Dorothy Dixers, that the opposition has had 27 questions so far this morning compared to 10 from the government.

**Mr PISONI:** And very long answers, too, Madam Acting Chair.

**Mr PICCOLO:** I draw the minister's attention to Budget Paper 4, Volume 2, page 9.7: Program Net Costs of Services Summary. Can the minister advise the committee of the current status of the reform of the Education Act 1972 to which she alluded earlier this morning?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Light for his question. As he knows, the Education Act is from 1972, and I am very pleased to inform the committee that this is the first major reform process of the legislation relating to education, care and early childhood since that date. The government wants to bring this legislation into the 21<sup>st</sup> century by undertaking progressive and consultative reform.

The government recognises that the current legislation together with the Children's Services Act 1985 is outdated. It no longer reflects or adequately underpins the provision of services for education, care and children's development. The government has released a series of legislation reform discussion papers for the public to read and comment on as well as for consultation with the education, care and early childhood sectors.

Our legislative reform program is taking place in consultation with key stakeholders through an established advisory group that meets regularly. Over 40 organisations, associations and agencies are represented at these meetings in which stakeholders are able to comment on and shape legislation prior to it being enacted. Based on the feedback provided in the public

consultations and stakeholder group meetings, development work is currently being undertaken to produce the next two draft bills for consideration by parliament.

One concerns the registration and licensing of schools, early childhood and care centres whilst the other currently being developed discusses general provisions that relate to schools and early childhood. A fourth and final discussion paper that concerns employment in government education and early childhood services is due to be released for public consultation later this year.

The legislation has the potential to result in a suite of improvements in many areas concerning education, including strengthening legal provisions that require parents to ensure that their children attend school and subsequent prosecution should parents fail to do so. This will include increasing maximum penalties and requiring parents to work with schools and attendance officers.

The proposed amendments will also introduce a streamlined and more effective regulatory system for all schools, care and early childhood services. The proposals will build upon the reforms that have already been undertaken by the Rann government in modernising and updating legislation in the area of education and children's services, including the Teachers' Registration Standards Act 2004, the 2007 amendments to the Education Act which resulted in the government increasing the compulsory education age where students must be learning or earning to 17 years as well as a 2008 review of the Senior Secondary Assessment Board of South Australia Act.

The passing of this legislation established the new SACE board of South Australia which is overseeing development of the new SACE. Consultation has been the cornerstone of the Rann government's approach to reform in education and, following extensive consultation with our stakeholders, the relevant legislation will be introduced to parliament, and South Australia can look forward to a contemporary legislative framework for education and early childhood.

**Mr RAU:** I refer to Budget Paper 4, Volume 2, pages 9.2 and 9.7: Workforce Summary and Program Net Costs of Services Summary. What is the government doing to ensure that public education meets the workforce demands of the future?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Enfield for his thoughtful question. I am delighted to provide the committee with an update on the investments that this government has made in the teacher workforce. The Rann government has worked to ensure that our state schools are staffed with sufficient skilled teachers to provide quality education to young South Australians.

With a workforce comprising over 15,000 teachers and principals, you can appreciate that this is no small undertaking. As part of this ongoing process, DECS is researching and monitoring changes in the composition of the workforce and the national and international labour market for teachers and school leaders. We have introduced a number of reforms and initiatives that are designed to recruit teachers to specific teaching areas in regions that face a greater challenge in attracting and retaining staff.

In order to address forecast shortages in teachers of particular subject areas, this government has introduced programs to enable teachers to retrain in specialty areas of need. Since 2004, 86 teachers have been retrained in mathematics, 19 retrained in technology to include woodwork and metalwork and 62 teachers have been retrained in home economics, which includes food and textiles. In addition, the government is investing \$200,000 in this program in the next two years.

There are a number of initiatives that the government has developed to attract and retain teachers in remote and rural areas. We currently offer university scholarships worth up to \$26,000, a guarantee of permanent employment with DECS and extra financial support for students undertaking country placements. Last year, 38 per cent of teaching graduates opted to teach in the country, and 327 students have received a country teaching scholarship since 2003.

In addition to these programs, which are successfully targeting beginner teachers, the C-Change Teacher Program has proven extremely successful in attracting experienced science and maths teachers to country and low SES schools. These experienced teachers mentor new teachers and talented maths and science students across a cluster of schools.

The number of C-Change leadership positions being funded in 2009-10 is almost double those funded in 2008-09. The \$1 million investment by the government is paying dividends, with eight C-Change leaders currently working in government schools and another three planned to commence in the coming year.

New Beginnings is another million dollar investment in a scholarship program that has been developed to tap the expertise of practising mathematicians and scientists. Since 2007, qualified scientists and mathematicians can secure a \$14,000 incentive and the assurance of permanent employment in state schools. The department is currently exploring opportunities for an expansion of the New Beginnings program by linking it to the Teacher Quality National Partnership of the federal government. Effective collaboration with the universities is, of course, vital if we are to meet future workforce demand.

DECS is currently undertaking a joint research project with the Australian Institute of Social Research at the University of Adelaide on the supply and demand for the teacher workforce. As part of this research, a forecasting model has been developed, which is now used to predict future recruitment needs and inform strategic planning to ensure longevity of the teacher workforce.

The state government has also formed a task force with the three universities, as well as the government, independent and Catholic school sectors, to address issues confronting all school sectors in regard to teacher workforce, including future demand and student practicums. The members of this task force are to be commended for their willingness to come together and cooperate in ensuring that all education sectors in South Australia retain a strong workforce into the future.

The government has also made considerable reformed policies and procedures in recognition of the changing demographics of the DECS workforce. These changes include improved accessibility of leadership positions, particularly to young, bright teachers showing outstanding potential, with improved induction professional development for new teachers and greater recognition and reward for our exemplary staff.

We also introduced an online recruitment system in 2008, which has meant that the best and brightest teachers from anywhere in the world can apply for jobs in South Australian schools. This government has a proven track record of reform and improvement in regard to teacher recruitment, professional development and workforce planning in the public education sector. We will continue to strategically plan and invest in new and current programs to ensure that the teaching workforce is skilled, sustainable and innovative.

**Ms BEDFORD:** My question relates to the Aboriginal strategy within the department. I refer to Budget Paper 4, Volume 2, page 9.6: Highlights, Sub-program 2.3. How is the government working to improve educational outcomes and employment opportunities for young Aboriginal students?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Florey for her question. I know of her keen interest in Aboriginal issues and Closing the Gap. This government is absolutely committed to improving the education and employment opportunities for Aboriginal students in our schools.

In 2005, I launched the department's Aboriginal Education Strategy for education, employment and reconciliation of young Aboriginal students in state schools. This strategy aims to bring about significant improvements in Aboriginal education and employment. For some of last year's highlights, I draw the attention of the committee to the fact that by August 2008, 92 per cent of all Aboriginal preschool, primary and secondary students had an individual learning plan in place.

Aboriginal voice forums have been established in schools and preschools in regions with large numbers of Aboriginal student enrolments to increase the participation of Aboriginal parents and community members involved in education decision-making. We have introduced the Workabout Centre, established in partnership with the Playford city council, to support Aboriginal students in pathways to training, employment and higher education.

The South Australian Aboriginal Education and Training Consultative Committee has been established to provide advocacy, advice and monitoring and to strengthen education, employment and training links. Already, we have seen amazing results. In 2008, senior secondary enrolments for Aboriginal students were at an all time high, having increased from 301 FTE in 1999 to 726 in 2008, a 141 per cent increase.

The apparent retention rate of Aboriginal students in state schools is at its highest for over 10 years at 64.7 per cent. In 2007, 132 Aboriginal students were enrolled in our ICAN program, but by 2009, that number had increased to 223. ICAN brings communities and schools together to support young people to access further education. It was ranked as best of 46 national programs

showcased at the Australian ministers' first biennial forum in Melbourne. I particularly thank those involved; it has been a stellar success.

In 2008, 106 Aboriginal students successfully completed their SAKE. Of these, 86 were enrolled in DECS schools. This is an increase from 90 in 2004. I particularly congratulate all those students who completed their SAKE, and I wish them all the best in their future endeavours.

We also saw record levels of Aboriginal students participate in the Premier's Reading Challenge. In 2008, 2,521 Aboriginal students completed the challenge, an 11 per cent increase on the previous year. The Premier's Reading Challenge is an excellent initiative to help children engage in reading and improving their literacy skills. These are vital skills if they are to progress through their years of schooling and then on to meaningful employment. We still have a long way to go, but this government (and I commend the CE for his commitment to this policy) has made Aboriginal education a priority. We are absolutely committed to improving the educational opportunities of young Aboriginal students in South Australia.

**Mr PISONI:** I refer to Budget Paper 2, page 6, line 17: spending per government school student. Of the figure given as an average funding per government student (in this budget, \$12,627), how much is actually allocated to the school and would show up on the school's resource entitlement statement? I ask that question because at the beginning of estimates I made reference to how long it took for answers to be brought back to the committee from your department, and one of the answers that took 12 months was in response to a question I asked relating to the breakdown of allocation per student based on index of disadvantage. I received that information in June this year.

This specifically relates to category 7 schools where (it says) a figure of \$10,899 is allocated. However, my advice is that category 7 schools are receiving, in their resource entitlement statement, somewhere in the vicinity of \$7,200 per student—a gap of about 35 per cent. Is the minister able to explain where the 35 per cent that is allocated to each child is actually going?

**The Hon. J.D. LOMAX-SMITH:** This is a complex issue. The resourcing of schools takes into account disability, index of disadvantage, the size of the school (with small schools being favoured), and distant rural schools very often getting more allocation than urban schools per capita, as well as issues that are complicated by local conditions. For instance, a very small school will get far higher per capita funding. However, the resource entitlement statement includes funds that are not part of the per capita allocation per child; there are other allocations that relate to the buildings. So, the overall resource entitlement of a school is a very complicated formula.

However, the number regarding the average per child is an average, and it relates to the overall budget as well as the number of children, but the RES, in fact, still does not include all the resources allocated to individual children. For example, a school does not receive, in its resource entitlement, the cost of transport. That is managed at a different level of the organisation, so it is not—

**Mr PISONI:** Transport such as what, minister?

**The Hon. J.D. LOMAX-SMITH:** The transportation of students to school. I am not sure what other kind of transport there is. A school does not manage the transport of disabled children or other allocations to school buses. So, you cannot compare the allocation directly within a resource entitlement to the per capita funding per school child.

**Mr PISONI:** To make it easier for you, minister, are you able to provide figures on the total costs of running head office, including staff and other resources consumed by head office?

**The Hon. J.D. LOMAX-SMITH:** Here we go again; the blame game. Blame the administration. I would like to put on record—

**Mr PISONI:** It is a simple question, and it is one that all the schools are asking: 'why are we getting less and less money when the bureaucracy seems to be growing?' That is what they are saying.

**The Hon. J.D. LOMAX-SMITH:** It is worth correcting some of the misconceptions that the member for Unley tends to repeat. Schools are not getting less and less: they get more each year. There has never been a year, in our government, when schools get less money. The budget has grown year on year on year, and at \$2.3 billion this is the biggest budget ever. So let us not stumble over the allegation, because it is not accurate.



Regarding the issue of resources for a child, of course that includes the funds that are spent centrally. One cannot pretend that transporting a disabled child to school in a taxi does not contribute to the education of the child, yet that funding is not in the resource allocation. The other issue is that the resources that relate to speech pathology or special improvement officers—and we have just employed a whole range of accountability monitoring staff who go into schools and assist in analysing data and working on school improvement—are for the benefit of the child in the school. So, this concept that staff who go into a school but who are based in a district office do not provide a service to the school is a misunderstanding, and it is one that the member for Unley would do well not to perpetuate. Our staff in the district offices spend a lot of time in schools supporting school education.

If the member for Unley just wants a figure on the running cost of head office, I am sure we can get that number. The reality is that the funds spent from central offices are actually funds used to develop programs, run anti-bullying strategies, that are involved in sex education, that are involved in counselling in terms of managing staff, that are involved in dealing with the new SACE programs, and at looking at new programs. Whatever new program is instituted within a school, it has to be supported by district offices and head office. So let us not get back to a division. I know it is attractive to some people to make divisions between public and private schools, and it also seems to be popular to make divisions between head office staff who work very hard and district office staff who work for the good of children. It is an argument that I reject.

**Mr PISONI:** I refer to the same budget line. How many schools are operating without their required 5 per cent reserve in their RES account, and how many of them are in deficit?

**The Hon. J.D. LOMAX-SMITH:** There is no such thing as a RES account. That is not a concept that we understand within the system. I suspect that the member for Unley is confused. The only accounts schools have are SASIF accounts and, to my knowledge, none is in deficit. In fact, the school accounts are rather healthy. The information that I am given is that, to our knowledge, no schools are in deficit.

**Mr PISONI:** The RES account, the Resource Entitlement Statement, is what I am referring to.

**The Hon. J.D. LOMAX-SMITH:** A statement cannot be in deficit. There is no such thing. A statement does not find itself in deficit because a statement is an annual statement.

**Mr PISONI:** It is a budget. It has details such as position, unit cost, total cost—it is full of figures.

**The Hon. J.D. LOMAX-SMITH:** I think that the member for Unley has misunderstood the RES statement. It is not a budget. They receive additional funds that are not in the RES statement. It is not a budget.

**Ms BEDFORD:** I would like to follow on from the minister's last answer to my question about closing the gap, and I refer to Budget Paper 4, Volume 2, page 9.5. What progress has been made with the education of Aboriginal students in South Australia?

**The Hon. J.D. LOMAX-SMITH:** Again, I thank the member for Florey for her question and her continuing commitment to this issue. I know that she has campaigned long and hard in this area and has very strong links in the Aboriginal community because of her advocacy. The government has, indeed, made Aboriginal education a priority. We are absolutely committed to closing the gap of disadvantage, experienced by many indigenous students, through the National Education Agreement and the Early Childhood Education National Partnership, as well as through our own policies which are embedded in all our practices.

Our targets include halving the gap for indigenous students in reading, writing and numeracy within a decade; halving the gap for indigenous students to complete year 12 or equivalent by 2020; have all four year olds with access to early learning by 2013; and in five years all indigenous four year olds in remote indigenous communities to have access to quality early childhood education programs. In 2005 I launched the Department of Education and Children's Services' Aboriginal Education Strategy, which sets the foundation for achieving these targets.

I am pleased to advise that, over the past 10 years in South Australia, the gap in the retention as between indigenous students and all students has reduced to 27 percentage points from 45 percentage points. I will say that again: 10 years ago there was a gap of 45 percentage points between the general population and the retention of Aboriginal students; that has now reduced to 27 percentage points. There is still much work to be done but that is an extraordinarily high achievement and one from which we will have to work hard to reduce the gap even further.

We are also seeing more four year old Aboriginal students enrol in preschool, with 1,141 enrolled in state preschools in 2008, compared with 1,097 in 2007. As the member for Florey would know, preschool Aboriginal children get extra time in those services now. The government will continue to work with other states and territories to close the gap and meet these targets, which we take very seriously as our achievements bear testament.

**Mr RAU:** I refer to Budget Paper 4, Volume 2, page 9.18, Sub-program 2.3. What progress has been made with the government's trade schools, including any impact on the number of apprenticeships being undertaken?

**The Hon. J.D. LOMAX-SMITH:** I thank the member for Enfield for his question, because I know that he has an interest in employment strategies and young people being job ready and employable. Certainly, our investment of \$29.5 million over five years in our Trade Schools for the Future represents a very important part of our broader School to Work strategy. Under School to Work, trade schools are closely integrated with the new SACE and the Education Works and Youth Employment programs to ensure that all 15 to 19 year olds are either learning or earning and are prepared with the necessary work skills for the future.

Trade schools are not only giving young people a head start into a trade career but also they allow them to complete their South Australian Certificate of Education. We want today's young people to stay in school longer, to build strong skills in English, mathematics and science and to gain high level job qualifications all at the same time. Each of the trade schools specialises in areas of local skills shortages to ensure that local young people are trained for local jobs and can see an end point for their endeavours.

We have 20 apprenticeship brokers. These are people with trade skills or business backgrounds who understand the business needs of the community. Their job is to match school students to highly skilled local school-based apprenticeship opportunities. Students are learning skills that allow them to become electricians, welders, diesel mechanics, carpenters, plumbers, mine equipment operators, health technicians and childcare workers. Most importantly, the brokers follow their progress, support their employers and support the young person in their day-to-day endeavours.

Each Trade School for the Future is providing vocational training programs, workplace literacy and numeracy improvement programs, personnel learning plans and career development information. It is industry specific brokerage to identify and establish suitable contracts of training for school-based apprenticeships and grants for transport costs to enable travel to various training locations if needed. Trade school students complete approximately 30 per cent of a Certificate III qualification over two years, and some students will undertake training at Certificate IV, or even higher levels.

The school-based apprenticeship program will count towards each student's South Australian Certificate of Education and will comprise 30 to 40 per cent of their enrolled time at school. This is particularly important because it allows young people to keep their options open so that their career can move in perhaps unexpected directions in the future.

A critical factor in the success of the trades schools remains building of employers understanding of how a school-based apprenticeship can be the first step to securing a high quality full-time apprentice. The apprentices are then much better prepared to commence full-time work, and when they leave school the employer will find them to have already completed part of their apprenticeship, to have employability skills and to be known to their employer.

Signing on a student for a school-based apprenticeship today can help build a committed and skilled workforce for the future, keeping young people in their local community. Already trade schools have been extraordinarily successful in defying the economic downturn. Our trade schools have substantially increased the access of senior secondary school students to school-based apprentices and other high-level skills traineeships aimed specifically at Certificate III or higher levels. In 2008, 624 school-based apprentices were signed up in areas of high skill need, which included 341 Certificate III contracts of training. From the beginning of 2009, another 313 school-based apprentices were signed up in areas of high skill demand, which included 167 Certificate III contracts of training.

Our target is to have 1,200 school-based apprentices signed up by the end of the 2010 school year. The Australian government training centre funding of \$2.5 billion over 10 years is providing further impetus to our already successful state-based trade schools. The federal government funding is directed at developing facilities and equipment in schools to deliver trade training at Certificate III or higher.

The Department of Education is supporting schools to apply for funding, based on the Trade Schools for the Future model, using TAFE and other training providers to deliver Certificate III or higher VET training to students. This initiative will support the work already undertaken in building connections between schools, education training providers and industry, and I am optimistic about the future of these training and employment opportunities and the future for our industries, which previously were concerned about skill shortages.

**Mr HANNA:** I refer to page 9.16, attendance improvement. Will the minister tell the committee about the new codes identifying student absences and how this and the confidential transfer process will help identify students' absence from school? I am particularly mindful of the need for improvement here. There was a case of a young boy who died a short while ago and I think had attended 11 out of the last 76 school days before his death. I am interested in how the tracking of such students is going and how that will improve.

**The Hon. J.D. LOMAX-SMITH:** Clearly there is potential for parents to move their children from school to school, and there is no barrier to doing this if they can find a school place. One of the issues about transience—and it is one of the issues that has concerned me—is with tracking students and monitoring the number of schools they move to and the transient record. One of the issues about engagement and retention in schools is that often bad attendance is the beginning of the slide out of schooling. One of the areas we have worked upon is to have a universal identifier for students so they can be tracked from school to school.

One of the first issues the government took up—and I was surprised this was not in place in many regards—was to have a system whereby records could seamlessly be exchanged from public school to public school. There is an issue we have to deal with when children move between public and non-government schools, and it is an area we are endeavouring to find a way through, but clearly some non-government schools regard the confidentiality of their material highly. However, it is also true that students move and can drop through the cracks in moving from government to non-government schools.

One would realise that moving children in the middle of a school year is a high risk activity. Putting aside the national curriculum issues, it is difficult to move from school to school, even within a state or suburb, and guarantee that your child does not miss something in the move. It requires extra input with perhaps personal learning plans, which many of these itinerant children have, to guarantee they are not falling behind. We have endeavoured to ensure that the records, LaN results and attendance data can move from school to school. In a way that puts the next school principal on notice that there is a background of bad attendance or a problem, so the tracking mechanism is very significant because it allows us to monitor children who might otherwise drop through the cracks.

The other issue in monitoring children is to have a warning system. Since coming to government we have made a particular point of wanting to reduce the number of unexplained absences, to whittle down the mass of imprecise detail, because previously schools did not record measures accurately, so we have introduced both the SMS messaging program as well as bar coding and entry and exit passes, which are mainly for secondary children who we want to monitor more closely because generally primary school students are less at risk. We have introduced these programs to make it easier for schools to monitor and identify unexplained absences because previously there was a morass of unexplained absences. I have been guilty myself of forgetting to tell the school when my children have been sick and have been very impressed to get the government SMS system to tell me that my child is not at school when they are sick at home and I have forgotten to call.

**Mr HANNA:** By way of supplementary question, does the minister mean to say that in our public schools some students have entry and exit bar codes that are somehow scanned in and out of the school? I certainly do not have that in my area. How prevalent is that?

**The Hon. J.D. LOMAX-SMITH:** It is quite prevalent: it is mostly in secondary schools. This issue is becoming increasingly important because sometimes people say that there are children on the street and they should be at school. Some are properly engaged in school-based apprenticeships or employment.

We call this system the Enhanced Student Attendance System. It is in 34 DECS schools, and a further four are trialling it. The software is integrated with our EDSAS system so that it refers back and we can identify where children are. We are the first state, in fact, to have the uniform electronic system of leave passes—the first school system to have those for secondary school

students—and this system has significantly improved the capacity of schools to monitor where children are.

One of the issues about education in senior secondary years is that it is becoming more flexible. As we retain more young people in education and learning programs, we have to recognise that a large proportion of those newly retained students will not be doing full-time SACE courses. They will be coming in and going out, so the public perception of school children wagging school is one we will have to deal with, but clearly some of them will be gainfully employed working or involved in school based apprenticeships.

Our policy on absenteeism is also to monitor in schools as students move from classroom to classroom, which is another area of improvement. There are some handheld devices where school teachers can monitor that children have turned up during the course of a day. Clearly, there is another issue. In the old days when we went to school, the attendance register was run through at 8.30 in the morning, and you expected the children to stay once they had arrived but, if you are concerned about loss during the day, monitoring between classes is also a possible system.

**Mr HANNA:** When you talk about handheld devices you mean Palm Pilots or something like that?

**The Hon. J.D. LOMAX-SMITH:** Yes.

**Mr HANNA:** I have one final question in relation to those students who have severe behaviour problems. The minister might know that I have an interest in expanding the number of sites where students can be sent for the remainder of a term, for example, if they are excluded from their regular school. I could not find a precise budget line, although on page 9.18 there is reference to the flexible learning option for enrolled students. That is about the closest I could find.

Will the minister take on notice the actual funding for those sites where those behaviourally challenged students are sent? It is something I would like to draw out of the Budget Papers and have examined in more detail. I understand there is a waiting list for those sites and, if the minister has information today about the waiting list, I would appreciate that.

**The Hon. J.D. LOMAX-SMITH:** I think the waiting list is something that is managed locally, and as of Friday there was not a waiting list, but that may have changed by today. The issues around behaviour are that a school can suspend a student for up to five days and exclude them for up to 10 weeks. During that 10 week period they go to a behaviour centre and, under some circumstances, they might have an open access type course. The last thing one wants to do is to reward a student's bad behaviour by sending them home and not giving them anything meaningful to do.

Principals can also use those powers if something has occurred that is not on school grounds, so it is not just about school behaviour: it is about something that may have happened beyond the school gate. The information I have is that 0.2 per cent of students in 2008 were excluded, so it is a very small number of individuals. The information I have is that, of that small number, it has gone down lightly from the year before. I have some information about the learning centres. They provide only a short term alternative. Students remain enrolled at their current school, and the specialised staff work with them and the students. The information I have is that country schools have \$0.6 million. I would have to get you the figure for the inner city ones. We will get that during the course of today.

**Mr HANNA:** Is the minister saying that the behaviour learning centres in the metropolitan area are adequately resourced?

**The Hon. J.D. LOMAX-SMITH:** In the context of how they operate, they appear not to have a waiting list—on Friday they had no waiting list—but of course these matters change from day to day. I believe the resources for the centres are adequate; there is a higher student to staff ratio there than in schools. They have intensive interventions, with a range of manoeuvres which may be therapeutic, and I understand that, on return to their normal schools, most of those children settle back in. If you are advocating a different model, clearly, there would be different resourcing issues.

**Mr PISONI:** My question relates to Budget Paper 4, Volume 2, page 9.6: the targets 2009-10 supporting elements for learning and well-being. How many students with special needs or disabilities are enrolled in DECS schools?

**The Hon. J.D. LOMAX-SMITH:** The information I have is that there are 14,891.

**Mr PISONI:** How many of those are enrolled in special schools?

**The Hon. J.D. LOMAX-SMITH:** DECS has a range of programs. Our support program provides schools with funding for students with disabilities enrolled in mainstream classes, and there are supplementary funding programs. We have special programs for children with additional needs, and they include seven inclusive preschool programs, eight speech and language programs, 17 special schools and 20 disability units within mainstream schools; and 109 special classes are placed in 92 mainstream schools. There are 20 multidisciplinary regional support teams, and there are services that go out across the state. The numbers for mainstream classes in 2008 was 12,242; special classes, 1,067; special units, 551; and special schools, 1,031.

**Mr PISONI:** I recently attended a school council meeting at a special school in the western suburbs and met a parent who had recently moved from interstate. She said that, in trying to enrol her child at the special school, she was told there was a waiting list. She was quite shocked to hear there was a waiting list for special schools in South Australia because where she came from there was not one. What are the waiting lists? How long do parents need to wait to get their children into a special school?

**The Hon. J.D. LOMAX-SMITH:** I am not sure to which budget line the member is referring, but my information is that there are very few on a waiting list. Often it is geographical. Clearly, services are not always in the right location. Often there are spaces on the other side of Adelaide but, obviously, we would endeavour to settle children in the closest and convenient location. Clearly, if the honourable member refers the information he has to me, we will look into the matter.

**Mr PISONI:** You cannot confirm whether or not there is a waiting list for special schools?

**The Hon. J.D. LOMAX-SMITH:** I said that in the individual case of which the honourable member appears to have evidence, if he has any data, such as a name or location, we will endeavour to help the individual.

**Mr PISONI:** You must know whether or not there are waiting lists. The point made by the parent was that she came from interstate and she was shocked to learn that there was a waiting list for her child to enter Woodville Special School.

**The Hon. J.D. LOMAX-SMITH:** I think I answered that when I said that occasionally we have restricted numbers of places close to the address, the location that a parent and family are within. Therefore, we may have a waiting list at some stages, but I have no information about a waiting list. If the honourable member can provide me with the information that he claims to have received then I am very happy to look into it.

**Mr PISONI:** How many incident or critical incident reports have been lodged about students with special needs or disabilities that are enrolled in DECS schools in the past year and in the past five years?

**The Hon. J.D. LOMAX-SMITH:** I do not believe we can answer that question. I will take it on notice.

**Mr PISONI:** So you don't keep statistics.

**The Hon. J.D. LOMAX-SMITH:** I did not say that.

**Mr PISONI:** Do children at DECS schools receive specific education about the reality of living with a disability integrated within the curriculum? What is DECS doing to ensure that children within their system have a realistic understanding of disability?

**The Hon. J.D. LOMAX-SMITH:** Is the member for Unley referring to mainstream children or children who are disabled?

**Mr PISONI:** Generally, for those who are sharing schools with disabled children. I imagine that young children are not aware of disabilities in the community and they have fellow students who have a disability. The question is really whether DECS takes that into consideration, and whether there is any disability education within the curriculum for children in South Australian DECS schools.

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley is keen to denigrate our public schools—

**Mr PISONI:** I have a point of order, Madam Acting Chair. As I said earlier, I have my kids in public schools. The minister has not got her kids in government schools, so I think that is a telling story.

**The Hon. J.D. LOMAX-SMITH:** I have to say that if my children were still at school in their 20s I would be extremely worried about them. The issue about programs in public schools is well known to all those communities that have a special unit. One of the best ways in which to learn about disabilities is to be engaged in the mentoring, buddy programs and activities that fall within the SACSA framework. That occurs within our schools, and I am very proud of those programs.

In addition, there are special programs which relate to interpersonal relationships and which deal specifically with children with disabilities. As the committee would recognise, those people most likely to be victims of bullying are those who are unusual, either by appearance, race, intelligence or ability. We tend to have special programs in all wellbeing elements of our SACSA framework, which specifically identify the issues that relate to children with disabilities of varying kinds. I think our schools manage those programs very well.

**Mr PISONI:** I refer to Budget Paper 4, Volume 2, page 9.6: Targets 2009-10; 'Supporting Elements—Develop infrastructure and organisational practices that connect and support learning and wellbeing from birth to Year 12.' The question relates to the parents of children at Nailsworth and Prospect primary schools who are sending their children—and this has been a growing trend over the past three or four years in greater numbers—to either public secondary schools of a specialist nature outside their zone or independent and Catholic schools. They see that as their only viable option. What advice do you have for them in using schools to which they are zoned?

**The Hon. J.D. LOMAX-SMITH:** Well, my first advice to all individuals in this committee is that one should not denigrate public education. I go out of my way always to commend and offer respect and encouragement to the system because I am truly proud of the work that is carried out in our schools. I know that some people would like to denigrate public education—

**Mr PISONI:** You might need to talk to some of your constituents as to why only four out of 100 students from Nailsworth and Prospect primary schools are using zoned schools next year.

**The Hon. J.D. LOMAX-SMITH:** —and there are people in this chamber who have publicly said that public education is rotten to the core, and those kinds of statements—

**Mr PISONI:** Where did you send your kids? Where did they go to school?

**The Hon. J.D. LOMAX-SMITH:** What is the member for Unley—

**Mr PISONI:** Where did they go to school? Did you use the public system?

**The ACTING CHAIR:** Member for Unley, do you have a question related to the budget papers? I fail to see whether where the minister's children went to school, a considerable time ago, has anything to do with this line of questioning.

**Mr PISONI:** It has. The minister is attacking me for attacking government schools, and it is well known that I am a strong supporter of government schools and my children attend government schools. I am putting the same challenge out to the minister, which she refuses to take.

**The ACTING CHAIR:** Minister, would you continue answering the question?

**The Hon. J.D. LOMAX-SMITH:** Thank you. I think it is really important that one actually supports public education and does not denigrate it publicly. I think that to constantly undermine and denigrate the system is not a good way to encourage public school enrolments.

In reality, one of the elements of our Education Works strategy has been to develop birth to year 12 schools. This was not an idea that came from anywhere, in fact, but the public, because we held many consultations around the community and across the state and learnt that parents were challenged by the multiple drop-offs and ageing infrastructure and concerned about the number of choices in senior secondary years. The development of our children's centres has been particularly popular because of the one-stop shop idea whereby parents do not have to drive around constantly to difficult locations. That effort in developing this model has been very significant.

The budget statement that the member speaks to is about how we manage those collocated birth to year 12 services. The reality is that the students from the northern part of Prospect have the opportunity to go to a new birth to year 12 school.

**Mr PISONI:** That is what they are afraid of, minister.

**The Hon. J.D. LOMAX-SMITH:** Sorry, I apologise. They can go to the collocated secondary school, which is an entirely new secondary school that is being built. The birth to year 12 school will be further north. Clearly, these are popular models.

Adelaide High—which, I have to say, my son attended, although the member for Unley does not seem to believe that fact—is one of those schools that is particularly popular. There have been determinations by the school community about how the school operates its waiting list. We have built new classrooms and extended the footprint of the classrooms within the existing footprint, and we have discussed at great length with the school council how it can manage its enrolments—and they have found a way that will reduce out-of-zone enrolments. Those out-of-zone enrolments are the students who are currently entitled to go in through sibling rights but, of course, like many popular schools, those enrolments have to be managed into the future.

**Mr PISONI:** So, can you then explain what the strategy is in zoning category 6 primary schools with category 2 high schools? My understanding is that the super school that is going to be built north of Grand Junction Road, that Nailsworth primary and Prospect primary school parents will be expected to send their children to, is zoned category 2; and category 2 is described as high disadvantage as opposed to a category 6 school, which is low disadvantage. Can the minister advise how it came about that category 6 schools would be zoned to category 2 schools?

**The Hon. J.D. LOMAX-SMITH:** Well, that is an interesting concept. We have some sense of preordained destiny—if you are born to a poor background you are destined to stay there forever. That is obviously Liberal policy: segregate the poor and keep them away from the well-off.

**Mr PISONI:** It is a very simple question, minister.

**The Hon. J.D. LOMAX-SMITH:** Segregate the poor and keep them away from the well-off. I reject this argument.

**Mr PISONI:** The fact is that your constituents are staying away from public education in your electorate. They are choosing schools other than what you are offering them in your electorate. You can ignore that at your peril, but that is what is happening.

**The Hon. J.D. LOMAX-SMITH:** I think that we would like to give opportunities to all students within South Australia. We do not believe in the destiny of your birth marking you, perhaps with a number stamped on your arm, for where you might aim as a trajectory in your life. Our government does not believe that if your parents did not go to university you are destined not to do so. Our government does not believe that if your parents have been unemployed you should be unemployed. We believe that every child should have a chance to reach their potential.

If you are thinking of class segregation as a way to manage a public education system, I am actually quite shocked. I have never heard that idea from the other side of the house but, if you believe that category 7 children should never mix with poorer children, then, presumably, that is an election promise that you would—

**Mr PISONI:** It is about choice in education, minister. I must say, my migrant father worked at Holdens for 35 years—I am sorry for my silver spoon! You are absolutely outrageous. This is a genuine concern that has been raised with me by your constituents because you will not listen. The fact is that only 4 per cent of students leaving grade 7 this year to start secondary school next year, at Nailsworth and Prospect primary schools, are going to schools that they are zoned to. That is a problem, minister—a problem for you as education minister and as a local member.

**The Hon. J.D. LOMAX-SMITH:** Well, at least I know the boundaries of my electorate. I think the idea that you must segregate category 2 children from category 4 children and category 7 children is an extraordinary one. For the record, the new schools that are being built at Gepps Cross do not have a category.

**Mr PISONI:** So, how will they be funded, per student? What student allocation will they be getting?

**The Hon. J.D. LOMAX-SMITH:** The categorisation depends on the enrolment.

**Mr PISONI:** My question now relates to Budget Paper 2, page 7, line 5, Education Works, opening dates. What are the proposed opening dates in 2010 for the first two PPP super schools?

**The Hon. J.D. LOMAX-SMITH:** Are you referring to the budget speech?

**Mr PISONI:** Budget Paper 2—I imagine so.

**The Hon. J.D. LOMAX-SMITH:** The intention with our PPPs is to have one school open in 2010.

**Mr PISONI:** When? There are 365 days in 2010.

**The Hon. J.D. LOMAX-SMITH:** Sorry, two schools will be open in 2010.

**Mr PISONI:** When will they open in 2010?

**The Hon. J.D. LOMAX-SMITH:** Some time in 2010. We haven't finalised the dates with the developer.

**Mr PISONI:** Will you rule out them opening in the middle of the year?

**The Hon. J.D. LOMAX-SMITH:** I am not ruling out anything.

**Mr PISONI:** Well, in an earlier question, you describe moving students in the middle of the year—I think it was in answer to a question asked by the member for Mitchell—as being extremely disruptive. I hope that you would be opening those schools at the beginning of the year and not in the middle of the year because, in your own words, you said it was extremely disruptive.

**The Hon. J.D. LOMAX-SMITH:** I think that the member for Unley can try to verbal people by taking sentences out of context. I said that, for parents who make multiple moves in the middle of the year, it is very disruptive to children's education. Itinerancy in our school system is one of the causes of poor attendance, under-achievement and dropping out of schools. Those students who have a consistent home life, an orderly home life and are not forced for various economic or financial reasons to keep moving schools are the ones who tend to achieve the best. Itinerancy is one of those markers of disadvantage.

**Mr PISONI:** So, when will the schools open?

**The Hon. J.D. LOMAX-SMITH:** I just explained—

**Mr PISONI:** Well, you didn't. You said 2010. If I engaged a builder and said, 'When can you finish this bathroom for me?' and they said, 'Some time next year,' I would be moving on to another builder. I would want to know when it was being opened. I cannot believe that we are six months from 2010 and you cannot even tell me whether it is going to be a mid-year opening, a beginning of the year opening or an end of the year opening. I just find that staggering.

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley might like to protest about how staggered he is. He is often staggered, I have noticed; it is his common presentation. However, the reality is that, the moment the Treasurer has finalised negotiations and signed the deal, we will announce the opening times.

**Mr PISONI:** So, they haven't been finalised?

**The Hon. J.D. LOMAX-SMITH:** I will repeat: the contracts have not been signed.

**Mr PISONI:** So, the new super schools haven't been finalised?

**The Hon. J.D. LOMAX-SMITH:** We are on target.

**Mr PISONI:** It's a pretty broad target. It is much harder to hit the bullseye than the rim around the outside of a target.

**The Hon. J.D. LOMAX-SMITH:** I can't understand the bullseye and the rim—I have no idea what you're talking about.

**The ACTING CHAIR:** I think the member for Unley is a bit distracted today, because I cannot follow his line of reasoning either, or the relevance. Member for Unley, would you like to continue your questioning?

**Mr PISONI:** I am obviously not high-class enough for the minister.

**The ACTING CHAIR:** Or the rest of us!

**Mr PISONI:** What extra resources will be provided for the move, or is that something that you will be expecting teachers to do?

**The Hon. J.D. LOMAX-SMITH:** I think the member is referring to the budget speech again, and I can assure him that the education department has significant experience in amalgamating and moving school communities. It is a process that takes many years. Already, those communities have been engaged in working together. A lot of work has to be done.

We have engaged some principals and they are now working out the very significant issues around how the school will develop its strategic focus, how it will find a new name, how it will develop a school uniform and, over the course of the next year, those communities will make some



very significant decisions and they will begin to operate as a new school. Some of those new schools will be functioning long before the buildings have been completed, I expect.

I can see that the member for Unley is really excited about this because he obviously supports money being spent on public education; he clearly supports an investment in our public schooling. I know he has not supported the BER funding, but I am sure he would like new schools to be built because otherwise it would be a very poor message to our parent community.

**Mr PISONI:** I refer to Budget Paper 3, page 2.23: Expenditure. Line 23 refers to the government's Education Works strategy. Regarding the school closures of the upper Spencer Gulf, what is the total cost of concept plans for the super schools being presented to the communities in Port Pirie, Port Augusta and Whyalla? I understand that there is closure or merger of 44 sites and that the community is still being—I use the term loosely—consulted, but it appears that a result has already been designed.

**The ACTING CHAIR:** Minister, as someone who comes from that area, I think that is a very premature question. How could you decide what it is going to cost when you do not know what you are going to do? However, I leave it to the minister to answer the question.

**The Hon. J.D. LOMAX-SMITH:** I have to commend the chair for her skill.

**Mr PISONI:** What is the cost of concept plans? Have you spent money on concept plans? It is very simple: yes or no. If you have, how much is it? I do not know what is difficult about that.

**The Hon. J.D. LOMAX-SMITH:** I think the chair was correct when she said that there could not be any plans until they decided what they were doing and therefore we could not cost it.

**Mr PISONI:** So, there are no plans drawn at all?

**The Hon. J.D. LOMAX-SMITH:** I believe the communities have had some mud maps and they have looked at where things might go, but the building designs and any plans are really dependent on a final decision by the community. I draw your attention to page 37 of Budget Paper 5 where there is a budget line for feasibility studies. We have not yet reached that phase.

**Mr PISONI:** Okay, so you have not reached that yet. That was page 37, was it?

**The Hon. J.D. LOMAX-SMITH:** We have not reached the feasibility stage, so we have not spent the money.

**The ACTING CHAIR:** Member for Unley, you have been very involved in what is happening in the Upper Spencer Gulf. I know that you have been there checking things out. You know what stage it is at. I am sure you have more important questions to ask.

**Mr GOLDSWORTHY:** He can still ask.

**The ACTING CHAIR:** I think there are more important questions to ask at this stage. This is very premature.

**Mr PISONI:** It is interesting that the Acting Chair, who is the member for Giles, thinks that there are more important questions to ask than what is happening up in her own electorate, but that is for her constituents to judge.

**The ACTING CHAIR:** I can fully defend my position about what is happening in my electorate. I know exactly what is happening, and I know that you have been up there causing trouble, too.

**Mr PISONI:** I ask you to withdraw, Madam Acting Chair. I have not been causing any trouble; the trouble has been caused by the minister. I have simply been up there listening, which is something the minister has refused to do, and I think you would concur with that comment, according to some of the feedback—

**The ACTING CHAIR:** The minister visited my community and listened.

**Mr PISONI:** —you have been getting from your constituents. I refer to Budget Paper 3, page 2.23—Chapter 2: Expenditure. The government recently announced that Pinnacle Education has been confirmed as the preferred proponent for the Education Works program. Can the minister outline the key criteria on which the tender process was based?

**The Hon. J.D. LOMAX-SMITH:** The tender process was managed by the Treasurer.

**Mr PISONI:** So, there was no input from the Department of Education?

**The Hon. J.D. LOMAX-SMITH:** I said that it was managed by the Treasurer.

**Mr PISONI:** I repeat my question: so there was no input from the Department of Education? Are you saying that it was all done by the Department of Treasury and that there was no input from the Department of Education?

**The Hon. J.D. LOMAX-SMITH:** I did not say that; you said that.

**Mr PISONI:** Well, then, what are the education criteria that it was based on?

**The Hon. J.D. LOMAX-SMITH:** I think I read that out earlier, but I am very happy to read it for you again. We have been looking for systems that have improved curriculum choices and opportunities; arrangements that support collocation, considering also birth to year 12; school size that allows a broad curriculum, which is diverse and relevant to the particular area of location; involvement of other agencies or community services; and demographic sustainability. However, if you are asking about tendering, that was made by the Treasurer's department.

**Mr PISONI:** I refer to Budget Paper 5, Capital Investment Statement, page 35: Education Works—stages 1 and 2. With regard to these education projects, can the minister advise how long after the school completion date payments will commence? In other words, will the repayments come from the education budget for running those schools, and when will those payments commence?

**The Hon. J.D. LOMAX-SMITH:** I think it would be unwise to predict the final detail from the contract.

**Mr PISONI:** Will there be provision within the education budget for the payments to the PPP consortium?

**The Hon. J.D. LOMAX-SMITH:** We will receive a funding allocation, and we will spend the money.

**Mr PISONI:** Based on that, I put it to you that you have no intention of opening the two super schools during the 2009-10 financial year, because you would start payments when the super schools were completed, and I cannot find anything in the budget for payments to the PPP consortia this financial year. Are you able to provide forward estimates that show when payments will commence?

**The Hon. J.D. LOMAX-SMITH:** I know that the member for Unley does not like to look at things in a commercial manner, but it would be extraordinary if we signalled the cost of a contract before it was let.

**Mr PISONI:** It is not the cost; it is your commitment.

**The Hon. J.D. LOMAX-SMITH:** There are commercial details of the negotiation that have not yet been settled. So, to flag to the potential tenderer what we intend to pay them would not be a very smart thing to do.

**Mr PISONI:** Is there a contingency in the budget for this year?

**The Hon. J.D. LOMAX-SMITH:** It is a funded strategy, and it is in the Treasury—

**Mr PISONI:** Is there a contingency in your budget—

**The Hon. J.D. LOMAX-SMITH:** I have explained to you: the Treasurer has the funds. I know you do not like to hear the answer, but I will keep repeating it because it is the truth.

**Mr PISONI:** This is your budget, minister, and from the very beginning you have had very little interest in the process of the PPPs. You were out there when they were announced, and you have been out there with any good news about education you can scramble together. However, when it comes to having some understanding as to how these PPPs are working, you hide behind the Treasurer.

**The Hon. J.D. LOMAX-SMITH:** I know the member for Unley does not support us spending this amount of money on public education. I know he does not support those people in the non-leafy green suburbs having new schools. He does not even like his constituents to mix with them. Goodness, they might be the wrong category of disadvantage! But, having said that, we are committed to building these schools. The funding and the tendering process have been managed through the Treasurer's department. The money that will be spent will be funded by the Treasury—it is fully funded—and it will commence at a date and a time determined by the contract when it is signed. You might not like the answer, but that is the truth.

**Mr PISONI:** On that basis, then, when this is all signed and tucked away as you would like, will you be able to answer the following questions? What are the details of your payments program and over what period will they occur and when will they begin? Will the leasing payments for the PPP super schools be coming out of the education budget? What will be the annual repayment fee for the two schools to be completed in 2010 and when will these payments cease? Which staff in the Pinnacle PPPs will be DECS employees and which will be private sector or Pinnacle employees? If you have accepted the concept, perhaps you can answer the question about which staff will be DECS employees and which staff will be employees of Pinnacle.

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley did not listen to the previous answers I gave. I explained that the Treasurer is managing the contract signing and the tendering process. So, questions and details about that matter have to be referred to the Treasurer.

**Mr PISONI:** This has implications for DECS employees. At the moment, SSOs and other officers are DECS employees, and there are contracts that DECS lets for cleaning and other sorts of things. This all comes out of your budget, minister, and it is surprising that you are avoiding these questions.

**The Hon. J.D. LOMAX-SMITH:** I can barely get a word in edgeways. As I have explained before, the funding that will be used to support this development will come from Treasury into the DECS portfolio and will go out again; it is a fully funded strategy. The details of the contract are not available; it has not been signed. The information about the contract is managed by the Treasurer, and questions should be directed to him.

The matter of employment is one that I thought had been addressed some years ago through multiple public meetings and a whole range of consultations in the schools. I am surprised that the member for Unley is so far out of date and out of the loop that he does not know that all the education staff and support staff will be DECS; everyone else seems to know. The maintenance staff and building contracts will be separate; they are, of course, separate now.

**Mr PISONI:** I refer to Budget Paper 3, page 2.23, Expenditure, line 27, and the government's Education Works strategy. Given the large amount of money being received from the disposal of land from closed schools, and the projected savings from the super schools strategy, would the minister agree that the fundamental aim is to save money and minimise the cost of education? In the minister's own publicity, conferences and press releases about the super school project it has all been about bricks and mortar and not education outcomes.

**The Hon. J.D. LOMAX-SMITH:** I think the member for Unley has always opposed money being spent on public education. When one considers the maintenance backlog that we faced when we came to government, it is clear that there were some very serious issues about the demographics in our state and the number of school buildings we had. That maintenance backlog has been a significant issue for many school communities, and an inordinate amount of staff time has been spent worrying about buildings. I do not think that will be so true in the future, with our massive investment plus the massive investment from the federal involvement (I know the member for Unley is opposed to that involvement, as well).

That massive involvement in public education will really take the edge off the maintenance backlog issues; however, the demographic issues cannot be ignored. It is true to say that we have a very much smaller school age population than we had a decade or two ago. I am not talking about the decline in the number of public school students because of a drift (that we have managed to slow significantly) to the non-government sector; I am talking about the lack of schoolchildren.

By anyone's analysis, we have tens of thousands of students fewer, because people are having children later in life and are having smaller families. One of the challenges for education systems, I suspect around the world, is that much of the infrastructure was built for a different era. The 1960s and 1970s saw quite large families, and many of the schools that are involved in Education Works projects were built for 1,500 children—but Enfield High has, from memory, fewer than 200 children.

Many of these schools have a massive infrastructure load to bear with a very small school community. When I went out and spoke to school communities across regions—I held public meetings at each of the school districts when I first became minister—they were very concerned about that maintenance backlog. I think that that issue is less of a concern now because such a lot of money has been invested, but the reality is that we have very large footprints for very small numbers of children in some of our schools. The ongoing costs of maintaining that fabric is not sustainable, and that is one of the reasons that we started to look at how amalgamations of schools might produce better outcomes.

If the Education Works strategy were just about buildings it would not have gained the enormous support it has from parents. Parents did not like the maintenance backlog, and they wanted to stop drive-by analyses. Parents do make drive-by analyses of schools; they drive past and many of the non-government schools look spiffy and wonderful, and parents think, 'This is great'. Public schools had been allowed to fall into a level of disrepair before our School Pride initiatives and extra investment. However, if it were just about buildings, I do not think so many parents would have voted, and they were voting 90 per cent and 78 per cent. I do not recall any of the votes being in the 50s or 60s; as far as I can recall, they were all 70 to 90 per cent for these PPP schools.

The thing that parents most wanted, the area that engaged their imagination the most, was to have a one-stop shop so that even with a couple of children in the family they were not going from one location to another. They wanted to avoid the transition difficulties, because when children become unstable in their education, perhaps in the early secondary years, they are often the children who have not made the transition well from primary school to secondary school. Parents know this; they know where the fracture lines are in a child's life. They know that it is stressful going into reception, it is stressful going to secondary school, and it is jolly stressful for them to move around to various locations.

So, the idea of a collocated school was one that they embraced, and they have embraced it in our children's centres as a concept that gives early intervention and early support for difficulties. They have embraced it in a way that allows us to give extra support from other parts of government services within children's centres, and they particularly like the birth to seven configuration—although I understand that in Whyalla the school community is looking at a birth to six configuration. I think that is also a useful project because, again, they will deal with the transition issues differently in some of those birth to six schools. However, for parents, the idea of transition difficulties being eased was one that I thought was very important.

Probably the most attractive and most popular reason for amalgamating schools is subject choice. Every parent knows that children are different, and whilst some may be happy to do physics, chemistry, maths or English others want to do photography, film making, vocational courses, or Certificate III in some kind of manufacturing industry. They might want to do health care or childhood services—a whole range of options—and, if you are in a small school of fewer than 200 children, by the time that number has been divided up into years 10, 11 and 12, you are left with an insufficient cohort to justify the employment of 20 specialist teachers. You cannot have a secondary school with more teachers than pupils. Clearly, it is not viable. So, there is a viability issue.

We endeavour to do that in small schools through our C-Change program, whereby a specialist maths or science teacher might share their services across several school sites. We endeavour to do that also through Open Access teaching, but the other issue is for our teachers. Teachers, of course, if they are a specialist maths teacher and they are in a school with only 180 secondary students, would spend the majority of their time teaching out of expertise. There are two issues here: parents want choice for their children; and the sort of school that I would want my child to go to would be a school where, in the primary years, you might have specialist teachers and more options. Schools that have, say, 400 students very often have a language teacher, a drama teacher and an art teacher in its primary teaching cohort, and that helps in primary.

Obviously, the best option the parents see in our PPP amalgamated schools, Education Works program, is in the senior secondary years where children really get to extend themselves and have the flexibility and the options. Going back to teachers, we put a lot of measures in place to maximise the usage of our skill teachers, to have the older teachers mentor younger teachers and to have retraining programs in specialist areas. The reality is that, in a small school, it is not possible for a specialist teacher to use their skills fully because in a small school they will be teaching out of a skill area for most of the time, and that is a waste of their skills and it is a tragedy for school children in other schools.

That is why I think parents have voted overwhelmingly to amalgamate schools. If the member for Unley is opposed to a program that gives better school buildings, better choice, more options, gives a one-stop shop that parents want and he is also opposed to teachers teaching within their areas of expertise, there is no pleasing him. He really does not want to say anything good or supportive about public education, and there is not much more I can say to him.

**Mr GOLDSWORTHY:** I will read in the omnibus questions.

1. Will the minister provide a detailed breakdown of the baseline data that was provided to the Shared Services Reform Office by each department or agency reporting to the minister: including the current total cost of the provision of payroll, finance, human resources, procurement, records management and information technology services in each department or agency reporting to the minister, as well as the full-time equivalent staffing numbers involved?

2. Will the minister provide a detailed breakdown of expenditure on consultants and contractors in 2008-09 for all departments and agencies reporting to the minister, listing the name of the consultant and contractor, cost, work undertaken and method of appointment?

3. For each department or agency reporting to the minister, how many surplus employees there will be at 30 June 2009, and for each surplus employee what is the title or classification of the employee and the total employment cost (TEC) of the employee?

4. In the financial year 2008-09 for all departments and agencies reporting to the minister, what underspending on projects and programs was not approved by cabinet for carryover expenditure in 2009-10; and how much was approved by cabinet?

5. (i) What was the total number of employees with a total employment cost of \$100,000 or more per employee, and also as a sub-category 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 2009; and

(ii) Between 30 June 2008 and 30 June 2009, will the minister list a job title and total employment cost of each position (with a total estimated cost of \$100,000 or more):

(a) which has been abolished; and

(b) which has been created?

6. For the year 2008-09, will the minister provide a breakdown of expenditure on all grants administered by all departments and agencies reporting to the minister, listing the name of the grant recipient, the amount of the grant and the purpose of the grants, and whether the grant was subject to a grant agreement as required by Treasurer's Instruction No. 15?

7. For all capital works projects listed in Budget Paper 5 that are the responsibility of the minister, will the minister list the total amounts spent to date on each project?

**The Hon. J.D. LOMAX-SMITH:** We could answer some of those questions, but could I clarify something? You want the date, not until the end of the financial year—till today?

**Mr GOLDSWORTHY:** You read the questions, minister: 'for each department or agency that reports to the minister, how many surplus employees will there be as at 30 June 2009', which is today. One of the questions is: 'Between 30 June last year and 30 June this year, will the minister list job title and total employment costs of each position?' A range of questions relate to a range of time frames.

**The Hon. J.D. LOMAX-SMITH:** We have some of those answers now but it might be easier to take them all on notice.

**Mr GOLDSWORTHY:** Yes, get back to us on those.

**Mr PISONI:** This question relates to Budget Paper 4, Volume 2 (page 9.2): Ministerial office resources. Will the minister detail the increased cost of her office resources given that she has 12 staff, which is an increase of 5.5 per cent in the salaries from the last budget, and does this figure indicate an across the board wage rise for her staff; and why will the minister's staff now be capped at the same 2.5 per cent expected for other public sector employees?

**The Hon. J.D. LOMAX-SMITH:** Thank you for that question. I imagine it is because I have taken over another significant portfolio.

**Mr PISONI:** Can you detail that? It is right across the board. All the ministerial staff are getting 5.5 per cent: public servants are getting 2.5 per cent. A lot of public servants out there would like to know why.

**The Hon. J.D. LOMAX-SMITH:** I am sorry; I thought you said there was an increase in the number of staff.

**Mr PISONI:** No; an increase in the salaries. The staff remain the same but the salary increase is 5.5 per cent on last year's figures.

**The Hon. J.D. LOMAX-SMITH:** So, we are in the same cap. I am sorry, I am not able to be sure about the salary levels. I will take that on notice, because that is the total cost. There is a total number for the cost of the office, which is not just salaries.

**Mr PISONI:** Perhaps you could confirm that.

**The ACTING CHAIR:** Thank you, minister; you will take that on notice. That being the time and there being no further questions for the Minister for Education and Children's Services, I declare the proposed payments completed. I thank all the minister's advisers for their patience.

*[Sitting suspended from 13:01 to 14:00]*

**The ACTING CHAIR:** If the minister undertakes to supply information at a later date, it must be submitted to the committee secretary by no later than Friday 17 July 2009. This year the *Hansard* supplement, which contains all estimate committee responses, will be published on 2 October 2009.

**ATTORNEY-GENERAL'S DEPARTMENT, \$138,279,000**

**ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT, \$70,020,000**

**COURTS ADMINISTRATION AUTHORITY, \$82,102,000**

**ELECTORAL COMMISSION OF SOUTH AUSTRALIA, \$11,672,000**

**Membership:**

Mr Pengilly substituted for Mrs Penfold.

Mr Hamilton-Smith substituted for Mr Pisoni.

Mrs Redmond substituted for Mr Goldsworthy.

**Witness:**

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

**Departmental Advisers:**

Mr J. Maguire, Chief Executive Officer, Attorney-General's Department.

Ms D. Contala, Executive Director, Attorney-General's Department.

Mr S. Forrest, Executive Director, Multicultural SA.

Mr R. Lean, Manager, Commonwealth Government Relations.

Mr P. Louca, Chief of Staff.

Ms T. Brooks, Acting Manager, Financial Services.

Mr A. Swanson, Acting Director, Business, Financial Services.

**The ACTING CHAIR:** I declare the proposed payments open for examination and refer members to the Portfolio Statement, Volume 2, Part 7. Minister, would you like to make an opening statement?

**The Hon. M.J. ATKINSON:** I will not make an opening statement, Madam Acting Chair.

**Mr HAMILTON-SMITH:** On behalf of the opposition I thank the staff for their hard work on multicultural affairs throughout the year; we are very grateful.

**The ACTING CHAIR:** Have you agreed on a timetable for this afternoon?

**The Hon. M.J. ATKINSON:** I am informed that we have, Madam Acting Chair.

**Mr HAMILTON-SMITH:** I refer to Budget Paper 4, Volume 2, page 7.25, grants and subsidies. Will the minister provide a list of organisations that have received funding in 2008-09 from Multicultural SA and the amounts that each organisation has received? I have seen a list for the Multicultural Grants Scheme 2008-09, round 1, but is there a further list?

**The Hon. M.J. ATKINSON:** There is a list and we will provide that to the member.

**Mr HAMILTON-SMITH:** You have it available now?

**The Hon. M.J. ATKINSON:** We have decided on round 2 and we are getting the cheques out now. We do not have that list with us, but we can get it to you after today's estimates. I will hand over to Mr Forrest.

**Mr FORREST:** With all our Multicultural Grants Scheme grants, once the documentation and process is finished, they are placed on our website.

**Mr HAMILTON-SMITH:** Any idea when they will be posted?

**Mr FORREST:** I would think within the next 10 working days.

**Mr HAMILTON-SMITH:** I refer to Budget Paper 4, Volume 2, page 7.25: grants and subsidies. What is the total cost of land tax grants for 2008-09 and will the minister provide a list of the organisations that received a land tax grant for 2008-09 and the amount of each grant?

**The Hon. M.J. ATKINSON:** To refresh the memory of members of the committee, back in 2005 we started paying the land tax levied on ethnic organisations, provided they met certain criteria. One of the people calling for this was a former Liberal MP, Julian Stefani. We adopted the suggestion and asked Treasury the best way to do it.

While I would have preferred merely to exempt ethnic organisations, I was informed by Treasury that the best way to do it was to bill the ethnic organisations and give a grant equivalent to the tax. That is the way we did it, and in this financial year, 2008-09, the total was \$284,520. I note that the greatest beneficiary was the Greek Orthodox community, which received \$103,920. I recall that on one occasion previously the Sikh community was the biggest beneficiary, but it seems to have rearranged its landholdings.

The Ethnic Community Organisations Land Tax Relief Grants Scheme does not operate like a normal grants scheme. In this scheme every eligible applicant receives a grant to cover the cost of the full amount of their land tax. In normal grants schemes there are generally more applications for requests for money than funds available. Under this scheme all eligible applicants receive a grant to cover the cost of the full amount of their land tax.

One of the conditions was that the organisation be structured so that it was not profit making. We had a problem with some organisations because there was the potential for the organisations to return a profit, and that included the Latvian Cooperative, but we granted an exemption to those clubs where there was no immediate prospect of their returning a profit and made the grant anyway. The rule there is that the organisation must be facing financial hardship and certified by an accountant that they are. That was the grounds on which the Latvian Cooperative received the grant.

**Mr HAMILTON-SMITH:** I refer to Budget Paper 4, Volume 2, page 7.17 targets. How much funding has been allocated to implementing the recommendations of the Multicultural Youth Summit, and which recommendations will be implemented in 2009-10?

**The Hon. M.J. ATKINSON:** The plan for the next financial year is that we will support the Federation of Youth Groups Steering Committee to enable it to become formally incorporated and established. We will continue to encourage young people to be leaders in multicultural organisations.

As the leader would know, we have many ethnic clubs in South Australia, some of them with the most extraordinary and attractive facilities which have been built up over 50 years or more by the organisations. Fogolar Furlan immediately springs to mind; Veneto Club is another. With the second and third generation not having the same affinity with the clubs as the first generation had, it can be a struggle to get young people engaged in those organisations, so on many of the office bearers and management committees the average age can be 70 or above, as it was at one time with the Lithuanian Club.

So it is a special aim in the multicultural portfolio to try to get young people to engage with the clubs and to ask them what it is about the clubs that needs to change to get their generation involved. The capital investment in some of these clubs is enormous, and it would be a pity if it

went to waste. We are offering further training in management and organisation of small events, and we are supporting the continued development of the Facebook group, the SA Multicultural Youth Discussion Group.

Once we establish the incorporated youth association we will transfer responsibility for administration of the Facebook group to the new association, and we will pursue the holding of an annual multicultural festival involving all communities and including a youth summit format to build on the findings of the 2008 Youth Summit, and we have had talks with the Adelaide City Council about the proposed festival.

As the leader would know, there are many ethnic groups in South Australia which are not big enough to have a festival of their own. They cannot be like the Indians with Mela or the Italians with Carnevale or the Greeks with Glendi, but if they get together they can achieve the critical mass needed for a multicultural festival. The leader may have noticed that the Africans and Middle Easterners got together to have a festival on the same day as Mela at the adjacent Festival Centre Plaza, whereas the Mela was held in Elder Park. That is the kind of synergy we are looking for so that smaller groups, such as perhaps the East Turkistanis with which the member for Florey is engaged, can have their own festival as part of a larger festival, with a stall and cuisine of their own and perhaps performances and dancing.

**Mr PENGILLY:** I refer to Budget Paper 4, Volume 2, page 7.26 regarding multicultural services and advice. Who are the current members of the Youth Advisory Committee to the South Australian Multicultural and Ethnic Affairs Commission? How many times has the committee met and what outcomes have been achieved?

**The Hon. M.J. ATKINSON:** I will refer that question to Mr Forrest.

**Mr FORREST:** I do not have the complete list of the current members. I expect that in the past financial year they have met about four or five times. The major outcome of the SAMEAC Youth Advisory Committee has been to recommend to the commission and then organise the first youth summit meeting. That youth summit has then led on to the recommendations in the report which was recently referred to.

**Mr PENGILLY:** Can you tell me who is on that, please?

**Mr FORREST:** I do not have a complete list with me; I am sorry. I can provide that to you, though.

**Mr HAMILTON-SMITH:** I refer to Budget Paper 4, Volume 2, page 7.26 regarding multicultural services and advice. What are the details of the women's leadership retreat, what is the application process and how much funding has been allocated to that initiative?

**The Hon. M.J. ATKINSON:** We have been running the women's leadership program for the seven years that the Rann government has been in office. It includes Certificate III in business frontline management courses conducted by TAFE SA. The cost of running the retreat this year was \$8,000 to Multicultural SA. About 150 women have participated in the women's leadership program, and a third of those women have gone on to obtain leadership positions in their organisations. Some have been nominated to government boards and committees, and two graduates are now members of the South Australian Multicultural and Ethnic Affairs Commission.

I remember that early in the program the Druze women were most prominent. In 2008-09 we added a Women's Advanced Leadership Skills Retreat, and 16 women from 15 different cultural backgrounds attended the retreat which was held at the Nunyara Conference Centre, Belair. The participants described the retreat as inspiring, informative, confidence building, eye opening and heartening. The selection process was a notice in the Multicultural SA newsletter, and officers from the Office of Women and Multicultural SA chose from those applicants.

**Mrs REDMOND:** I want to ask a question about African women refugees. The member for Florey and I have met with them in the community and had them as guests in here. Many people coming from those African situations are deeply traumatised. I know that it is not within the multicultural affairs area, but are you able to provide any information as to what can be done to help them overcome their level of trauma because, no doubt, it continues to impact them for many years? People come here who have been through such atrocities that they cannot speak any more. I assume there is a multicultural element that is trying to deal with it, but there is nothing in the budget that indicates that much money can be going towards it. I understand there may be reasons for that, but are we able to do anything at a state level?



**The Hon. M.J. ATKINSON:** That is a good question by the member for Heysen. The commonwealth government funds settlement services because it is closely allied to the immigration portfolio. Nevertheless, I am sure there is state government funding—not in our portfolio but, rather, in another portfolio—going to an outstanding organisation in my electorate at Hawker Street, Bowden. It is called STTARS (Survivors of Torture and Trauma Assistance and Rehabilitation Service).

I can recall in my first term as a member of parliament, the last term of the Bannon government, going to Don Hopgood (who was then the health minister) and asking for funding for STTARS, which had been established at that very location. Subsequently, the Bannon government—or it may have been the Arnold government—decided to fund STTARS. I think you will find STTARS has received a grant from the state government every year since, including during the period of the Liberal government.

That is the principal organisation that tends to women whom the member for Heysen mentions. Some of its first clients were from Ethiopia and Eritrea, arising out of the war there. They then looked at refugees from the war in Yugoslavia in the 1990s, and they now have moved on to other jobs. I have been pleased to attend that service several times.

**Mrs REDMOND:** Some of the trauma that these African women have been through is so awful that I will not put it on the record of this place; it is just unbelievable. One of the things that came out of our discussions was that a lot of these women have grown up in a village situation and suddenly they are in deep suburbia and never see much more than a small local park. It is obvious that even if they get to somewhere as near as Murray Bridge they feel more at home—not necessarily to live there but, rather, feel a little closer to nature. This is a strange environment when there are suddenly streets and cars and it is built-up when you have been in a very small village—

**The Hon. M.J. ATKINSON:** Built up, but so few people compared to their home.

**Mrs REDMOND:** —and, therefore, they are very isolated. Is there anything that Multicultural SA is able to do in terms of allowing that better connection with not only the people and the community but also the country?

**The Hon. M.J. ATKINSON:** It is a good point by the member for Heysen, and it is one that I am happy to take on board. If you go through the multicultural grants, you will find a few grants that meet that description, namely, taking newly arrived migrant groups on trips to the countryside.

Another way to address this issue—although this is only a subsidiary purpose of it—was on 28 February this year when we had a gala reception for Africans in South Australia at the Convention Centre. Some 800 guests from more than 26 countries attended, and there were drummers, dancers, country banners and a video montage depicting some of the hundreds of achievers in the African community in Australia. The purpose of the gathering was to show that African-Australians are honoured, respected and welcomed, and the Premier read a message from the Most Reverend Desmond Tutu, the Anglican Archbishop Emeritus of Cape Town.

**Mr HAMILTON-SMITH:** On that same subject, at Budget Paper 4, Volume 2, page 7.26, you may have partly answered this question: what are the details of the media training provided to Sudanese community leaders? How much funding was allocated to this, and is there any opportunity for media training opportunities for other multicultural community leaders?

**The Hon. M.J. ATKINSON:** I think it is a good question that the leader asks. There are, alas, some elements of the media that are keen to exploit newly arrived migrant groups for the purpose of demonising them or twisting what they say or trying to raise the alarm among South Australians about these newly arrived groups. There is a second part of the media which is just deeply ignorant of the background from which these people come and make no effort to research it or relate to it.

So, to try to deal with that, the leaders of the Sudanese community requested media training after the tragic events of November last year and, at a cost of \$3,000, we provided training on 13 December to members of the Sudanese community. They were trained in all aspects of the media, including the positive role the media plays in a free society. They were briefed on the different types of media and also the ways to be prepared for talking to them. Sudanese community leaders were interviewed on camera in a number of role plays to familiarise themselves with the media interview process, and taught ways to avoid possible pitfalls. This arose out of a meeting with Sudanese community leaders that Mr Hieu, the Lieutenant-Governor and Chairman of the South Australian Multicultural and Ethnic Affairs Commission, organised on Friday 14 November after the stabbing death in the city.

**Mr HANNA:** I would like to ask the Attorney something about sub-program 2.2 on page 7.27, where there is a reference to recruiting interpreters of Aboriginal languages. My question is: how much will be spent in the coming year on the Aboriginal interpreting service scheme, particularly for public sector employees in the form of attraction allowances? These are the allowances to get them to go up to the lands.

**The Hon. M.J. ATKINSON:** How much will be paid when?

**Mr HANNA:** How much is being paid to current public sector employees in the form of attraction allowances, and how much is being paid out as reimbursements to other sources?

**The Hon. M.J. ATKINSON:** My understanding is that we are not paying an attraction allowance. What we are paying is the agency from which they come for the time they spend working as interpreters in, say, the courts—and, of course, it is an hourly rate for them. Mr Forrest will elaborate.

**Mr FORREST:** You asked how much we will spend. That is undecided, because it depends on how many times we will have to use what we call adjunct interpreters. So, sometimes we use casual people in the casual pool and sometimes we use the adjunct people. Since we started using the adjunct people, it is interesting to note that in June we were able to satisfy the courts' requirements for Aboriginal interpreters 100 per cent of the times they have asked, which has been very unusual. I think previously we have had a success rate in the 70s, so to have a 100 per cent success rate in the last month when the scheme has got up and running I think says that, so far, the scheme is working very well. The amount we will spend is undetermined, but there is a commitment to spend what is required to make sure the adjunct interpreters are in the courts when they are needed.

**The Hon. M.J. ATKINSON:** So, the amount of taxpayers' money we put in for adjunct interpreters in this financial year was \$124,000.

**Mr HANNA:** That is budgeted for. Do we know how many interpreters will be on the books, in terms of casuals, and how many you can expect to employ as adjunct in the coming year?

**The Hon. M.J. ATKINSON:** Multicultural SA has identified seven suitably skilled interpreters of Aboriginal languages from various public sector agencies, and has engaged these adjunct interpreters on nine occasions to do work in the courts. Most of that was towards the end of the financial year. This program took a long time to take off. Multicultural SA has been able to provide interpreters of Aboriginal languages for every one of the 12 requests from the courts for the period 1 June to 26 June. So that is just for the month of June—better late than never. Mr Forrest, are you able to add to that?

**Mr FORREST:** Just to help answer the question about the number of casuals. The number of casuals fluctuates, and that is one of the reasons why we went to this scheme. We have sourced, as the minister has said, seven adjunct interpreters at the moment. We have inducted them, and we have provided assistance to those who needed assistance to interpret in the courts by getting them to work with an experienced interpreter. Now that we have this tranche settled, we will start to find some more adjunct interpreters. It is really a matter of going out and finding them one by one, not advertising. Advertising has not worked for us; we have had to use networks to find them one by one.

**Mr HANNA:** And, finally, are they all Adelaide-based?

**Mr FORREST:** Yes; all the current group are Adelaide-based. We tried to source people in the northern areas of the state, but we have not been able to do that as yet.

#### **Membership:**

Mr Goldsworthy substituted for Mr Hamilton-Smith.

**The ACTING CHAIR:** Attorney-General, I assume you have no opening statement on this section.

**The Hon. M.J. ATKINSON:** No; all the questions lay in front of the member for Heysen bar one.

**Mrs REDMOND:** I will not go there. I will read out the omnibus questions first and then we will get on to the real questions. The omnibus questions are as follows:

1. Will the minister provide a detailed breakdown of the baseline data that was provided to the Shared Services Reform Office by each department or agency reporting to the minister, including the current total cost of the provision of payroll, finance, human resources, procurement, records management and information technology services in each department or agency reporting to the minister, as well as the full-time equivalent staffing numbers involved?

2. Will the minister provide a detailed breakdown of expenditure on consultants and contractors in 2008-09 for all departments and agencies reporting to the minister, listing the name of the consultant, contractor or service supplier, the cost, the work undertaken and the method of appointment?

In that regard, minister, I have made the same comment whenever I have read out these omnibus questions in other areas. In previous years, we have always asked about consultancies of more than \$10,000, and that is the anticipated figure that we are asking about. We do not expect you to report on things under that amount.

3. For each department or agency reporting to the minister, how many surplus employees will there be at 30 June 2009, and for each surplus employee what is the title or classification of the employee and the total employment cost (TEC) of the employee?

4. In financial year 2008-09 for all departments and agencies reporting to the minister, what underspending on projects and programs was not approved by cabinet for carryover expenditure in 2009-10; and how much, indeed, was approved by cabinet?

5. (i) What was the total number of employees with a total employment cost of \$100,000 or more per employee, and also as a sub-category 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 2009; and
- (ii) Between 30 June 2008 and 30 June 2009, will the minister list the job title and total employment cost of each position (with a total estimated cost of \$100,000 or more):
- (a) which has been abolished; and
  - (b) which has been created?

6. For the year 2008-09, will the minister provide a breakdown of expenditure on all grants administered by all departments and agencies reporting to the minister, listing the name of the grant recipient, the amount of the grant and the purpose of the grant, and whether the grant was subject to a grant agreement as required by Treasurer's Instruction No. 15?

7. For all capital works projects listed in Budget Paper 5 that are the responsibility of the minister, will the minister list the total amounts spent to date on each project?

Minister, I refer to Budget Paper 4, Volume 2, page 7.12. There is a marked reduction in the number of full-time employees in the workforce from the 2008 figure—actual—of 1497.7 to a budget for this year of 1440.2. The first question is: where are the 57 full-time equivalents to be taken from and why?

**The Hon. M.J. ATKINSON:** The decrease between the 2008-09 estimated result of 1,497 and the 2009-10 budget of 1,440 is mainly owing to reductions in the 2008-09 Mid-Year Budget Review full-time equivalent savings, which are projected to be 69, and other reductions to meet savings targets from the 2006-07 budget of 7½ full-time equivalents. However, this is offset by additional full-time equivalents for the Office of Consumer and Business Affairs, that is, 12½ full-time equivalents for the second-hand dealers and pawnbrokers system.

The Director of Public Prosecutions gets an extra 7½ full-time equivalents for the Sturt Street courtrooms—that is the two extra criminal courtrooms we are bringing back to Sturt Street to deal with the criminal cases backlog—and then the DPP and the Crown Solicitor's office share an extra seven full-time equivalents for the outlaw motorcycle gang measures. Where those 69 are going to be broken down across the Attorney-General's Department, we do not yet know.

**Mrs REDMOND:** I seek some clarification in relation to that. I understood you to say that the 57 full-time equivalents is 69 that you are saving somewhere, and then adding back in the offsets of 12½ at OCBA, 7½ at DPP and seven elsewhere. I still do not come to any figure like 57½ full-time equivalents.

**The Hon. M.J. ATKINSON:** You are missing the 7½ to meet the 2006-07 budget reductions.

**Mrs REDMOND:** I refer to page 7.16 of the same volume. I am a little puzzled by the reference 'public access' in the objectives. My question comes about partly because I am completely bemused by the fact that the Office for Recreation and Sport has suddenly shifted to Justice, so that within the Justice portfolio we have the resurfacing of the Santos Stadium. In particular, on page 7.16, under the Justice objective, we now find an objective of public access to 'programs and a range of facilities in the area of sport and recreation'.

I find it bewildering that these things are suddenly within the Justice portfolio, and I wonder whether the Attorney can give me some explanation for this. I can understand, for instance, that maybe ambulance and police and things like that could come under the broad jurisdiction of Justice, but recreation and sport just does not make any sense to me, other than I know you are a sportsman yourself, Attorney.

**The Hon. M.J. ATKINSON:** Well, you're right about that.

**Mrs REDMOND:** A famous footballer in your day.

**The Hon. M.J. ATKINSON:** Reserves, Australian National University, when we were within the Australian Capital Territory Football League—

**Mrs REDMOND:** I knew I shouldn't have mentioned it.

**The Hon. M.J. ATKINSON:** We were flogged week after week by the like of Eastlake, Manuka, Belconnen and Queanbeyan. Fortunately, there was a club just as bad as we were, and that was Royal Military College, Duntroon. There was one match a year to decide the wooden spoon, and I was part of that.

**Mrs REDMOND:** And you won the wooden spoon, I take it.

**Mr GOLDSWORTHY:** He played amateur league, too.

**The Hon. M.J. ATKINSON:** I played for the Flinders University Crabs. I cannot hide it from the member for Heysen: these programs shifted with the minister. Michael Wright became the Minister for Police, and that is his principal portfolio, so we shifted the lot into Justice.

**Mrs REDMOND:** And that is the only rationale for it?

**The Hon. M.J. ATKINSON:** Well, there are some sporting programs that touch on Justice, such as the Aboriginal Power Cup, but we have to say that it shifts with the minister; it is a rational way to do it. When the member gets some experience in government, she will see that the government of which she is a member does exactly the same.

**Mrs REDMOND:** One line above that particular point, there is something I hope is really just an oversight on the part of whoever authored the document because it also talks about public access to equitable services for all South Australians 'regardless of culture, language, religion or English language proficiency'. Whilst I welcome all of those, I was a little puzzled that 'regardless of disability' did not appear in there. I assume that it should have.

**The Hon. M.J. ATKINSON:** There is a Minister for Disability in the government. I do think it is a kind of political correctness for the member for Heysen to be looking in every portfolio for a mention of a shadow portfolio which she held until recently and then relinquished to the Hon. Stephen Wade. Perhaps the member for Heysen should have done a little more preparation for estimates.

**Mrs REDMOND:** I have plenty of questions. I was just asking on the way through. Moving to the next page of Budget Paper 4, Volume 2, I note that the Office of the DPP lists as 'Highlights' the following:

Recruited additional staff for matters arising from the Children in State Care Commission of Inquiry, Serious and Organised Crime Act and to deal with general workload in the Office.

Has there been any reduction in the overall workload of prosecutors? Under Sub-program 1.2 on page 7.23, it states:

The number of prosecution briefs in the ODPP has escalated this year after a period of relative stability.

It then says:

it is estimated that at the end of 2008-09 the number of briefs on hand will be approximately 3,000. Although the number of briefs being finalised by the ODPP each month has increased, there has been a greater increase in the number of prosecution briefs received...

I read that as indicating that, although the Office of the DPP is doing its best and increasing its finalisation rate, the effect of the increased workload is that the gap between the amount of work coming in and the amount of work that it is able to finish is increasing. Am I reading that correctly? Is it a fact that, although it is increasing its output, its finalisation of briefs, the work is coming in at a faster rate and, presumably, the workload of the office is actually increasing rather than reducing?

**The Hon. M.J. ATKINSON:** The public of South Australia and the member for Heysen have not heard much of late from the Director of Public Prosecutions, Mr Stephen Pallaras. That is because the government has more than met his requests for taxpayers' money. Indeed, I think it unlikely that the Office of the DPP will be able to spend all the money that the government has allocated to it in this year's budget.

When I became Attorney-General, a Liberal MP approached me and said, 'Mick, you have to do something about the Office of the DPP. It has been running on the smell of an oily rag.' Now, let us be clear under which governments it was running on the smell of that oily rag: it was under the Brown government, the Olsen government, and the Kerin government.

So, we did something about that. In 2002-03 the budget for the Office of the DPP was \$7.1 million and there were 70 full-time equivalents; in 2003-04 there was a budget of \$8.8 million and 75 full-time equivalents; in 2004-05 there was a budget of \$10.1 million and 81 full-time equivalents; in 2005-06 there was a budget of \$12 million and 109 full-time equivalents; in 2006-07 there was a budget of \$12.7 million and 113 full-time equivalents; and in the most recent financial year there was a budget of \$15.2 million and 132 full-time equivalents. In the next financial year that will rise to a budget of \$17.6 million and 148 full-time equivalents.

Not even the member for Heysen could fail to notice that the number of full-time equivalents in the Office of the DPP has doubled. It is springtime for the Office of the DPP under the Rann Labor government. We will follow up that pernicky question on behalf of the member for Heysen, but the overall trend in the Office of the DPP is clear.

**Mrs REDMOND:** Attorney, I accept the numbers you have just recited and I accept that there have been significant increases in funding and in full-time equivalent numbers of staff—

**The Hon. M.J. ATKINSON:** No longer the smell of an oily rag.

**Mrs REDMOND:** I accept that; however, your own budget document says, on page 7.23, that, in spite of the fact that the office has increased the number of briefs being finalised, there has been a greater increase in the number of prosecution briefs received. Surely, in anyone's language, that means there is an increasing disparity between the amount of work that the office is expected to do and the resources available to do it.

**The Hon. M.J. ATKINSON:** We will check that interpretation of the member for Heysen, but I hope she is not deploring the police arresting more people for indictable offences and the DPP prosecuting them. I hope she is not going down the road of her leadership in the parliamentary Liberal Party and condemning this increase in full-time equivalents in the DPP as more 'fat cats', because the people who prosecute alleged indictable offenders—murderers, armed robbers, pederasts—in our society are not, as the parliamentary Liberal Party characterises them, 'fat cats'.

**Mrs REDMOND:** The Attorney no doubt will not be surprised to find that I do not consider those people fat cats—

**The Hon. M.J. ATKINSON:** But you do include them in your figures of people earning more than \$100,000 a year, which your party, your deputy leader, Vickie Chapman, characterises as 'fat cats'.

**Mrs REDMOND:** In fact, Attorney, I think you will find that it was your party that started that little tag for people earning \$100,000 a year. That said, I guess in essence I want to know—and you may have to take this on notice—what is the workload, the caseload, for each of the officers of the DPP? Is that growing, or are the extra moneys and people actually reducing the workload? My understanding is that, compared to the workload of equivalent positions in other states, our state ranks very poorly.

The other part of that question—and, again, I am happy for you to take this on notice—is: are we able to get any sort of a breakdown of the seniority or the level of experience of the

prosecutors? Obviously, a first year prosecutor can do a certain level of work, and other more complex things will need to have someone with more experience. Are those figures available?

**The Hon. M.J. ATKINSON:** The member for Heysen makes a good point that is also made in the 'Lizard Drinking' report on the office of the DPP, that is, the juniorisation of the office of the DPP. Many people who worked in the DPP—or quite a few—have been appointed to judicial office under this government. Peter Snopek springs to mind and Peter Brebner. People have left and they have been replaced by junior people. The member for Heysen is right, that you do not expect the same output from a first year prosecutor as you expect from a 15 year veteran.

I also think that the member for Heysen's measure is a superficial measure, because it depends whether these prosecutions go the full distance. We had Mark Griffin QC and Bill Boucaut in as consultants in the office of the DPP, and I am sure that the Hon. Rob Lucas will add them to the list of wicked consultants on which the government is wasting money. They came into the office of the DPP, they looked at dozens of files and they got them finished, compromised, tied up, because we brought in some experienced people who had the oomph—

**Mrs REDMOND:** The nose.

**The Hon. M.J. ATKINSON:** —the nose—to figure which should go to trial, which should be charge negotiated out and which should be dropped. They went through those files like a dose of salts; and although they appeared in the statistics as prosecutions adding to the load of the DPP many of them were quickly finalised. It depends how many prosecutions go the full distance, how many are charge negotiated and how many are dropped, which leads me on to the Criminal Justice Ministerial Task Force.

A pilot committal process was commenced this year at the Adelaide Magistrates Court with the intention to ensure that matters are ready for trial when they are committed to the higher courts and to encourage early resolution, if that is possible. First conferences occurred on 17 April, so we really do not know yet whether or not that is working. However, the process is a conference requested by an oral application either by the DPP or by the accused on the date listed for the accused to answer the charge.

The conference is listed no sooner than seven days after the application is heard. Before the date of the conference the office of the DPP files and serves a summary identifying the elements of each charge and declarations that contain proof of each element. A magistrate presides over the conference and the proceedings are recorded. We hope that we will get up four conferences a week each of half an hour duration. The 2009-10 budget also provides for additional special justices of the peace to reduce the waiting times of magistrate courts and to allow magistrates to deal with more serious cases in court.

The member for Heysen will recall that it was under a Liberal government (under the attorney-general of blessed memory, the Hon. K.T. Griffin) that special justices, that is, justices of the peace who were justices of the quorum, were removed from our courts. Also, resident magistrates were removed under the Liberal Party. All the magistrates were flown in from Adelaide to the magistrates courts in the country. They did not have the local knowledge that we hope that resident magistrates now have.

The member for Heysen supported Trevor Griffin's initiative to get rid of special justices. Indeed, as late as the last parliament she was reflecting in an insulting way on the ability of justices of the peace to deal with minor matters in the magistrates courts. That is on the *Hansard* record. We have reintroduced resident magistrates. We have taken the burden off magistrates so that they can be freed up to deal with the important matters. They should not be hearing matters that a special magistrate can hear.

Indeed, I am planning to introduce a bill to parliament soon to increase the range of functions that justices of the peace with the appropriate training can deal with in our Magistrates Court. The other thing to say is that this has been a court-building government. We have built five courts in the country areas of South Australia. Before the member for Heysen gets stuck into us because we have not built a Taj Mahal on Victoria Square, she ought to take into account that we have built new courts in Port Pirie, Port Lincoln, Victor Harbor and Berri. Indeed, for the first time we have put a resident magistrate in Berri—currently magistrate O'Connor, and previously magistrate Snopek who was brought up in the Monash area.

And we have built a magnificent new court in Port Augusta, which I hope the member for Heysen has visited. This Labor-National coalition government is a party for the regions, and that is why we have built—

*Members interjecting:*

**The ACTING CHAIR:** Order!

**The Hon. M.J. ATKINSON:** —new courts all over regional South Australia—in the member for Chaffey's electorate which, I am sure, she will hold, and also in the member for Finniss's seat at Victoria Harbor.

**Mrs REDMOND:** I have a point of order. The Attorney is trying to waste the little time that is available here. He has begun by answering a question which actually belongs in the Courts Administration Authority area. I thank him for the answer because he has now answered one of the questions I was going ask.

**The Hon. M.J. ATKINSON:** Always willing to help.

**Mrs REDMOND:** However, there is very limited time in this portfolio, and the construction of courts is clearly not part of this portfolio, so I do not see that he should be allowed to get away with that. Furthermore, to suggest on the record that I supported the Hon. K.T. Griffin doing anything as attorney-general is a nonsense because I was never in the parliament while he was the attorney-general. So, I invite the Attorney to acknowledge on the record that he just got it completely wrong. However, rather than waste time on that at the moment I move on to the next question. I will make one other comment: I never objected to trained special magistrates being able to hear things but rather to people who were merely justices of the peace sitting on the bench with no particular—

**The Hon. M.J. ATKINSON:** Merely justices of the peace! They always had training. When they were justices of the quorum they had training.

**Mrs REDMOND:** Clearly it was insufficient and I am grateful that the current government has introduced appropriate training so the people there now have genuine training, which enables them to deal with the matters before them, because my experience before some of the justices that used to be on our benches was clearly that they had no idea of some of the matters they were hearing.

**The Hon. M.J. ATKINSON:** We will convey that to them.

**Mrs REDMOND:** To get back to the matters before us—

**The ACTING CHAIR:** I call on the government, as the opposition has had seven or eight questions.

**Mr PICCOLO:** I draw the Attorney-General's attention to Budget Paper 4, Volume 2, page 7.17, and the highlight to encourage donations of safe surplus food by protecting food donors from liability. I recall that, during the debate on the bill in 2008, the Attorney-General pledged to issue a discussion paper on the idea of extending this protection to donors of any type of goods and services—

*Members interjecting:*

**The ACTING CHAIR:** Could we please get on with the questions, as we are wasting everyone's time. I do not want to sit here and listen to this drivel. I ask the member for Light to ask the question and for the Attorney to answer it.

**Mr PICCOLO:** —to charity and to release it by June 2009. Has this been done?

**The Hon. M.J. ATKINSON:** It has indeed been done, yes. To give background to the festivities here, the ABC is reporting that Martin Hamilton-Smith is causing a spill and will contest the leadership; the member for Bragg is canvassing votes in the committee as we speak.

As many members here will recall, in June 2008 I introduced the Civil Liability (Food Donors and Distributors) Amendment Bill 2008 into the parliament. That bill sought to amend the current act to provide greater legal protection from civil liability for charitable food donors, as long as the donors gave food believing it was safe and were not reckless as to its condition. It was a step taken by the Rann government because it enabled food retailers, who had long wanted to do more to help the state's most disadvantaged but had been wary of potentially costly legal action, to donate food in a responsible manner without fear of legal repercussions.

It was not just food retailers: the Hilton Hotel in Victoria Square was one venue that had been very generous to people who were down on their luck in Whitmore Square, and food not required at the Hilton of an evening would be taken either that evening or next morning down to

Whitmore Square by a kind chef. However, developments in the law of negligence meant that he had to stop doing that. I was pleased to meet that chef at the Daughters of Charity on Hutt Street after this law had been passed and brought into effect, and he could recommence his good Samaritan work, as could others. Before the bill passed parliament, much heated debate was generated by the member for Davenport over its content. One such topic heavily debated was the idea of extending this protection to donors of any type of goods and services to charity.

**The ACTING CHAIR:** Has the Attorney-General finished?

**The Hon. M.J. ATKINSON:** Something has attracted the attention of both the chair and the member for Heysen. As no other Australian jurisdiction had implemented such amendments, nor had it been the subject of any public discussion, the Rann government decided that the proposal should be the subject of separate public consultation to ensure the best possible balanced outcome for food donors and needy recipients. At the time, the government made a pledge to have a discussion paper on this topic prepared and released before the end of June this year. I can tell the committee that the Rann government has honoured its pledge.

**Mrs REDMOND:** Can you turn the pages more slowly?

**The Hon. M.J. ATKINSON:** The discussion has been prepared and will be available to the public from today.

**Mr PENGILLY:** It is contempt of the process.

**The ACTING CHAIR:** Order! The minister will finish his answer.

**The Hon. M.J. ATKINSON:** I was just wondering what the member for Finniss meant by contempt for the process.

**The ACTING CHAIR:** Ignore them—both sides.

**Mr RAU:** On a point of order, Madam Chair: I invite you to name me as an example to these people.

**The ACTING CHAIR:** You are not getting out of it that easily, member for Enfield. If I name you, I will name the rest of us as well.

**The Hon. M.J. ATKINSON:** The member for Enfield presents himself to the chair with his own hand for naming.

**The ACTING CHAIR:** And you have one more minute to finish the question.

**The Hon. M.J. ATKINSON:** It has been published on the Attorney-General's Department website. Several of those involved in the debates on the 2008 bill have already been consulted on the draft discussion paper, because the government was striving to ensure that it covered the issues raised by members last year, especially the member for Davenport.

To ensure that the discussion paper has the wide range of valued opinions it needs, a letter will be sent to notify organisations that the government thinks will have a particular interest in the topic. These include charitable, community volunteer and business organisations. A letter has also been sent to the Minister for Volunteers, the Commissioner for Social Inclusion and the Commissioner for Consumer Affairs inviting them to comment on the discussion paper. The same letter will be sent to the members of parliament who may have a special interest in the topic, such as the member for Davenport.

Public submissions can be made at the Attorney-General's Department website at [www.agd.sa.gov.au](http://www.agd.sa.gov.au) or to the Attorney-General's Department at [pplsubmissions@agd.sa.gov.au](mailto:pplsubmissions@agd.sa.gov.au). Submissions for the discussion paper will close on 31 August, so the members for Davenport, Heysen and Bragg will have plenty of time after the Liberal leadership is resolved to apply their mind to the discussion paper.

I encourage any person or organisation with an interest in the topic to make a submission either in a letter or in electronic form. The discussion paper will determine whether we should extend the protection food donors currently enjoy to the donors of any type of goods and services to charity. The civil liability bill has been a major success for food donations, and it is time for South Australia to lead the nation in further protecting our charitable donors in a responsible and measured manner. I thank you, Madam Acting Chair, for your indulgence in allowing me to complete the answer beyond the one minute limit you imposed on me.

**The ACTING CHAIR:** You are very lucky, Attorney.



**Mrs REDMOND:** Speaking of food, I have my curiosity piqued by what appears to be a cup of tea or coffee which the Attorney-General has had delivered and which I understand to be in breach of the standing orders of this place.

**The ACTING CHAIR:** Member for Heysen, I cannot see the cup of tea or coffee.

**Mrs REDMOND:** Well, we can.

**The ACTING CHAIR:** However, if the Attorney has a cup of tea or coffee there I suggest that it be taken away, because it is against the rules.

**The Hon. M.J. ATKINSON:** The chair is absolutely right, and I wondered about that when it was first delivered to me.

**Mrs REDMOND:** I refer to Budget Paper 4, Volume 2, where sub-program 1.1 refers to the Crown Solicitor's Office. I have a couple of questions in relation to that. Will the Attorney first explain what is the Crown Solicitor's Office out-posted legal program? Just below the dot points in the performance commentary it states, 'As part of the CSO out-posted legal program, provision of legal services in relation to effects of financial abuse on the elderly which is becoming a significant social and legal issue.'

I notice also in the performance indicators there are both in-house and out-posted lawyers. I have always understood that the out-posted lawyers were people who were perhaps on permanent secondment to the Public Trustee or something like that, but the reference in the higher part of the performance commentary made me think that perhaps there has been some change in the nature of the out-posted legal program. Will the Attorney please explain what that is?

**The Hon. M.J. ATKINSON:** The member for Heysen is right in thinking what she does about the out-posted lawyers program, and there is no change to it. I would add that we try to get out-posted lawyers back from time to time into the Crown Solicitor's Office lest they go native in their posting.

**Mrs REDMOND:** In regard to both the in-house and out-posted lawyers, the number of hours anticipated to be provided in the next year is reduced quite significantly for both of them: the in-house lawyers from 210,000 to 189,600 hours, and the out-posted from 50,00 to 47,100 hours. What is being reduced to enable the in-house and out-posted lawyers to deliver less services?

**The Hon. M.J. ATKINSON:** I am advised that, despite this apparent drop, the legal hours and productivity remain steady, and this drop can be attributed to either greater complexity of matters or different composition of matters; that is, more litigation will require a longer period between opening and closing.

**Mrs REDMOND:** With respect, Attorney, that does not make any sense, because what we are talking about on those figures is not an amount of money but the number of hours of legal services. What the figures clearly say is that less hours of legal services—

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

**Mrs REDMOND:** Sorry: fewer hours of legal services—will be provided. So, the complexity of it does not matter: it is the number of hours that are put towards legal services by the Crown Solicitor's Office.

**The Hon. M.J. ATKINSON:** This answer will be fuzzy, but we will gain greater precision afterwards and give the honourable member a more considered answer in the weeks to come. In the 2008-09 portfolio statements, the Crown Solicitor's Office has an estimated result of 210,000 hours for in-house legal staff. The result is higher than the amended 2009-10 target of 186,000 hours.

**Mrs REDMOND:** It's 189,600.

**The Hon. M.J. ATKINSON:** Yes; 189,600 hours. The member for Heysen is on the ball, showing leadership ability. The difference is explained by two factors. The average actual productivity level of the Crown Solicitor's Office staff is 78 per cent whilst the target is based on 70 per cent. The actual number of staff contributing to in-house legal hours is 157, and the amended target is based on 154 staff.

**The ACTING CHAIR:** We are almost ready to move on to the next section.

**Mr PENGILLY:** I have one question. I refer to Budget Paper 3, page 4.6: Commonwealth payments to the states. In particular, I refer to table 4.3: commonwealth payments to South

Australia 2008-09 and 2009-10. Presuming veterans affairs is categorised under the heading of 'Other', with an estimated commonwealth budget of \$130 million, will the minister explain and break down how much in dollars of this 'Other' budget is allocated to the veterans affairs portfolio?

**The Hon. M.J. ATKINSON:** We do not get any money from the commonwealth government for our veterans affairs micro agency.

**Mr PENGILLY:** If there is no allocated funding, is there a commitment of funding from the state government to benefit the veterans affairs portfolio, because I cannot find anything?

**The Hon. M.J. ATKINSON:** Yes; we fund it.

**Mr PENGILLY:** Where from?

**Departmental Adviser:**

Mr B. Denny, Director, Veterans Affairs.

**The Hon. M.J. ATKINSON:** Veterans SA is a micro agency that is administered from within the Attorney-General's Department. It has a full-time staff of three: a director (Bill Denny), a ministerial liaison officer (AS05) and a ministerial support officer (AS02). The appropriation for this financial year is \$476,000; next year, \$462,000; 2010-11, \$472,000; and 2011-12, \$481,000. The micro agency receives support from all 30-plus ex-service organisations in the state. About \$100,000 is discretionary funding for the minister to meet the portfolio—

**Mr PENGILLY:** From within the Attorney-General's Department?

**The Hon. M.J. ATKINSON:** That is correct.

**Mr PENGILLY:** It is not stipulated anywhere in the budget papers, so is it just part of the holistic Attorney-General's budget?

**The Hon. M.J. ATKINSON:** It is just one of the many things we do.

**Ms BEDFORD:** I have a supplementary question. Apart from the wonderful Badcoe VC tour, which has gone through regional South Australia and has been really welcomed, what other activities or organisations has he been able to support with funding?

**The Hon. M.J. ATKINSON:** I will ask Mr Denny to make his debut on *Hansard*.

**Mr DENNY:** The minister is granted discretionary funding to spend in pursuit of issues related to his portfolio, and there have been about 14 of those. Perhaps the most significant is the support of the Returned & Services League for the annual Anzac Day commemorative march in South Australia with an amount of \$25,000. This march was unfunded as a state event until this stage. The Vietnam Veterans Day Council, which is a joint council of all Vietnam veteran organisations, received \$5,000 to part fund Vietnam Veterans' Day on 20 August 2008. The Army Museum of South Australia received \$5,000 to fund the Korea/Len Opie memorial exhibit at the Army Museum of South Australia.

**The Hon. M.J. ATKINSON:** At Keswick.

**Mr DENNY:** You would recall that Len Opie was the most decorated soldier in South Australia and passed away in September last year. The Returned & Services League received \$3,000 to fund the 'I Remember' concert on the 90th anniversary of Remembrance Day last year. The Unley Concert Band received \$2,000 as a contribution towards its tour of the Western Front in April last year. The Vietnamese Invalid Veterans Association received a donation of \$1,000 towards its work. The RSL, as the auspicing body, received an amount of \$3,300 for costs associated with the state sponsorship for the first time of the Aboriginal Veterans Commemorative Service held on 29 May this year. West Croydon Kilkenny RSL received \$2,031.70 for the provision of a portable public address system for use on Anzac Day and at associated RSL activities.

The Repatriation General Hospital received a grant of \$2,000, which was a research paper grant for Foundation Daw Park. There was \$23,000 allocated towards the appointment and funding of the Veterans' Advisory Council. There was \$10,000 made available to the Returned & Services League for the provision of outdoor television screens to assist with the conduct of the Anzac Day Dawn Service at the State National War Memorial. And an amount of \$4,990 funded an Armistice Day tour last year by the Hon. Graham Gunn MP and Mrs Gunn, as representatives of the state parliament.

**The ACTING CHAIR:** Thank you, it is good to have a very concise answer. It is now time to move on to the Electoral Commission and the Courts Administration Authority.

**Departmental Advisers:**

Ms K. Mousley, Electoral Commissioner, Electoral Commission SA.

Mr D. Gully, Deputy Electoral Commissioner, Electoral Commission SA.

**The Hon. M.J. ATKINSON:** We are now dealing with an agency that has the misfortune to know that there are 69 world experts on its remit in the parliament.

**Mrs REDMOND:** I refer, first, to highlights and targets for the Electoral Commission which appear in Budget Paper 4, Volume 2, at page 7.97. The first question I want to ask relates to the second dot point in the highlights, that is, 'Partnered with South Australian government departments, TAFE, tertiary institutions and the vocational education sector (government and non-government) to increase youth enrolment.' My recollection is that we had a discussion about this during the debate on the bill which is currently before the house.

I want to clarify the meaning of the word 'partnered' in relation to that dot point. My understanding of the provision that is to be inserted in the new legislation, if and when it passes, is that there will be a right to obtain information. If no such right exists at the moment, how is the information being obtained; or did that specifically pertain only to SACE students and, if it did, why can it not be captured by the same partnering arrangement that applies to TAFE, and so on?

**The Hon. M.J. ATKINSON:** I ask the commissioner to respond to that question.

**Ms MOUSLEY:** In the context of the highlights, the word 'partnered' is used in a somewhat different context. We are partnering with SACE, through a legislative provision, to obtain the data for their 17 and 18 year olds who are currently studying at high schools to endeavour to get enrolment forms and capture the information and put those young students on the roll. Further, we have partnered with the Office for Youth to incorporate some questions into surveys that it has undertaken to try to find out how we can encourage youth to become more aware and, when they are more aware, obviously, to participate at a higher level as well.

We also entered into a partnership trial with Service SA which has now been completed. The concept of that trial was that, when young people sit for their learner's permit (to be able to go out and start driving on the roads), when they are in the cubicle undertaking their test, they would see an advertising brochure, etc. containing copies of enrolment forms. We were trying to encourage them, while they were sitting doing their test, to pick up an enrolment form, complete it and send it back to us. That was a three-month trial that went from January to March of this year. That has now concluded because the evidence we have received was that very few of those young people sitting for their driver's licence were completing enrolment forms and sending them back to us. In the targets for 2009-10, we are looking at partnering with some of the apprenticeship boards to endeavour, once again, to encourage young people to become aware and then participate in the process as well.

**Mrs REDMOND:** A couple of dot points further down in the highlights, one highlight states: 'Relocated to new accommodation'. I gather that that is somewhat more convenient to this place in particular than the previous accommodation. I have heard that schools were combining visits here and visits to the office of the Electoral Commission, and that seemed like a good idea. However, recently I have heard that school visits are no longer available to the Electoral Commission. Could you indicate whether that is the case and, if it is, why?

**The Hon. M.J. ATKINSON:** The commonwealth government cut its funding for electoral education. The pupils and their teachers visited No.1 King William Street, the Australian Electoral Commission, not the Light Square office of the state Electoral Commission. Of course, No.1 King William Street is closer to this building than the new premises of the state Electoral Commission and indeed much closer than the old premises of the state Electoral Commission on the Britannia roundabout. However, the reason that these excursions to the Australian Electoral Commission has ceased is the cut in commonwealth funding.

**Mrs REDMOND:** The very next dot point under the highlights is 'Changed name to Electoral Commission of South Australia (ECSA) and established a new corporate image.' Could you explain the cost of doing that and the rationale behind it?

**The Hon. M.J. ATKINSON:** For the rationale, I shall ask the commissioner to reply. The commissioner has long been called 'commissioner' whereas the bureaucracy was called the state electoral office. I have grown up with that and I have got used to it and, probably for years hence, I will refer to the state electoral office and have to be corrected by the member for Heysen. As to the reason for calling it the state Electoral Commission, I will defer to the commissioner.

**Ms MOUSLEY:** The rationale for changing the name from the state electoral office to the Electoral Commission of South Australia was primarily for the convenience of the fact that we were often referred to, on an ongoing basis, as the electoral commission regardless of who we were dealing with. It made sense, when you looked around the country, as most of the other commissions in each of the states within the electoral industry are all called 'commission'.

With the imminent move to new premises, it seemed to be a very pertinent time to then change the name of the office, because in moving from one location to another you need obviously all new stationery etc., with new telephone numbers, a new address and anything else that might have changed. It seemed relevant to perhaps go ahead with that proposal at that point in time to save costs overall. In changing our name, it was a very minimal cost.

**Mrs REDMOND:** I take it that the reference to a new corporate image relates to having ECSA and a new letterhead rather than engaging people to figure out how you are going to improve your corporate image or something.

**Ms MOUSLEY:** You are correct. The new corporate image was to develop a new logo, something that we could identify with the electors and the voters and the other electoral jurisdictions. We commissioned a designer for a sum of \$2,000 or \$3,000. We did it within our normal operating budget. We developed a number of proposals and put those proposals out to staff for comment, and from that we then selected the one that we were all the most comfortable with.

**Mr PICCOLO:** The Liberals will need a new logo and a new letterhead on Saturday.

**The Hon. M.J. ATKINSON:** A new Internet site.

**Mrs REDMOND:** The member for Light will be pleased to know that I have a new photograph.

**Mr PICCOLO:** Ready for Saturday?

**Mrs REDMOND:** No; because of a letter of complaint to the local paper that I was using a photo that was too old which, for some reason, the Attorney doesn't seem to have.

**The Hon. M.J. ATKINSON:** Shame! That person should be found and flayed.

**Mrs REDMOND:** I will send that reference to the voter. The committee is probably aware of my great love of computers. A couple of dot points further down is: 'Undertook a review of iRolls (Personal Digital Assistants) used interstate and developed a plan for their introduction in the 2010 state election' and then under Targets, of course, is: 'Introduce iRolls (Personal Digital Assistants.)' Can the Attorney explain, with his great knowledge of computers and all matters relating thereto, what are iRolls (Personal Digital Assistants), how do they work, why are they being used and in what context?

**The Hon. M.J. ATKINSON:** Not just middle stump—all stumps. I shall defer to the Electoral Commissioner.

**Ms MOUSLEY:** Personal digital assistants are a hand-held device similar to a Blackberry.

**Mrs REDMOND:** I'm not up to Blackberries yet.

**Ms MOUSLEY:** It is perhaps a bit larger than a mobile phone. We have borrowed some 2,000 units from Queensland, which has been using these personal digital assistants (or iRolls as we refer to them). We are inserting copies of the electoral roll on to the iRolls from Queensland. What we are able to do with such a large quantity is then distribute those iRolls to each of our polling places and our electoral visitor team so that, if you are having a declaration vote of any type, we can use the iRolls as a look-up facility.

For example, if you are going into a polling place that is outside your area, you are able to go to the table, give them your name and address and they will look that up and insert the roll number on the top of the declaration envelope. That is confirming that you are enrolled for that address, and we are able to then give you the ballot papers to protect the franchise for the vote entitlement for that address.

Then eventually when the poll has closed for the day or when the material comes back eventually to the office, perhaps on the Sunday or the next day (or the Monday for those in the country who are further away), we can go through and sort the envelopes and send them out to the returning officers who for the first time are having a decentralised processing concept. When they get all these declaration envelopes that have been put into batches for them, they will then be able to just type in the identifier number to match them up with their details on the roll to record them as having a declaration vote of some type.

*Mr Piccolo interjecting:*

**Mrs REDMOND:** Oh, I'm thrilled about all technology! As I understand from what the commissioner has said, that will mean that that system could become reliant on the accuracy of the information. I think I understand the process you have outlined, but I assume that, as a sort of fail safe, if someone attended at a polling booth outside their electorate and said that they wanted to make a declaration vote, they would be able to do that even if they did not appear on that. It is just that the envelope would not bear the relevant number to enable it to be more quickly processed. Is that correct?

**Ms MOUSLEY:** That is correct. As another fail safe, we will have printed copies of rolls for people voting within their district. As an alternative, if your details do not appear on the copy of the iRoll on these handheld devices and you claim that you should be enrolled for a particular address, you will then be given a declaration vote, as is the norm, and the eligibility for voting entitlement will be confirmed later when it is returned to the officers for processing.

**Mrs REDMOND:** So, I need not be afraid at this stage that we are moving to an electronic voting system?

**Ms MOUSLEY:** Far, far from it.

**Mrs REDMOND:** Just keep it far enough away so that I have time to live out my life.

**The Hon. M.J. ATKINSON:** Over my dead body.

**Mrs REDMOND:** Hear, hear! You might even persuade me to go for an electronic voting system, Attorney, if it can be over your dead body!

**The Hon. M.J. ATKINSON:** I want to state that, during my tenure of this portfolio, South Australians will continue to troop, reluctantly or not, to a local school or church hall, between the hours of 8am and 6pm, and they will indicate their preference using a blunt pencil and only a blunt pencil on a piece of paper.

**Mrs REDMOND:** Hear, hear!

**Ms CHAPMAN:** A shared policy.

**Mrs REDMOND:** Pardon me if I am cynical about computers, but a dot point further down states:

Redeveloped application software to support computerised enquiry, excuse recording [which I just love] and declaration vote processing at the 2010 state election.

It sounds to me like that is code for 'We bought a computer program and it didn't work, and now we have had to have it redone.' Can the Attorney explain whether I am misreading the need for redeveloping application software?

**The Hon. M.J. ATKINSON:** I will ask the commissioner to explain the true circumstances.

**Ms MOUSLEY:** These applications are currently available but for internal use only. At the moment, we are going through a redevelopment of programs, in collaboration, and we are dealing with the Office of Chief Information Officer to assist us in that process. We are making the systems available on a web front. So, for the first time, at the 2010 election, we are putting laptops in the office of each of our returning officers, and they will be doing a number of these processes in a decentralised environment.

To enable them to do some of these processes, they then require an access to the platforms, which we had normally for internal purposes. This is a process that we need to go through to open up the process on a limited basis, because there are still protections in place to ensure that there is password and access protection to different levels of the process as well. So, it is a system whereby the returning officers will be able to input data, and it will feed in and report into our internal databases.

**Mrs REDMOND:** That might also partly explain one of the queries I have, and that is, the target regarding the training of returning officers and other electoral officials, which appears at about the middle of the targets for next year: I take it that the need for training is not that there are so many returning officers but that these changes in the system in terms of the computer technology will be in use. Is that a fair assessment?

**Ms MOUSLEY:** Yes; you are quite correct. While we still have 21 new returning officers for this forthcoming election, there are a number of new processes that will require new skills and new understanding of the concepts behind the processes as well. So, we have to develop and deliver a whole new raft of training programs for our returning officers, and some of those programs will also be targeted at their staff, who will be employed on the days after the election to undertake that processing.

**Mrs REDMOND:** The third to last dot point under 'Highlights' states:

Developed an operational guide on the elector representation review process.

That 'elector representation review process' is again mentioned in the targets. Can the Attorney explain what exactly is an 'elector representation review process'?

**The Hon. M.J. ATKINSON:** A local government council can apply to have a redistribution because its wards have got out of whack, that is, that one ward is bigger than another or less than another by more than the accepted tolerance. So, from time to time, councils request the commissioner for a review of their voting system. In any case, the commissioner advises me that they are required to do it every eight years.

**Mrs REDMOND:** So, that would be somewhat like our four-yearly boundaries review—

**The Hon. M.J. ATKINSON:** That is right.

**Mrs REDMOND:** —but it is conducted within the commission?

**The Hon. M.J. ATKINSON:** I am advised that the councils appoint consultants to conduct the review.

**Mrs REDMOND:** I am just trying to get some clarity, because there is that dot point in the highlights for this year, which I have already read out, and then in the very last target for next year is 'Certification of 49 local government elector representation reviews'. I take it that in that case there must have been—

**The Hon. M.J. ATKINSON:** The role of the commission is to determine whether the councils have followed due process. We would not want another governor Gerry appearing in our local councils.

**Mrs REDMOND:** The very last dot point in the highlights refers to conducting various fee for service elections—indeed, on the targets for next year there will be various fee for service elections for Super SA, Funds SA and various health boards. Can the Attorney-General indicate the basis of the fee for service and how it is calculated? I have assumed—but I would like to be sure—that it will include things such as printing costs and advice, but not necessarily a calculation of what would be a proportion of the lease payment for the premises occupied by the Electoral Commission.

**The Hon. M.J. ATKINSON:** If, for instance, the Electoral Commission were to conduct Saturday's ballot of the parliamentary Liberal Party, that would be a comparatively inexpensive ballot to conduct, but I am sure that the commission would ensure that it was above board in all respects. However, I will ask the commissioner to explain how the costs are calculated.

**Ms MOUSLEY:** When we conduct a fee for service ballot, we incorporate costings for staff time spent on undertaking the ballot and on any of the other extraneous arrangements that are required, and we incorporate all printing costs and all postage costs, so we are recovering full costs. Obviously there is a percentage applied to the costs of the staff hour time to recover some form of overheads in respect of rental, utility costs, etc., in housing our staff while they are conducting the ballot.

**Mrs REDMOND:** Is there a percentage applied to all the boards, and so on, for which you conduct elections?

**Ms MOUSLEY:** Yes; at the moment it is in the vicinity of some 75 per cent on costs.

**Mrs REDMOND:** With respect to the issue of returning officers, obviously they do need training and they need to be aware of various things, but my understanding is that, in addition, your

staff need to be pretty well versed on the Electoral Act. Are they also required to be well versed on the implications of council bylaws, which work in concert with the Electoral Act when it comes to election time and the putting up of corflutes, for instance?

**The Hon. M.J. ATKINSON:** Do not be provocative; you know how much I hate them.

**Mrs REDMOND:** I am curious as to the role of the Electoral Commission in managing compliance with the Electoral Act, other than the readiness of returning officers at each election. What happens, both at election time and at other times, in terms of ensuring compliance with various provisions of the Electoral Act?

**The Hon. M.J. ATKINSON:** I will ask the commissioner to respond.

**Ms MOUSLEY:** When I am responsible for conducting an election I administer the provisions of the Electoral Act. If there is a problem with a council bylaw, that matter is referred to the council for its consideration of what sort of action might be required; if it is a police matter, I will refer it to the police for their remedy. I am only able to administer the provisions under the Electoral Act.

**The ACTING CHAIR:** We have now gone 10 minutes past the proposed timetable, but I have allowed that because we did lose some time. Is the member for Heysen happy to change to the Courts Administration Authority, or is there another question that she passionately needs to ask?

**Mrs REDMOND:** I have two quick questions that I do not think will be difficult for anyone; it will make it easier than putting them on notice. First, there is an item in the performance indicators on page 7.100 that indicates quite a jump in the number of interstate or territory electors served—the footnote at the bottom talks about various elections held in the states and territories, even in New Zealand, and a daylight saving referendum in Western Australia. We had a total of 670 people in this state who came from those various places at times when their elections or referenda were being held, and we serviced them. I assume that is done on a reciprocal basis from state to state or territory to state, and so on, and that there is no charge created from that.

**The Hon. M.J. ATKINSON:** That is correct.

**Mrs REDMOND:** My other question relates to the previous page 7.99. Near the bottom, where it says 'Incomes, fees, fines and penalties', there is a figure of \$27,000 for 2007-08 but nothing after that. I assume that is because the 2006 election would have given rise to some of those. Am I reading that correctly?

**The Hon. M.J. ATKINSON:** Yes; you are reading it correctly.

**Mrs REDMOND:** Also, are they expiation, or were there any actual prosecutions in relation to that?

**The Hon. M.J. ATKINSON:** I think the member for Heysen was driving at this during the debate on the electoral bill, and I was unable to answer. First, the expiation fee for failing to front for the purpose of voting—attendance—is \$10.

**Mrs REDMOND:** Don't let that bit of information out—everyone will just pay up and not go!

**The Hon. M.J. ATKINSON:** But wait, there's more! The victims of crime levy has just gone up, and that will be \$20. Then, if you go to court, it is a maximum fine of \$50, but you will have court costs—

**Mrs REDMOND:** Prosecution fees, and so on.

**The Hon. M.J. ATKINSON:** Yes, prosecution fees. The question: did any people insist on being prosecuted as distinct from paying the infringement notice? We think at this table that the answer is yes, but we do not know. We can find out for the honourable member.

**Mrs REDMOND:** I am happy to move on.

**The ACTING CHAIR:** We will now go to the Courts Administration Authority. I thank the advisers from the Electoral Commission.

#### **Membership:**

Ms Chapman substituted for Mr Pengilly.

**Departmental Advisers:**

Mr J. Doyle, Chief Justice, Courts Administration Authority.

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

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

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

Mr M. Harrison, Chief Financial Officer, Courts Administration Authority.

**The ACTING CHAIR:** Attorney, do you have an opening statement on this session?

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

**The ACTING CHAIR:** Does the member for Heysen have some questions?

**Mrs REDMOND:** One or two. Starting at the beginning, I refer to page 7.75 of Budget Paper 4, Volume 2. The objectives for the Courts Administration Authority are listed, and there is a series of dot points. The third and fourth dot points talk about 'improve court facilities' and then 'foster an environment in which judicial officers, staff and volunteers can contribute to effective performance of the courts system'.

I am not looking for a dissertation on how wonderful the Labor government has been in building new courts in various other locations; I want to know what has been done to improve the court facilities in the City of Adelaide and, in particular, in the Supreme Court precinct.

**The Hon. M.J. ATKINSON:** The principal answer is that the government is in the process of opening new courts at Sturt Street in the city. They were once courts, going back, I think, to the early to mid 1980s. We are spending capital of \$3.83 million and recurrent \$4.15 million in 2009-10 and \$5.49 million in 2010-11. We are making the Sturt Street courts comply with the Disability Discrimination Act. We are improving the supply of power at the site. We are replacing the ceilings to give enough space for airconditioning installation. I believe that the Sturt Street project is ahead of schedule. We will shortly be appointing three District Court judges, two of whom will work principally from—

**Mrs REDMOND:** I thought you were stopping there.

**The Hon. M.J. ATKINSON:** —I am sorry that the member for Heysen reflects on our judiciary that way—Sturt Street and remove the criminal cases backlog. So far as maintenance on the existing building, the maintenance budget this financial year was \$1.59 million, and we expect that will have been fully expended by the close of business today. That covers breakdown maintenance, mandatory planned maintenance and the replacement of obsolete equipment. There has been work on the lifts, mechanical plant, fire systems and security systems, inspection and rectification of building structural issues, vermin and pest management control, mechanical and electrical plant, replacement of floors and painting.

**Mrs REDMOND:** I thank the Attorney for the information but, as he indicated, that was a maintenance budget, and your objective says 'improve court facilities'. My reading of a report from the judges that came out just within the last month indicated that there are ongoing issues, particularly with the Supreme Court precinct. From your answer regarding the new Sturt Street courts, I understand that they will house District Court matters rather than Supreme Court matters. Again, I ask: what improvement has there been to the Supreme Court facilities for this state?

**The Hon. M.J. ATKINSON:** The member for Heysen can engage in semantics of maintenance versus improvement. If the parliamentary Liberal Party wants to include in its election costings the building of a new Supreme Court, I invite the member for Heysen to announce it to this gathering today.

**Mrs REDMOND:** Has the Attorney any improvements to note for the Supreme Court and the buildings in that precinct?

**The Hon. M.J. ATKINSON:** We set aside a budget for maintenance and the Courts Administration Authority decides how to spend it.

**Mrs REDMOND:** Are there outstanding issues in relation to occupational health and safety for people who work there or visit the Supreme Court precinct?



**The Hon. M.J. ATKINSON:** I have read the Supreme Court justices' report to me, which I have tabled in parliament. I am sure the parliamentary Liberal Party has read it and, if it, through the agency of the member for Heysen and its future leader—the member for Bragg, as from Saturday—wants to make an announcement today for the next election of what the Liberal Party will do with the Supreme Court by way of improvements or a new building when it takes office in March 2010, then today is an ideal opportunity to do so.

**Mrs REDMOND:** I do not care to make any announcement about our policy. I am trying to understand whether you intend to do anything about the state of the Supreme Court, which has been complained about every year that I have been shadow attorney-general and, most recently, in the judges' report. Is there any plan to do anything about it, or do you want to put on the record that you absolutely intend to do nothing?

**The Hon. M.J. ATKINSON:** There is a maintenance budget. The member has seen the budget and she can assess what that budget will allow and, more importantly, what it will not allow. It certainly will not, in the coming financial year, which takes us beyond the election, run to the construction of a new Supreme Court. If the member wants to announce improvements or a new Supreme Court building, she is at liberty to do so.

**Mrs REDMOND:** In other areas this government has announced projects to build other things that run out to 2019. Is there no plan at this stage for this government to address the longstanding issues of occupational health and safety in our Supreme Court? I point out to the Attorney that it is not just a matter of making lawyers or judges uncomfortable or unsafe in workplaces: many other people work there and many victims of crime have to attend there. It is not just a matter of giving money to lawyers, which I know the Attorney does not want to do, but is there any plan to address it, even in the longer term?

**The Hon. M.J. ATKINSON:** There is nothing in the current budget for a new Supreme Court, that is correct.

**Mrs REDMOND:** In answer to an earlier question the Attorney talked about the Sturt Street courtrooms being on time, indeed ahead of time. I had the feeling that they were meant to start earlier than they did. Is the Attorney saying that, notwithstanding any delayed start, they will be finished in accordance with all previous announcements that have ever been made about the Sturt Street courts?

**The Hon. M.J. ATKINSON:** The estimate was that they would be opened in November and we have been able to bring it forward to September.

**Mrs REDMOND:** It was never going to be any earlier than that?

**The Hon. M.J. ATKINSON:** No. With a bit of luck we might be able to appoint the judges earlier than that.

**Mrs REDMOND:** That would be good. I refer to the highlights for 2008-09, page 7.75. The second item is 'Progress the introduction of digital audio equipment in the courts'. Can the Attorney give any indication as to how much progress has been made, and is there an overall plan to put digital audio equipment in all courts, and where are we at if there is an overall plan to do that?

**The Hon. M.J. ATKINSON:** Much progress, but our greatest obstacle now is convincing magistrates to use the audiovisual equipment. Digital audio—sorry, I misunderstood the question. I will ask Mr Thompson to explain.

**Mr THOMPSON:** We had 71 Lanier units—tape recorders that operate on cassette—which are obsolete equipment. These are to supplement the courts where we do not use real time shorthand writers on Stenograph machines, so it is for the higher courts and their civil jurisdiction and for the magistrates courts. In the magistrates courts it has been a back-up for the magistrates' clerks, who traditionally have used shorthand for sentencing in particular. In the 2008-09 year we replaced 38 of the 71 units with digital audio, and our target for the 2009-10 year is to replace the remaining 33 units. We are making significant progress with that and are comfortable that we will achieve that target in the next financial year.

**Mrs REDMOND:** Once they are in place, will that lead to any saving in the sense of no longer having to employ people with particular skills to do the work that has been normally done by transcript typists?

**Mr THOMPSON:** With the digital audio we are still transcribing, particularly in the higher courts, to hard copy, as the courts still require the printed word. In the magistrates courts we have had trouble recruiting shorthand writers over a period of time, so this is a way to future proof the

organisation in that regard. In the short-term, the digital records will still be transcribed into hard copy. Experience from all states and territories that are using digital audio and have been for some time is that it has not caused a significant saving in reliance on hard copy, but it can confine how much of the evidence needs to be transcribed because the digital audio has the voice easily accessible, it can be annotated or flagged, and the judicial officer can say that they want that portion transcribed and it can be achieved a lot easier.

Once the comfort occurs with the digital audio, the presiding judicial officers can listen to it in chamber or wherever they want without having necessarily to call for it in hard copy. Long term there may well be a saving. I was at a meeting a week ago with all my Australian colleagues. The current experience is that it does not dramatically reduce reliance on the hard copy. It does save us a lot in relation to trying to recruit shorthand writers.

As most people would know, it is very difficult now to recruit people who are trained in shorthand writing, either manual or machine writing. The reasons for audio digital were twofold. One was to replace obsolete cassette machines, which can no longer be supported, so we had to do that. The second one is in the long term trying to future-proof the skill base, which is principally about shorthand writing, not about transcription services.

In the long term it will provide us with better options in that we should be able to stream some of that evidence to outsourcing or people who are working from home part-time, because it is capable of doing that, so it will in fact make some significant opportunities in the workforce going forward.

**Mrs REDMOND:** I would like to pursue this a little further. I am sure the Attorney is alive to the issue that I am alive to, and that is whether there is a risk that, as we move through an increasingly technological age, we will find that, for instance, old style floppy disks can no longer be read, because no-one has a drive in their computer and they are all using USBs; in fact, they are losing USBs all over the place. There is a risk that, as technology changes and particularly where it branches and one becomes popular and one not popular, we could therefore face losing records of cases. Is there a mechanism to make that fail-safe?

**The Hon. M.J. ATKINSON:** I will ask the Courts Administrator to respond.

**Mr THOMPSON:** There is an ongoing issue about being able to transition one form of technology record to a new form, not simply in relation to our needs but in relation to all technology issues there. We have a database that holds all of our transcripts now in relation to its electronic means, but currently of course we also have the hard copy on file.

One of the issues that we will be looking at is developing a migration process to be able to ensure that what we hold on our current databases is able to be migrated and upgraded into a new form, and it is the same sort of thing we are facing with records management. It is the sort of thing where we will be taking advice from the State Records Office about those mechanisms. In the meantime, we are not in that situation, but we are certainly aware of it, and whatever action we take we will ensure we have risk minimisation to ensure that we can migrate to the new database forms.

**Mrs REDMOND:** The last point in the highlights is the completion of the evaluation of the pilot Aboriginal conferencing initiative in Port Lincoln. When was it completed, what was the outcome and was it published? I do not recall it being tabled, but I do not know whether it was meant to be.

**The Hon. M.J. ATKINSON:** I will ask the Courts Administrator to respond.

**Mr THOMPSON:** The evaluation was carried out by the Office of Crime Statistics and Research and it is on its website in relation to that. The date on the report is June 2008. It is quite an extensive report, although the volume of matters in that court was fairly low in relation to that period; it is not a high volume court at Port Lincoln. In relation to the findings of the report and the aims of the pilot, the evaluation found that the overall findings of the review were that the Aboriginal conferencing pilot had been operating as intended and that five of the six aims had been achieved.

In relation to the specific aims of the pilot, there was agreement that the pilot had successfully involved members of the Aboriginal community and victims in conferences. For the most part, defendants had been made aware of the harm done as a result of offending; contrition and reparation by defendants had been both encouraged and witnessed; the victims had been provided with restorative opportunity by the opportunity to inform the defendant of the impact of the offending, to ask questions and to receive compensation; and the magistrates had been provided with better information to facilitate appropriate and constructive sentencing.

It found that the sixth aim, which was to give the community more confidence in the sentencing process, had not yet occurred. However, most stakeholders were optimistic that the benefits of conferencing would be disseminated in the community through elders and defendants and that this would in time increase confidence in the sentencing process. That is simply under the aims. The report and evaluation found lots of benefits in relation to the program as well, and certainly there was encouragement from the evaluation for the Magistrates Court to continue with the pilot, which in fact it is doing.

**Mrs REDMOND:** Thank you for that description, because it sounds very much like the family conferencing, which applies almost exclusively deals with non-indigenous youngsters, and in my view it will be a good thing if we develop a system to engage Aboriginal offenders in that. That said, on the very next page (page 7.76) of the budget I notice that alternative dispute resolution services have received only a \$5,000 increase in their budget this year, which is less than the CPI. I wonder whether there is an explanation for why in real terms that budget is going down rather than up.

**The Hon. M.J. ATKINSON:** I do not know whether the member for Heysen noticed the global financial crisis and the inability of the government to fund some services as it once did. We have to tighten our belts. This is one area where there has been a modest tightening of the belt. If the member for Heysen wishes to announce a Liberal policy initiative and expenditure increase for alternative dispute resolution services, I invite her to do so.

**Mrs REDMOND:** Further down, on the investing payments summary on page 7.76 there is a substantial item for just this next year of \$2.324 million for consolidation of Courts Administration Authority leased accommodation. What does that relate to?

**The Hon. M.J. ATKINSON:** It is the education building in Flinders Street.

**Mrs REDMOND:** I know the building. I take it from the word 'consolidation' that at present the Courts Administration Authority has bits and pieces everywhere.

**The Hon. M.J. ATKINSON:** Three bits.

**Mrs REDMOND:** And they will be located completely within a single building. What is expected to be the saving that will result from that consolidation, once that money has been spent?

**The Hon. M.J. ATKINSON:** The Courts Administration Authority has three leased sites in the central business district: 1,195 square metres in the Education Centre, Level 14, 31 Flinders Street, which is government owned; 659 metres in the Public Trustee building, Level 4, 25 Franklin Street, which is privately owned; and 905 square metres at 77 Wakefield Street, which is also privately owned. I understand from the Courts Administrator that there will be a move to consolidate these at 31 Flinders Street and that the Courts Administration Authority expects savings from that; and they are reflected in the budget.

**Mrs REDMOND:** I refer to Program 1: Court and Tribunal Case Resolution Services. When talking about tribunals, are they only tribunals that actually sit within the District Court or does it include tribunals such as the Residential Tenancies Tribunal that is separate?

**The Hon. M.J. ATKINSON:** Only those within the existing courts.

**Mrs REDMOND:** It has remained static and, therefore, in real terms the employee benefits and costs seem to be trending downwards rather than increasing in accordance with CPI. Is that, again, the global financial crisis?

**The Hon. M.J. ATKINSON:** I do not think there is a great deal of difference between the two figures. I just think the member for Heysen's habit of comparing one column to another is not a substitute for estimates examination.

**Mrs REDMOND:** It always leads to a question that the Attorney-General does not want to answer.

**The Hon. M.J. ATKINSON:** It is not a question of not wanting to answer. I think the difference between the two columns is of no significance.

**Mrs REDMOND:** If you go to the bottom of that table, the Summary Income Statement, there is a difference in the two columns. In relation to income, there is a surprisingly large, almost a doubling of the budget from last year in terms of 'Other'. Could I have an explanation as to what caused the budget—happily in the area of income—to double in 'Other'?

**Mr THOMPSON:** That figure is funding from the commonwealth to fund the CADR program, which is the Courts Assisted Drugs Referral Program. That gets picked up there and that is why there is an increase in revenue.

**Ms CHAPMAN:** What an excellent answer; unlike yours—which is of no consequence.

**The Hon. M.J. ATKINSON:** Thank you; very kind.

**Mrs REDMOND:** In relation to sub-program 1.1, the Performance Commentary indicates that 'there has been an increase in the number of matters lodged in the District Court (19 per cent)'. That is a substantial increase. Is there a reason for that increase? I note that there is some increase in the budget, but the sentence after '19 per cent' states that 'District Court judicial resources have been allocated to the criminal jurisdiction in an effort to increase the number of matters finalised.' I read that as indicating that more judges are being allocated to criminal matters rather than civil matters. Is that a fair reading of that sentence? Is the reallocation of existing resources sufficient to deal with a 19 per cent increase in the number of matters?

**The Hon. M.J. ATKINSON:** The short answer is yes.

**Mrs REDMOND:** On that basis, I take it there is an anticipated bettering of the backlog situation within the criminal courts jurisdiction.

**The Hon. M.J. ATKINSON:** In the coming financial year with the opening of Sturt Street and the appointment of three judges—two of them extra judges—yes. We would be disappointed if the reforms of the Criminal Justice Ministerial Task Force did not help, as well, depending on what the lodgements are.

**Mrs REDMOND:** I move to Performance Indicators. The magistrates appeals have a footnote to indicate that they 'relate to appeals from the Magistrates Court, heard by a Supreme Court judge'. There is a fairly static number of those occurring. It has been suggested to me by a number of different sources that one particular magistrate's decisions are being regularly appealed.

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

**Mrs REDMOND:** Is it possible to tell from the figures whether that is the case or is it just going to be absorbed into the overall outcome?

**The Hon. M.J. ATKINSON:** There is no secret about this. The resident magistrate at Mount Gambier, Mr Morris, has made changes at Mount Gambier. He has made quite an impression on the people that he serves. There is much more media coverage, particularly in *The Border Watch*, of the Mount Gambier court. He has sentenced on the tough side. He has been ready to send offenders to prison. His sentencing has been appealed, and some of those appeals have been successful. That is a matter of public record.

I travelled to Mount Gambier just in the last couple of weeks to dine with magistrate Morris, and I believe he is doing an outstanding job. I believe he is a good example of why we have resident magistrates (why we reintroduced the system), and long may he continue to be an outstanding judicial officer in this state.

**Mrs REDMOND:** A few dot points further down we see the numbers for the Youth Court, and obviously the finalisations would bear a direct correlation with the number of matters that go before the Youth Court. They seem to hover a little above and a little below, but around the 9,000 matters per year. Is that not an indication that whatever we are doing is not working and we are not actually reducing the level of offending in our youth?

**The Hon. M.J. ATKINSON:** Could it be that the government has failed to carry out the recommendation of the member for Heysen's select committee into juvenile justice? Could it be that that is the reason youth offending has not fallen? The member for Heysen would have us believe that is so.

Under the Rann government, crime has fallen 38 per cent. That is a statistic that the opposition and the media never want to talk about. Indeed, they just go looking for those few crimes where the rate of offending has increased—and they do exist. For instance, when we came to office, a major drug of addiction in this state was heroin and, to buy heroin, because it is grown overseas, one had to pay a lot of money because there were costs in importing it to Australia. Those who were addicted to heroin, once they had got their hit, tended to lie down and not do very much; but, before they got their hit, to get the money to get the hit, they would tend to rob people or break into cars or break into houses. Now the preferred drug is no longer heroin: the preferred drug

is amphetamine, and you can have a big night out on amphetamines for a relatively small cost, so you do not have to—

**Mr GOLDSWORTHY:** Can you?

**The Hon. M.J. ATKINSON:** The member for Kavel interjects: can you? He only has to ask the member for Heysen. She attended a rave party, or rave parties—

**Mrs REDMOND:** No, just one. One was enough.

**The Hon. M.J. ATKINSON:** Just the one rave party with the Hon. Sandra Kanck. So, the member for Heysen could inform her neighbour, the member for Kavel, of the changes in the drug scene. However, one does not have to rob people or break into their home or car to get enough money to buy amphetamines and, therefore, there has been a reduction in burglaries and a massive reduction in car theft—not just for that reason but other reasons as well. What has happened is that people get their amphetamines (rather than heroin) but, once they have taken their amphetamines, they are a lot more dangerous than people who have taken heroin, because you only have to look at them and they want to deck you. So our assaults are up.

The big picture—and the member for Heysen does not want to look at the big picture—is that in the life of the Rann government crime is down 38 per cent. I am not saying that the Rann government's criminal justice initiatives are solely responsible for that: I would not go that far. I think there are all sorts of reasons the crime rate is down. But that is the big picture. As to youth justice, why are there just as many cases in the Youth Court as there were in previous years?

**Mrs REDMOND:** My next question is: if the crime rate has gone down by 38 per cent, why is the Youth Court still seeing as many people?

**The Hon. M.J. ATKINSON:** There are more police under the Rann government than in the history of this state. There are more police in absolute terms and more police per head of population. Therefore, more criminals are being caught, more people are officially victims (because someone has been charged for their crime) and, as a result of a trend (which has been going on now for 20 to 25 years), higher average sentences are leading to an increase in the number of prisoners in our gaols. So, we have more prisoners than ever before.

What does the Hon. Stephen Wade say? He says the fact that we have more prisoners shows that the system is failing. Excuse me? There are 400 to 500 more prisoners now in South Australia than when Labor came to office, and I would say they are the right 400 or 500, because when they are in prison they are incapacitated from committing further crimes, and that is another reason our crime rate is down 38 per cent.

I know that the member for Heysen profoundly disagrees with our criminal justice policy—she has said so over the past seven years. She is on record as saying that, had she been attorney-general, she would not have directed the DPP to appeal the sentence on Paul Habib Nemer, ergo, the position of the parliamentary Liberal Party is that Paul Habib Nemer should not have spent a day in gaol. That crystallises the difference between the Labor and the Liberal parties' criminal justice policies here in South Australia. I make no apology for our policies. I believe that they have, on the whole, been a success, and the fact that there is the same number of Youth Court matters now as there has been in previous years is not a statistic of significance to South Australian society.

**Mrs REDMOND:** Does the Attorney not agree that in a utopian society there would be no-one in prison because no-one was committing crimes?

**The Hon. M.J. ATKINSON:** I will not refer that to the Chief Justice.

**Mrs REDMOND:** I already know that the Attorney does not agree with the Chief Justice's reasoning in the case of Paul Habib Nemer, but I am sure that the Chief Justice is also aware of that. Perhaps we can move on. I have no doubt that the Attorney-General will again say that I am asking a question that I asked last year, and I do ask the same question as I asked last year in relation to the completion of cases.

Both the Magistrates Court and the Youth Court have indicators as to no more than 10 per cent of lodgements pending completion to be more than six months old, and each year there is a target of 10 per cent. However, the actual achieved seems to be getting worse rather than better if you look at the table on the bottom of page 7.78.

Last year, in 2007-08, the actual achieved was 29 per cent for the Magistrates Court, and then again the target set for the just completed year was 10 per cent. We went from 29 per cent up

to 31 per cent, and again we are setting the target at 10 per cent. I say that just by way of preliminary comment, because the real question is: what is the delay?

I understand in the civil jurisdiction that the explanation given there is often that matters in the civil jurisdiction relate to personal injury cases where there are complex issues, and particularly the medical situation of people may not settle down for some time. However, what is the cause of the delays? I note that 8 per cent of the matters in the Youth Court are not finalised within 12 months. Is there an explanation why those figures are not only staying out there beyond the target but (albeit marginally) appear to be getting worse?

**The Hon. M.J. ATKINSON:** There are many factors that influence the backlog, and I will list them and then hand over to the Chief Justice. One is the number of matters referred to diversion programs such as the Drug Court which await finalisation of programs by the defendant. It is hardly something to be weeping about that defendants are choosing to go to the Drug Court, are submitting themselves to urinalysis and are trying to pull themselves up by the bootstraps and therefore their matter is not decided within the time frame that the member for Heysen stipulates.

Others factors include the number of files older than six months where warrants have been executed, delays in committal matters and trial delays. The Criminal Justice Ministerial Task Force has identified some initiatives to assist with the timely resolution of criminal matters. These include a pilot in the Adelaide Magistrates Court that I have spoken about earlier today, and we hope that that will reduce the number of matters in magistrates' lists.

**Chief Justice DOYLE:** There is not a great deal I can add but, going back to the Youth Court, the advice we have is that a large percentage of the lodgements not finalised within six months are from matters that have gone to a diversion court and the matters have been adjourned to enable the youth in question to comply with the conditions that have been imposed on him or her.

As to the Magistrates Court, again there is reference to diversion programs and, again, once you are on a program, they are usually some six months or so at a minimum, so people are in the program for a time. Another issue is waiting for people to be brought before the court where warrants have been issued and people cannot be located. There are delays in committal matters, which I think is unsatisfactory but there are no simple solutions to them. A pilot program was started recently in the Adelaide Magistrates Court to see whether, using a bit of conferencing and encouraging parties to narrow differences, we can speed up the committal process.

There are delays with trials which I suppose reflects the amount of time magistrates are spending on other things. One of the paradoxes, I suppose, of the criminal system is that a number of these initiatives, such as the Mental Health Diversion Court and the Family Violence Court, are pretty time hungry. On the one hand, you do them because they are worthwhile but, on the other hand, while I do not have the actual figures, it would not surprise me if, on average, magistrates spent twice as much time or even more than that on a matter in the diversion court compared with the time the magistrate would spend on it in the ordinary court. We are caught up in some of those paradoxes.

Overall, I think it is fair to say that the figures are pretty disappointing. It is also important to bear in mind that the target figure of 10 per cent is a national figure. Perhaps it is a bit cruel to say they are just plucked out of the air, but someone said, 'We've got to have a uniform figure' and so 10 per cent was selected. I do not think anyone did an analysis and said that that is what it really should be. It was just selected and, in the interests of uniformity, we all work on it.

If you look at the Supreme Court civil list, we could not get through our cases, and I do not think any court could really get through its trials at the rate suggested because of the nature of our trials. You just cannot do it. Still, it provides a uniform reporting mechanism. I agree, however, that in the Magistrates Court the figures are disappointing. If you ask why they are disappointing, it is a combination I think of what we call 'churning', problems of getting the defence ready on time and problems with the prosecution being ready on time. Everyone is overworked. It is certainly not utopia in the courts.

**Mrs REDMOND:** I thank the Chief Justice for that explanation because it will save me some questions in respect of the civil jurisdiction. I would like to explore this area of the specialist courts that happens to be on the very next page, which is 7.79. The Drug Court program and the mental impairment courts particularly are talked about, and I just wanted to get an understanding. The performance indicators for both of those courts refer to 'Number of offenders accepted on to the program.' I want to know: who does the accepting?

Is it the process that, at a certain point in a trial process or in some judicial process, there is a recommendation from the bench or from elsewhere? Who makes the recommendation; who does the accepting; and at what point does that occur? Is there any problem with anyone wanting to get on to one of those programs that the court perhaps thinks should get on to a program in terms of there being a place available for all of them? I am just curious about the use of the term 'accepted on to the program.'

**The Hon. M.J. ATKINSON:** I will refer that question to the Courts Administrator.

**Mr THOMPSON:** Access to any of those courts can be made by any of the parties, on application. So, the police or the defence can make application, or the court itself can look at it to see whether there is a need to make a reference to any of those specialist courts. What happens is that the matter is then adjourned, and the person is then assessed by specialist staff—clinicians really—who work in the specialist courts. They look at a raft of criteria that the court has established about their ability to be able to go through the program, their readiness for the interventions, and they must have pleaded guilty as well.

The Drug Court in particular, as you would be aware, is a very intensive 12 month program. A lot of assessment is done about the readiness of the person to be able to go into the program and also whether the program is really going to meet the needs of that person in relation to the programmatic interventions that are going to occur. A recommendation is made to the court, and the judicial officer then makes the decision whether or not that matter is referred.

So, in some ways, it is a wee bit like remanding someone for the old probation report, giving some form of assessment about whether someone should have gone to a Salvation Army program or something, which used to occur in those days. It is a very similar model. The decision is made by the magistrate who presides in that specialist court. If the magistrate says that is not appropriate for that court, the matter will be referred back to the general courts.

So, there is quite a criteria process to go through in relation to the mix of the programs and the person who wants to go into the course because, of course, they have to apply to do so. So, there is no force in relation to it. It is also about whether it is the right time for them to go into those sort of things, and they would then get a recommendation. It is the judicial officer who makes the final decision.

**Mrs REDMOND:** In relation to the Drug Court, I have previously asked about the low number of people who complete the program, and that is for obvious reasons, that is, their drug problems. The very last performance indicator talks about the percentage of people appearing in the mental impairment court who receive an outcome which diverts them from the criminal justice system.

I take it that that means that it relates to their not ending up back in the other court and receiving some sort of punishment, but is there any statistical analysis, at this stage, as to the success of these courts in diverting offenders who have been through those programs from reoffending? I assume that figure relates to the punishment rather than any evidence about reoffending in subsequent cases.

**The Hon. M.J. ATKINSON:** The Courts Administrator will respond to that question.

**Mr THOMPSON:** In relation to an evaluation of recidivism, there is not, in fact, a report in relation to that aspect of it, although all of the specialist courts are subject to evaluation; so that will be happening. One of the issues with the Drug Court is the intensity of the 12 month program. There is a significant drop-out rate from that program.

The Magistrates Court is now looking at redeveloping their specialist courts, and we are piloting a program now that will be a six month course instead of a 12 month intensive program. We will still keep the 12 month course for those who are suitable, but we will also refer to the six month course because we think that is likely to provide better results because it will involve slightly different programs.

In relation to the mental diversion court outcomes, prior to the amendment to the Criminal Law (Sentencing) Act, the courts could make sentencing provisions under mental impairment. Up until that time, when a referral was made to the mental impairment diversion area, police would withdraw the charge. Once the legislation was enacted, which gave the magistrate the power to make a direction in relation to an outcome, police stopped withdrawing matters and left it entirely for the court to make the decision.

So, in some ways, the diversion from outcomes is a bit skewed; it is not like comparing apples with apples. Those matters would generally have just been withdrawn because police were satisfied with the program that had been put in place. Now the court actually carries that through, but those will all be subject to evaluation.

**Mrs REDMOND:** In relation to those Drug Court diversion programs, my understanding is that, whilst the Attorney is right that we have moved from the drug of preference being heroin to now amphetamines. We still have a problem with occasional users, particularly at rave parties and things like that, who are not consistent users. I wonder how the users in that category are dealt with in those diversion programs in the sense that a six month or 12 month course seems to me to be appropriate for someone who has an addictive problem, but the users of, for instance, ecstasy would rarely, I suspect, be in that same category. I wonder whether there are subprograms within it to deal with those sort of issues.

**The Hon. M.J. ATKINSON:** First of all, of course, they would have to be alleged to have committed a crime.

**Mrs REDMOND:** Yes; I accept that. Mostly, I am told, they are very happy.

**The Hon. M.J. ATKINSON:** They are very happy?

**Mrs REDMOND:** Yes.

**The Hon. M.J. ATKINSON:** The users?

**Mrs REDMOND:** The users of ecstasy tend to be on a high while they are using, and then they just go to sleep. They may be a bit depressed the next day, but I do not think there is necessarily a high crime rate. I am just curious about whether it is showing up as a crime problem, apart from the actual use of the drug.

**The Hon. M.J. ATKINSON:** I will ask the Courts Administrator to respond.

**Mr THOMPSON:** We have a program for all needs basically, because we have another program called CARDS to which I referred before—the Court Assessment Referral Drug Scheme. Again, that program means that someone has pleaded in relation to it. It is a short intervention designed to allow someone a chance to go through four counselling sessions on the basis that that will lead them to be motivated to take further program and counselling advice. So, it is really a first attempt to identify someone's motivation, to see whether they are motivated for behavioural change. They get four sessions in relation to that, go out for those sorts of processes and come back into the court. The first would be CARDS, then we move to the six month program for a different category, and then we have the intensive 12 month program for the long course issues.

**The Hon. M.J. ATKINSON:** The Chief Justice will add to the Courts Administrator's answer.

**Chief Justice DOYLE:** One point occurred to me as the Attorney commented: you have to get arrested first. As you know, it is almost unheard of for recreational users to be charged; they also tend not to have an addiction, so they might not get onto one of the programs. Furthermore, they do not tend to be people who commit offences to sustain their habits. So, for all those reasons, we very rarely see them. I was trying to remember, while Mr Thompson was speaking, but I do not actually recall reading a case involving an offence by what you would call a recreational drug user.

I would like to add that I hope later this year we will have the usual informal meeting with members of parliament where we talk about issues of interest, and, in light of the questions you have asked, I will do my best to remember and ensure that someone is there who works in a couple of the specialist courts. They can give you a chance to get right down to the nitty-gritty on that.

**Mrs REDMOND:** I want to ask a couple of questions about the Coroner's office before we run out of time. There has been a slight increase in the budget, but I notice on page 7.81 in the performance commentary that it states, basically, that there is some difficulty for the Coroner in keeping up with the need to reduce the times taken, because the office relies on external agencies and specialists to provide expert opinion. At the end of the performance commentary it states that this 'contributes to the inability to achieve the finalisation of lodgements as specified by the national standards.' My first question on this area is: how does South Australia compare with other states in terms of those national standards?



**The Hon. M.J. ATKINSON:** I will ask the Chief Justice to answer that, but while he looks for the right note I will say that one of the things impeding the Coroner's Court from clearing its backlog was that Forensic Science SA was sometimes unable to complete final post mortem reports for up to 12 months after an autopsy. One of the reasons for that—and only one—is that there is a world-wide shortage of pathologists, so our South Australian forensic science service was operating, I think, on 3.5 full time equivalent forensic pathologists. We now have a full complement of 5.5. We have recruited well and have funded Forensic Science SA generously, and we do not expect the Coroner to suffer as much delay as in the past.

The performance target now for Forensic Science SA is 80 per cent of final reports delivered to the Coroner within three months, 95 per cent of final reports delivered to the Coroner within six months, and 99 per cent of final reports delivered to the Coroner within nine months. I am very optimistic about fulfilling those targets now that we have a full complement of staff.

**Chief Justice DOYLE:** The backlog indicator, which is reported in the national statistics that come out each year, shows that for 2007-08 the figure for South Australia was 24.6 per cent. The figures for the other states are: New South Wales 20.5 per cent (so, better); Victoria 28 per cent (worse); Queensland 25.5 per cent (a little worse); Western Australia 29.5 per cent (somewhat worse); Tasmania 24.8 per cent (almost the same); the Australian Capital Territory 35.7 per cent (a good deal worse); and the Northern Territory 21.7 per cent (somewhat better).

So it is probably not a bad result nationally but, from what the Coroner reports to us, not surprisingly it causes a certain amount of grief and distress to families when there are lengthy delays, often for reasons that they just cannot understand. So, although compared with other places the result is not too bad, I think it is an area where people do get very upset.

**Mrs REDMOND:** That leads to my next question. I note that this year more than one in 10 of the Coroner's reports, or the lodgements pending completion, are still more than two years old. I know, from a personal contact I had recently with someone whose father had died, that the first thing they were told by the Coroner's office was that it would be 12 months before they got a final death certificate. That is not only distressing for families; in some cases it can have severe financial implications, where insurance companies will not pay out pending the provision of a final death certificate. The first part of the question is: can anything more be done to reduce that appalling situation where we have almost one quarter of our matters in the Coroner's Court in the year just gone still pending after 12 months and more than one in 10 still pending after two years?

I remember reading in the most recent Coroner's report that it was something of the order of five years for one or two outstanding matters. If nothing can be done because, as the Attorney said, there is just a worldwide shortage of pathologists, and the Chief Justice has indicated that we are probably sitting about the middle of the table in terms of a comparison with other states, is there then a way to give some priority if people can demonstrate hardship?

As I said, I am aware of people who find themselves financially embarrassed because of the lack of a final death certificate, even in matters that are relatively straightforward and non-contentious.

**The Hon. M.J. ATKINSON:** The government last year invested \$3.4 million extra of taxpayers' money into Forensic Science SA. We got a full complement of forensic pathologists. We now have a forensic pathology registrar recruited from, I think, the Royal Australian Navy. I think that we are beating the worldwide shortage of pathologists. I do not think that one can anticipate at the time of autopsy which case, if the final report is delayed, will lead on to financial embarrassment and which case will not. I think that insiders will tell you that much would depend on which forensic pathologist does the autopsy.

We got down from 704 pathology reports being outstanding in July 2007 and 708 being outstanding in October 2007 to only 466 being outstanding before the heatwave, and then naturally it went up. Now it is down to 507. I think we are doing pretty well. I think that Forensic Science SA would say in its defence that that is not the sole reason for delays in the Coroner's Court, but it is the chief one, and we are working on it. I think we will have some success. I do not think the member for Heysen will be asking these questions—

**Mrs REDMOND:** Next year because I will be on that side of the table.

**The Hon. M.J. ATKINSON:** Yes; I knew you were going to say that, but I just gave you the opportunity to say it.

**Mrs REDMOND:** Good. I am about to settle the children down here and let them go. I do not expect an answer now, but the second part of my question is: if we cannot actually bring those

figures down, and I accept that at least partly there is a problem with that, can we at least look at developing a mechanism so that those who find themselves in difficult financial circumstances because of the lack of a final death certificate could make some sort of hardship application to be prioritised through the list?

**The Hon. M.J. ATKINSON:** I will put that to Dr Ross Vining who is the head of Forensic Science SA.

**The ACTING CHAIR:** The member for Heysen has very kindly agreed to put the rest of her questions on notice. There being no further questions, I declare the proposed payments for the Attorney-General's Department and the Administered Items for the Attorney-General's Department adjourned to Committee A, and I declare the proposed payments for the Electoral Commission SA and the Courts Administration Authority completed.

I will read into *Hansard* a letter from the Minister for Environment and Conservation who wrote about a point of clarification to the Chair of Estimates Committee B, as follows:

Dear Ms White.

I wish to clarify an answer I provided to Estimates Committee B on Friday 26 June 2009 to the following question asked by Dr Duncan McFetridge MP: how much financial support is provided to the South Australian Aboriginal Advisory Council on a yearly basis, and what amount is provided for wages? How many full-time employees are employed by the Aboriginal Advisory Council?

I stated as follows:

For 2008-09 the budget was \$291,700, which includes the cost of travel expenses and allowances in relation to the committee and a salary for one person. This amount in the budget line includes funding of \$77,000 for transfer to the Social Inclusion Unit for the Commissioner of Aboriginal Engagement expenses. The budget for the South Australian Aboriginal Advisory Council, excluding this amount, is \$214,700.

The minister would appreciate it if this amendment was put on the record. I thank the minister and the member for Heysen for being so cordial this afternoon. I thank the advisers, and I thank my colleagues on the right-hand side for their patience and for their efforts today.

At 17:05 the committee adjourned until Wednesday 1 July 2009 at 11:15.