

HOUSE OF ASSEMBLY**Thursday, 28 July 2016****ESTIMATES COMMITTEE B****Chair:**

Mr L.K. Odenwalder

Members:

Hon. A. Piccolo
Ms V.A. Chapman
Mr S.J. Duluk
Mr J.P. Gee
Mr S.P. Griffiths
Ms D. Wortley

*The committee met at 09:00**Estimates Vote***COURTS ADMINISTRATION AUTHORITY, \$93,592,000****Minister:**

Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide.

Departmental Advisers:

Mr. C. Kourakis, Chief Justice, Courts Administration Authority.
Ms J. Burgess, State Courts Administrator, Courts Administration Authority.
Mr T. Pearce, Chief Finance Officer, Courts Administration Authority.
Mr M. Church, Manager, Financial Services, Courts Administration Authority.

The CHAIR: Welcome to Estimates Committee B. The estimates committees, as we all know, are a relatively informal procedure and, as such, there is no need to stand to ask or answer questions. I understand that the minister and the lead speaker for the opposition have agreed an approximate time for the consideration of proposed payments, which will facilitate a change of advisers. Can the minister and lead speaker for the opposition confirm that today's timetable, previously distributed, is accurate?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: Yes.

The CHAIR: Changes to committee membership will be notified as they occur. Members should ensure the Chair is provided with a 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 28 October 2016. This year, responses will be published during the 15 November sitting week in the corrected daily *Hansard* over a three-day period.

I propose to allow both the minister and the lead speaker for the opposition to make opening statements of about 10 minutes if they wish. 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. 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, that it is purely statistical and limited to one page in length. All questions are to be directed to the minister, then the minister may refer questions to advisers. All questions must be based on lines of expenditure within the budget papers, which are identifiable and referenced.

Television cameras will be permitted to film from both the northern and southern galleries. I declare the proposed payments open for examination and refer members to the Agency Statements, Volume 1. I now call on the Attorney-General to make a statement if he wishes and to introduce his advisers.

The Hon. J.R. RAU: I am here, obviously, with the Chief Justice and Julie-Anne Burgess, who is the chief executive of the agency. I wanted to say just a few brief things in the nature of an overview. We are at a point in time presently where there are a number of challenges in the justice system. Some of those challenges are to do with physical infrastructure. Some of those challenges relate to technological advances and changes which are affecting the broader community and from which the justice system is not immune.

All those things provide both challenges and opportunities, really, for the delivery of justice services to the people of South Australia. I just want to perhaps touch on a couple of general things and, in a moment, I might invite the Chief Justice to talk a little bit about some of the particular projects that the court is involved in.

We are looking at a range of courts efficiency reforms. Members would be aware that for some time we have been putting out discussion papers dealing with, in particular, improving the efficiency of the criminal justice system, and there have already been a number of initiatives in that area. My expectation is that major pieces of work involving the reform of major indictable offences and of sentencing will be completed and introduced, at least into this parliament, before the end of the year. Those measures are intended to address the issue of the courts very valuable and irreplaceable sitting time being wasted on matters which either should not be there or do not arrive and therefore the court is already to go but no-one is there to dance with them, and that is completely unsatisfactory.

The notion is that we have matters regularly either not able to be dealt with because of judges not available or the parties pull out for whatever reason or seek a very late adjournment in the matter, thereby leaving the court with no alternative other than to basically do nothing as far as that matter is concerned. You need to appreciate that you cannot backfill these cases at a moment's notice. The witnesses have to be arranged. The court needs to be appraised of what is about to happen and so forth.

A lot of the measures we are looking at in the major indictable offences area are designed to make sure that those court days that are available to the court are not wasted by the system delivering rubbish, matters that really are not ready or matters which could have been dealt with months and months earlier by way of a plea or some other simple procedure to take them out of the list, so that is an important piece of work.

The Criminal Justice Reform Council, which involves the main government agencies, including the Minister for Police, myself, the Minister for Disabilities (particularly in a youth justice capacity), the DPP, the Legal Services Commission, the Attorney-General's Department, corrections and with the courts as observers, continues to meet. We are continuing to work on various initiatives and the object of that exercise is that a matter which may see an improvement in performance or efficiency for one agency does not turn out simply to be a displacement of a job they were doing to give it to somebody else because that is not actually a net gain for the system. It is simply a shoving of responsibility. So far I think that has worked pretty well and a number of the initiatives that have come to parliament have been through that process.

There is an item in the budget specifically for a study of the needs of the courts in respect of new infrastructure. I say today, and I have said it every other time I can recall since I have been doing this job, that there is no question that the physical infrastructure of the superior courts in the city is inadequate. It needs to be addressed. I was personally very disappointed that the process we went through previously turned out to be unsatisfactory for financial and accounting reasons, but, nevertheless, that concept is not given up upon and there is an amount of money in the budget—I think \$1 million from memory—to attend to a property and asset study that will involve the Courts Administration Authority and the government.

People would be aware that the government is a substantial landholder in the precinct, and owns a large block bounded by Gouger Street and Wright Street and King William Street. There are many questions that we need to resolve the answer to, not least of which is the government's and the courts' future intentions in respect of the Sir Samuel Way Building. That piece of work is going to be undertaken. Also I should mention that in conjunction with the Chief Justice we have moved to amend the law to offer the courts greater flexibility in their use and provision of audiovisual services to improve the accessibility of court and justice services to people without necessarily requiring them to physically attend.

I am of the view, and I think the Chief Justice probably shares this view, that this has the potential to offer great access improvements if it is managed properly. Ultimately, the government's view is that the actual management of that is a matter for the courts. They are best placed to work out in which circumstances the provision of that type of service is most appropriate. We look forward to seeing developments in that area. The last thing I would mention, by way of opening, is the electronic case management system, which is a project which is being managed and run by the Courts Administration Authority. I might just invite the Chief Justice to perhaps provide a bit of an update to members of the committee about how that is going.

Chief Justice KOURAKIS: Over the course of this year we have evaluated around 10 tenders and we have put together teams from across the Courts Administration Authority, including judicial officers, to evaluate those carefully. We have short-listed down to four, both Australian-based and overseas providers. They will be presenting to us next week on what they can offer. Shortly after that, later in August or September I think it is, our senior staff will visit sites at which those short-listed tenderers have provided systems and speak with the actual courts who use them to see what they are like. We will then further short-list down to perhaps one, but perhaps one or two, and later in the year go through what we are calling a discovery workshop, where they demonstrate to us how they can actually attend to the business processes that we need.

We hope to have a recommendation to cabinet at the end of this year, beginning of next, as to a preferred tenderer. We are seeing this process as not just an information technology process. We are mapping our current business processes, that is, what happens to a summons from the time that it hits the registry desk through, to see how we can actually improve those processes and enhance the gains that we will get from the IT system as a result. It has been a terrific process to watch staff who have not worked together before coming together on this project, and that in itself has, I think, added a lot to the organisation.

The ECMS project we see as something of a consolation prize. When the building fell through—the building earlier and being built now would have been terrific. But the importance of this project should not be underestimated. It will, for example, significantly reduce the space that is required for a new building, and so I think we will gain many collateral benefits to this project that are yet to be realised.

The CHAIR: Chief Justice, thank you, Attorney. Member for Bragg, do you have an opening statement?

Ms CHAPMAN: I would just like to welcome, of course, the Attorney and the Chief Justice and senior members of staff of the agency. Last year I asked a number of questions which were taken on notice, of which I have not received responses, or the committee has not received responses. On 23 June I sent an email, Attorney, to you, listing those. They included subjects on the number of civil cases currently active in the courts in the preceding 12 months, involving the department or minister of the government; a number of questions on the ex gratia payments; also

some questions in relation to the Nyland royal commission. Some of that information has been, I think, in the public arena since.

There were also some questions as to the scoping study funds for the courts precinct project and the further questions in respect of costings and money spent by the Courts Administration Authority in respect of development of that now ill-fated proposal. I have not received any answers to those questions, as I say, for the benefit of the committee. Can I ask, in response today, that the Attorney-General gives some indication as to when we might expect answers to those questions? I would invite him to explain if there is any reason for the delay or, if that information is not going to be provided, if he could indicate that to the committee, but otherwise I have no other opening statement.

The CHAIR: The Attorney can choose to answer that if he wishes, it is not—

The Hon. J.R. RAU: I do not mind responding to that. There has certainly been no deliberate decision by me not to provide those bits of information. I have not had drawn to my personal attention that those matters had not been provided. I can say, though, from the few questions that were mentioned by the honourable member: the first one about civil lists would probably be pertinent to the people in the room presently, but it may well be many of the others are not, for example, ex-gratia payments. Can I just take that on notice, and I can invite my advisers to see if they can give me some information that might shine some light on that. I can assure the member that there has been no deliberate determination by me not to provide information. On the face of it, it appears to be more of an oversight rather than anything else, but I am happy to look into it.

Ms CHAPMAN: It may assist the committee, Mr Chairman, by indicating that the email was sent on 23 June this year to Mr Peter Geytenbeek, who is, of course, employed by the Attorney, and it lists those areas that were outstanding to the estimates committee from last year.

Chief Justice KOURAKIS: Can I just say that my staff thought we had attended to what was left over, and, insofar as there is any delay with the authority, I apologise. Can I say that as to the internal costs of the Court Administration Authority on the building project, they were some \$340,000, mostly based on internal staff being taken offline to work on it. There may have been some actual cost in backfilling some positions—I am not sure what that is, but I am just giving a figure based on the salaries for the people for the time they were involved in it. There was a small amount of travel cost, which I think was reimbursed, by and large, from DPTI.

In terms of civil lodgements, they have generally been low in what we traditionally see as civil in the District Court and the Magistrates Court; that is, stable or a fraction lower, because applications in the Children's Court are dealt with as civil lodgements. They lift the overall figure. Surprisingly, there has not been a large increase in civil lodgements in the Magistrates Court to match the change in jurisdictions. The actual figures as to cases pending, and so forth, are available in the RoGs data, and I just cannot bring them up right now, but I am sure we can get those figures out without much help.

Ms CHAPMAN: If I can assist here, the question actually was not as to the number of civil cases per se, and I appreciate that information that you have just repeated to us is publicly known, Chief Justice, but the question was: the number of civil cases that currently are active in which the state, and/or department and/or minister is a party, either as a plaintiff, or defendant, or applicant, or respondent. I appreciate that that is not necessarily something you would be immediately familiar with, but, of course, the Attorney-General would be, and I am sure he will promptly attend to providing the committee with an answer.

The CHAIR: Questions.

Ms CHAPMAN: Yes, if I may start with Budget Paper 4, Volume 1, pages 157 to 179, which principally relate to the Courts Administration Authority, but as the Attorney has indicated in opening there has been provision identified in the budget measures paper in respect of funds for a further scoping study or business case in respect of court infrastructure. Can I start with the workforce, which is at page 161. In respect of that, of the 716.2 FTEs as at 30 June, whose job will be removed, including a combination of part-time employees, to achieve a reduction this financial year to 715.6, and when?

Chief Justice KOURAKIS: That will arise just by people leaving and not being replaced. Most of our savings—and they did not to be great for this year—basically will be achieved through staff changes of that nature, administrative staff in a number of different areas, and just by not replacing or rearranging responsibilities.

Ms CHAPMAN: Is it largely clerical staff?

Chief Justice KOURAKIS: Administrative staff of one sort or another, yes, and not direct judicial support staff in registry departments.

Ms CHAPMAN: Does the Attorney intend to fill the vacancies in the District Court for judges?

The Hon. J.R. RAU: That is an interesting question. As I was explaining before (and it is worth trying to explain it, perhaps I did not go into enough detail about what I am thinking about this), the District Court is the main trial court for the more serious civil and criminal matters in the state. The District Court, I think it is fair to say, does more criminal work than it does civil work these days, although it still very much has a live civil jurisdiction. As I explained in the opening, I am in the process of finalising substantial reform to practice and procedure in relation to major indictable offences, which overwhelmingly are dealt with in the District Court.

It strikes me that the time for consideration of the question of increasing above current numbers the personnel for that court should correspond with some assessment as to whether those changes are achieving the outcomes they are designed to achieve. I think it is probably also fair to mention that, obviously, for reasons beyond anyone's control, there has been an issue with illness in that court, and that is nobody's fault and beyond everyone's control. That is an ongoing matter. The judicial staffing levels are a matter of ongoing consideration.

It is probably worthwhile trying to explain again: a day in court is not like money in the bank. It is not something you can store up and roll out whenever you need it. A day in court is more like a seat on an aircraft: the 5 o'clock flight to Melbourne, which has 100-odd seats, only flies once at 5 o'clock today and after that it will never fly again, so you are either on that plane or you are not. It is much that way with court days and court time. On any given day there are only a certain number of judges who are available to hear cases.

In circumstances where some of those judges are involuntarily not given a case, in other words they are ready, willing and able to do a case, but circumstances like a late nolle from the DPP or a late application for adjournment by the accused, or a guilty plea, literally at the door of the court, mean that, notwithstanding that the judge and the judicial system are ready and willing to do the job that the community expects of them, their time is being wasted and it is not the sort of thing where that can just be backfilled at the drop of a hat.

What we are trying to do is to say there are a number of judicial days, court days, which are lost through no fault of the judicial officers. There are a number of court days which are lost to the profession and to victims and to accused people through no fault of the profession, because there is an over-listing problem in the court, and there is no judge available on the day and the parties are sent away, sometimes for a lengthy adjournment.

What I am trying to do is to say, much as the Chief Justice said in relation to the ECMS project, you try and actually improve your process before you then automate it. We are attempting to improve the practice and procedure in relation to, in particular, major indictable offences, so that in a sense everybody brings their mind to the question about whether the matter needs to be a trial that runs or whether it is a matter that can be resolved by one means or another, early, and they do that early. They do not leave it to the last minute to do that. If they do it early, that means the court winds up having matters stuck in its list which the court can be reasonably confident are going to require the assistance of a judge.

At the moment, all the court probably could tell you is that, statistically, one in whatever of lodgements in the Criminal Registry actually require a judge and at each point during the process of that thing being in the list; they could probably tell you statistically that this one has now got a two in three chance or a one in four chance or whatever of actually winding up at the end. What we have to do is push that back so that a higher concentration of those matters entering the District Court list are matters which require the assistance of a judge and that will enable those judges to not be in a

position where they are involuntarily required to, in effect, waste their time because people leave them hanging to the last minute before they tell them they are not required.

Chief Justice KOURAKIS : I have a number of observations which I would like to make in relation to that question. In anything I think it is important to have short, medium and long-term strategies. In terms of the medium to long-term strategy, reducing the number of matters that do not proceed is really important. The Director of Public Prosecutions taking control of country committals will help with that, because better decisions will be made about which charges to proceed with.

It is because so many matters drop out, either because a defendant pleads guilty or the prosecution withdraw, drop or lower charges, the courts have always over-listed, because we do not want the empty seat on the plane that the Attorney spoke of. But, the inevitable flipside of that is that sometimes the matters will run and cases will not be reached, so that is the problem we are in.

Having said that, lodgements in the District Court in the last financial year have increased. They were about stable, small drop, in the year before, but backlogs have increased seriously in the District Court. There was a time when there were judicial positions vacant that were not filled, but they all have been filled now. So, all judicial positions are filled, but in the interim, the backlog has increased. The current position in the District Court is that there are some judges who are not available fulltime for trials, for a number of reasons, including illness.

It is possible, and it has been done in the past, to appoint a judge even above numbers when a situation like this exists because, as you would appreciate, one judge or other is regularly reaching the retirement age, so the actual impost is not a long-term impost of an additional judicial position. It is just an interim measure until someone retires and the position is back at equilibrium.

Because of the increasing backlog in the District Court in criminal matters, that is a matter that I think is worthy of consideration. If backlogs get too big, they become very difficult to manage, even with the appointment of other judges, because, as I have said on other occasions, we have a medium-term problem in terms of a bottleneck with numbers of courtrooms available. So, even if you increase judges, you may not have a courtroom for them. I think replacing a judge shortly before his or her retirement is something that needs to be considered.

Ms CHAPMAN: Thank you for that, flight captain. Can I just indicate that, last year, when we discussed this issue, Attorney, you said that you were considering a reconfiguration of the state's courts in response to questions about filling vacancies. Is there any provision in the 2016-17 budget for a restructure of the Supreme Court and District Courts or indeed the establishment of a permanent appeal court, other than the initiatives you have indicated of what you might introduce for streamlining major indictable offences?

The Hon. J.R. RAU: There is nothing in the budget for it. It is something that the Chief Justice, I and others sort of kicked around the place for a while trying to see whether, in the end, there was some consensus about whether there would be a different configuration which ultimately would yield sufficiently good results to be worth the trouble, and I have come to the conclusion that there is no compelling case to make a fundamental change at this point in time.

I would say just in general terms though that it appears, from looking at other states and the commonwealth, that, at some point in time, at some stage of growth in the population or in the size of the judiciary, most states, ultimately, at some point, then elect to have a model where there is a court of appeal sitting somewhere in the mix. New South Wales has been in that position for a very long time, I imagine. Victoria, Queensland and I think Western Australia are in that position. Tasmania is not, as I understand it, and nor are we.

I think it is one of those things that, at some point in time, in the event of the size of the courts getting to a certain point, might be something to be considered again but, at the moment, I am not convinced that it is necessary. Indeed, having tossed it around, I am not convinced it would add any value at this point in time, so I do not intend to be taking that any further.

Chief Justice KOURAKIS: I suspect it would be after my time.

Ms CHAPMAN: May I ask if there is any provision in this year's budget to bring overseas judges to Australia or to send South Australian judges overseas?

The Hon. J.R. RAU: I do not believe there is any explicit line to that effect, but perhaps it might be helpful for the Chief Justice to share with the committee the genesis of that idea. I think some members may have got the slightly wrong end of that stick. Chief Justice, would you like to say a few words?

Chief Justice KOURAKIS: There is no provision for that to happen at all in the budget. If it were to happen, it would be a matter of exploring whether, in what is called the administered budget, which is the budget out of which judicial salaries, including auxiliary judges salaries, are paid, the terms on which that budget is administered allowed for it and if there was actually money available to do it. So, if there was any source of fund, it would be that.

Ms CHAPMAN: Could I just ask one other question ancillary to that? Apart from the salaries which are, as I understand, in the current bill before the parliament, approval would have to be obtained by yourself as Chief Justice in any event, as to the terms and arrangements, but is there any intention that any judges, if they do come to South Australia, will come from countries which provide for executions and capital punishment in their criminal codes?

Chief Justice KOURAKIS: There are no plans for it at all. The amendment that was made only allows the Governor to make a regulation adding to the jurisdictions, and no regulation has been made and I have not asked for any particular regulation to be made at all. The genesis of the idea of allowing overseas jurisdictions, other than New Zealand, to be included by regulation was mine; it had nothing at all to do with criminal matters. In terms of Australia's economic interests, most see the importance of trying to establish Australia as a commercial centre in Asia. The interstate courts make efforts to have relationships with Asian courts for that purpose. The Bar Association and the Law Council are all busily trying to build up links to promote that.

It was as a result of a visit to Singapore in January that this idea occurred to me, because of contact I had with Singaporean judges, and Singapore has established an international commercial court. It was only simply to have the facility, should contact between Adelaide judges and an international commercial centre overseas, Singapore or another place, develop to the point where we would contemplate exchanges to build up our respective expertise and standing as a centre for international commercial disputes. But other than some brief contact I had on that one visit, nothing more has happened. I really hoped that it would. I suspect that it is not going to for reasons that are outside my control as the Chief Justice; it has got to do with economic centres, commercial centres. It just occurred to me that, if it ever does happen, the machinery ought to be in place so we could move fairly quickly. It is purely that.

On auxiliary judges, we do have an arrangement with some interstate jurisdictions (Western Australia and Victoria), where we have had a judge from those jurisdictions come to hear matters in Adelaide, and we have sent judges back the other way, to Victoria, the idea being that the salary is still paid by the home state but the state bringing the judge over pays accommodation and travel expenses.

We did some rough calculations for an exchange we had with a judge who came from Victoria to hear a matter in which our judges were conflicted, and it came out at about the same, probably a bit cheaper, to have the Victorian judge come over and for us to just pay the accommodation costs rather than appoint an auxiliary judge. When we appoint an auxiliary judge, we pay them the difference between their pension and the ordinary judicial salary. It worked out cost-effective but, importantly, it promoted exchange between the courts of the states, which most people see as a pretty good thing.

Ms CHAPMAN: You need to beware, Chief Justice; that idea might be planted in the Attorney's head and you might all become redundant. I think there are some strict rules in relation to superannuation entitlements as well that do not apply when we bring in interstates for conflicted matters, etc., in any event. Just in relation to overseas positions, given that you see this as assisting in a commercial way, you would not then have any objection to there being a restriction on the judges coming to hear civil matters, and/or not to come from countries, if they are going to do criminal matters, where they have a mandatory death penalty?

The CHAIR: I will step in just for a moment here, Chief Justice. This is straying a little bit. These are questions of policy. I am happy, if the Attorney is happy, for the Chief Justice, at his discretion, to answer them.

The Hon. J.R. RAU: I am fine with this particular one. It did get a little bit strange in another part of this building when this was first debated, so I am happy for it all to be settled and explained.

Chief Justice KOURAKIS: Can I make it clear that I am implacably opposed to bringing a judge from any other jurisdiction to hear criminal matters. Crime is local; it must be dealt with in that way. I appreciate that some people may even see a problem in bringing a civil judge for a civil case from a jurisdiction in which, in their criminal capacity, they impose the death sentence. That is a legitimate matter for policy debate, but can I say that there are two layers of protection here, two checks. The first is that the Attorney of the day would have to include the country in a regulation and then, even if included, it would always be the Chief Justice's decision as to whether to assign that judge duties.

Ms CHAPMAN: In regard to minor capital works, on page 161, there is 4.198 million to be spent in this financial year. Where is that money to be spent? On court infrastructure?

The Hon. J.R. RAU: I am advised that is repairs to various buildings.

Ms CHAPMAN: I am assuming that. I am just asking if there can be a list provided, if you do not have it today, as to which courts are going to be actually upgraded and what the nature is, in general terms, of the works that are to be done.

The Hon. J.R. RAU: Yes, we will take that on notice.

Ms CHAPMAN: In relation to the planning study, which the Attorney has referred to, and which I see is actually now coming out of the Department of Transport's budget, there is \$1 million for that planning study. Is any of that money to be actually applied in the 2016-17 year?

The Hon. J.R. RAU: It was my understanding that we were getting on with it pretty well straightaway. My expectation is that the whole lot is going in 2016-17.

Chief Justice KOURAKIS: Yes, \$1 million in 2016-17. The Courts Administration Authority started a committee internally to look at alternatives many months ago. We have been in contact with DPTI and we hope that there would be absolutely no delay in getting moving on that.

Ms CHAPMAN: Is there some reason why this is now being managed by DPTI and not the Courts Administration Authority, which has largely had responsibility for the tendering, planning and the like of these matters?

The Hon. J.R. RAU: I think the answer is that the role of property management within government is generally undertaken by that department. This exercise involves a number of considerations that go beyond the immediate consideration of a building in a greenfield site. For instance, I think everyone is aware that the lease on the Samuel Way Building comes up in 2023.

There is a period that is required if there is to be notice given either to quit the building or to continue the lease or to buy the building. Those considerations are broader governmental considerations. Each one of them has consequences more broadly within the whole of the government property portfolio, so I think it is appropriate that DPTI, because it does have that cross-government function, is involved in the process.

Obviously, the courts have to be involved as well because the actual requirements they have, in terms of physical infrastructure and other considerations, need to be central in the process as well. I think it is fair to say that the way in which the Samuel Way Building is ultimately dealt with will be an important factor in whatever the final outcome of this is and, for that reason, I think it is appropriate that there is an across-government DPTI-led process.

Ms CHAPMAN: Can I ask, then, what the Attorney-General has actually done in advancing the courts precinct redevelopment? Will the new build just have courts or courts and administration entities in it—the twin towers proposal that has been on the table before? What have you done to actually advance the state superior court redevelopment since your statement in estimates last

year, which was, 'I will continue...agitating for a substantial investment in that precinct as part and parcel of each budget process.' If you have done anything, can you tell the committee what it is?

The Hon. J.R. RAU: I have certainly continued agitation. My caucus colleagues would tell you that when we do a round-up of issues every caucus meeting and I am asked what the pressing issues are, I say, 'The courts.' They are getting a bit sick of hearing about that. I have continued agitating with my colleagues. I continue to agitate through budget processes.

At this point in time the fruits of my agitation appear to be the \$1 million that we are talking about now for this study. I am satisfied that this study, if done properly, and I am determined to see that it is, will provide a very solid platform for launching the next set of proposals on the basis that they will be grounded in a study which addresses all of the issues that Treasury or other government agencies might have about the courts infrastructure.

I cannot say often enough that this is not a like to have, an indulgence or something that is just some flight of fancy on my part or the Chief Justice's. This is essential. This is inescapable and it must happen. Given that it is an inescapable necessity, the best way I can see of going forward is for me to ensure that this study covers every possible angle about this and makes an absolutely irresistible case for not only the fact that it must happen, because I think everyone accepts that, but exactly how it can and should happen.

Ms CHAPMAN: Given the description on page 59, Budget Paper 5, detailing the CBD Court Facilities—Planning Study which refers to the business case, it states:

...that considers the future accommodation requirements of the criminal and civil functions of the Courts Administration Authority—

which is obviously courts and, indeed, the agency, if that is to be included—

...and the civil and tribunal functions of the Attorney-General's Department.

I assume that to be SACAT and the like. There does not appear to be any provision in there for what was the previous plan and that was to have a tower of all of the agencies, for example, that you are responsible for, Attorney, in another division, which we will get to in a moment (the DPP, etc.). Are we now going to the streamlined version of just a superior courts building that is going to accommodate that and a support agency rather than the AG department agencies?

The Hon. J.R. RAU: That is part of the question to be answered in this study. I think the fact that the broader administrative services attached to the Attorney-General's Department are not included in here actually does not mean that they could not be part and parcel of this ultimate package. It means that we are not going to actually make it essential, before the courts get anywhere, that the Attorney-General's broader administrative staff are also accommodated.

What we are making is a smaller target here. We are saying that here is our priority—dealing with the Courts Administration Authority requirements and the tribunal functions and the superior courts. That is the main game. I do not know, but it may be that it turns out when the study is done that, if you add in other Attorney-General accommodation around the city, that either makes this an easier thing to achieve or a harder thing to achieve. I do not know the answer to that. That is part of what this thing will look at.

What we are trying to say there is that this is the priority bit or, to put it another way, it is not absolutely critical that there be a second tower, if that is the way we want to characterise it, which accommodates people who are crown law people or DPP people or whatever it might be. That was part of the original proposal because it made sense that, having that large block, we could accommodate everybody in that precinct and it would all work well.

That may or may not be where we land ultimately, but this is meant to be quite particular and say that whatever the requirements of the DPP, the Crown Solicitor's Office and other people might be, they are not the urgent focus of this particular study. That does not mean that if it was prudent or it actually assisted that we could not perhaps include some consideration of their accommodation as well, but they are not the main game. This is the main game.

Ms CHAPMAN: At this stage, the Department of Planning, Transport and Infrastructure has provided the funding, from what you have said earlier. It is being spearheaded from the

Courts Administration Authority as to what their needs are to identify. The primary objective is to get the superior courts into proper accommodation. Ancillary and administrative matters may or may not be added if appropriate, so we can see what has been targeted. The previous courts precinct redevelopment, as it was called, which came in with the twin tower option, was a courts tower and an administration tower, if I could again summarise it in that way. So why did you not just proceed with the quote you got on the courts tower?

The Hon. J.R. RAU: That project was a single—I appreciate it had two towers, but it was a single project. I think you would find that if you examine that closely, some of the funding arrangements for that project were predicated on the idea that one of those towers would be occupied by government tenancies and that that occupation by a long-term government tenancy in one of the towers would in some way be factored into the cost structure of the whole business case, so I do not think it is just as simple as that.

The other point I would make is that even within the courts there is quite a difference—and I know the member for Bragg is aware of this, other members perhaps not so much—there is quite a difference in the minimal and optimal physical requirements for a criminal court, a higher criminal court, and a civil court. With criminal courts, you require facilities to detain or to hold prisoners. You require the capacity to separate prisoners from the rest of the group of people who might be in the building, whether they be judges or witnesses or victims or whoever they might be. You need accommodation for jurors.

All of those things require very particular security solutions, and they are expensive. They are not the sort of thing where you can just draw a line in a room and it suddenly becomes a criminal court, it is not that simple. So even within the building that in that particular project design was accommodated as a courts building, there were two quite separate functions being accommodated. The criminal function is a much more expensive and complex housing exercise than civil.

Ms CHAPMAN: So when you received the response to the tender in relation to the redevelopment proposal which had the two buildings, one of which, the courts building, came in under the budget limit that cabinet had set—and combined, it was above that limit, I note that—did you go back to any of the proponents to inquire as to whether they would be agreeable to progress with their quote on the courts-only building before abandoning that project?

The Hon. J.R. RAU: I think the answer to that would perhaps best be directed at the people from DPTI or Renewal, because I think they were the people who were actually engaged in that exercise. I am struggling to remember the exact detail now, but I believe there was some further conversation with the proponents, but to what effect and on what basis, I do not know. Whatever it was, I can assure you it was occurring in the context where I was very keen to see that project proceed if it possibly could. I was ultimately left with the very clear understanding that the ultimate cost of that project put us in the position where it was just not acceptable.

Ms CHAPMAN: Would you, Attorney, be prepared to review your records to remind yourself and identify later to the committee, or take on notice, in your agitation for the advancement of the substantial reinvestment in the precinct, whether you had requested that that be investigated, either before or after the public announcement of the abandonment of that project?

The Hon. J.R. RAU: Can I just make this clear. I, at no time, have had direct interaction with any of the proponents in relation to this matter. I have never been part of a negotiating arrangement with them. I have not participated in any of those things. So, the actual first-hand knowledge about what has and what has not occurred has never been in my possession. That is knowledge that others have, not me. All I can say to the committee is that I do not think there is a single person in government who is not absolutely, clearly aware of my view about how important it is for us to get on with a core project. We've solved the problem that the superior courts have.

Ms CHAPMAN: We are very keen to hear that, Attorney, and pleased that you are continuing to do that. It is just that you were the one who went out in early last year, announced the abandonment of the project, indicating that it was cost prohibitive—or words to that effect, did not come up to the expectations of what cabinet were prepared to approve—and so on. I understand that, but you have also indicated to the committee that you have been active in this space in trying to ensure that there is some advancement of what is in a crumbling superior court position. Whilst I

appreciate that DPTI representatives were the parties to actually negotiate with the tenderers—I will ask them, of course, what they have done—but I am really asking what you have done to advance or promote them investigating other options, other than just the abandonment of the project, which has already had a lot of money and time spent on it.

The Hon. J.R. RAU: First of all, one of the most unpleasant experiences I have had in the time that I have been privileged enough to have this job, was to be told the unpleasant news that that project was not going ahead. The second most unpleasant thing was being told that I was then going to explain to everybody that that was not going ahead. Actually, I am not sure that order is right, but it was pretty bad anyway, from my point of view. I was bitterly disappointed. Literally, the day after that, I asked for various public servants to have a chat with me, and I said, 'This is not the end, this is not the beginning of the end, but it may be the end of the beginning.' I think somebody else might have said that too. I said that and on we went. I said, 'Okay, where do we go now? That didn't work, fair enough. What are we going to do now? What are we doing?'

Ms CHAPMAN: And what did they say?

The Hon. J.R. RAU: We went through various iterations of things. We spoke about it, I spoke to the Courts Administration Authority and the Chief Justice about it. Ultimately, this line in the budget represents what I am convinced is the most effective way of building our case to the point where it is unsaleable.

Ms CHAPMAN: No-one on the committee, I think, would be criticising the money, at least to keep the idea alive. However, it is all the more puzzling, given your answer, Attorney, as to why you cannot remember what you actually did after speaking to the public servants as to, 'What on earth are we going to do next and how can we advance it?' when you had documents before you which identified that you could have proceeded with a courts tower at that time, under budget, and cannot recall now what you did about that in presenting it back, either to DPTI to explore it with the tenderers, or to cabinet.

The CHAIR: Again, we are straying from this year's budget paper. If the Attorney is happy to answer that—but there are two minutes left on this line of questioning, I'm afraid.

The Hon. J.R. RAU: All I can tell you is that I have been absolutely, consistently jumping up and down on the spot about this for six years. I was very disappointed that that process did not result in what I had hoped it was going to result in. I continue to agitate for this problem to be resolved, let me put it that way, and if you want to know details about what went on in the nitty-gritty of discussions between the proponents and the government, I suggest you ask details from DPTI or whoever it was who were the actual negotiators, because I was not in that position.

Ms CHAPMAN: Page 163: how many times to date has the online system to request adjournments been used, and what is being done to make practitioners aware of it?

The Hon. J.R. RAU: Do you want to take that on notice?

Ms CHAPMAN: Well, I am sure that, if it has not been used very much we will soon know. Chief Justice, how many times to date has the online system to request adjournments, that is, being able to apply online to adjourn matters, been used, and what is being done to make practitioners aware of it?

Chief Justice KOURAKIS: We will have to take that on notice. We have had a number of trials with that and audiovisual appearances from practitioners' offices for adjournments, and we are in a trial with the Legal Services Commission I think on the audio visual part of it rather than the online. It has been slower than we expected, but we will have to get the actual detail on notice. It is something we are all keen to progress, but it has been slower than expected.

The CHAIR: With that, the agreed time has expired. So, there being no further questions, I declare the examination of the proposed payments for the Courts Administration Authority completed, and I thank the Attorney and his advisers and the Chief Justice.

ATTORNEY-GENERAL'S DEPARTMENT, \$118,141,000
ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT, \$101,555,000

Minister:

Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide.

Departmental Advisers:

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

Mr D. Soulio, Acting Deputy Chief Executive, Attorney-General's Department.

Mr A. Swanson, Executive Director, Finance and Business Services, Attorney-General's Department.

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

Mr J. Lai, Principal Adviser, Budgeting, Attorney-General's Department.

The CHAIR: I declare the proposed payments open for examination and I refer members to the Agency Statements, Volume 1. I now call on the Attorney-General to make a statement if he wishes.

The Hon. J.R. RAU: I do not intend to say anything in particular in respect to the department. I think I have probably covered off on a lot of the policy work we are doing in the last session. I will say, though, that the department has been very active in supporting a lot of policy work through all the agencies, and they have become reasonably familiar with and tolerant of absurd time lines. At least that is what they tell me, that they are absurd—I do not think they are, of course: I think they are quite reasonable. They are pretty good, really.

Can I also say that all of us recently had snatched from us, in an untimely way, Mr Rick Persse, who was chief executive of the agency for many years. Rick was a terrific leader for the agency, a very professional public servant and a great person to work with, the person who gave advice, including advice I did not want to hear, like, 'You can't have that done next Tuesday'—things like that. So he is a great loss to us, but we are luckily surrounded in depth, and I wish him well in his new role.

Ms CHAPMAN: I refer to Budget Paper 4, Volume 1, pages 9 to 67, Budget Paper 5, pages 16 to 18, and Budget Paper 3, page 24. Attorney, at page 14 on the workforce, as at 30 June 2016 the workforce is estimated at 1,576.7 FTEs. However, it is proposed to staggeringly reduce to 1,502.3 this financial year. How and who is to go, and are you actually losing an agency, or is this just a substantial reduction of 75-odd full-time equivalents?

The Hon. J.R. RAU: I think I will have to take that on notice. I can talk in general terms. There are individual—

Ms CHAPMAN: 75 people—you should know who they are?

The Hon. J.R. RAU: I will take it on notice. You said are their particular things that are not happening anymore. One example—but it is only six people—is Medical Panels SA, for instance.

Ms CHAPMAN: So they are going?

The Hon. J.R. RAU: Yes. All gone.

Ms CHAPMAN: There are another 69 to go.

The Hon. J.R. RAU: I will take it on notice because I do not just want to free-wheel it.

Ms CHAPMAN: Okay, they may be potted around the whole agency, but is there any particular area of responsibility that you have now that is about to be moved? Equal Opportunity, biting the dust? Or Police Ombudsman is disappearing?

The Hon. J.R. RAU: Yes, I can give you another cluster of them. In the course of the budget year the nuclear royal commission is winding down. Even though nuclear has nothing in particular to do with AGD, because we are the host agency for royal commissions because of the nature of those things, the Royal Commissions Act is attached to the office of the Attorney.

Ms CHAPMAN: My understanding last year, Attorney, was, as you explained, you pay the money for the royal commission, because it is attached for that reason, but you do not actually undertake the work attached to it.

The Hon. J.R. RAU: No.

Ms CHAPMAN: I think you gave Mr Scarce an office for a period.

The Hon. J.R. RAU: No. It is still in the AGD full-time equivalent account.

Ms CHAPMAN: Were there 69 people working on the royal commission?

The Hon. J.R. RAU: No. I am giving you some more little bits. So, with the nuclear fuel royal commission there is going to be 16.2 FTEs disappear. The child protection royal commission will wind up this year. That is, I am advised, another 15. We will keep delving for other numbers but it gives you an idea where things come and go.

Ms CHAPMAN: Alright. Well, if it is not one agency or one group like that, if we could just have the detail of what the position is of that person and whether it is full-time or part-time. To aggregate for the balance appears to be a little concerning. What will the cost be of concluding the contract for Mr Rick Perse in going to the Department for Education and Children's Services, and were those costs paid out of the Attorney-General budget, or did someone else pay for that?

The Hon. J.R. RAU: As I understand it, all chief executives actually have a contract with the Premier, and what has happened is that Mr Persee has been—

Ms CHAPMAN: Seconded.

The Hon. J.R. RAU: Moved, yes. My belief is, and I do not know the details of this because I do not bump into Mr Persee as often as I used to. But my understanding is that he went across initially, under his existing contractual arrangements, with the Premier. Given that that agency has different requirements, I believe there would have been some review of whether that arrangement was adequate or sufficient or appropriate. Exactly where that landed, I do not know. It is not as if he has been terminated and paid out. He has just migrated across.

Ms CHAPMAN: And any costs associated with that, though, have not been left to your agency to pick up? Other than the fact that you have to clean out the desk and put someone else in there.

The Hon. J.R. RAU: No.

Ms CHAPMAN: The Chesser House refit? I am happy to ask that in Consumer and Business Services, but it is a capital work, so is it best to ask that question now?

The Hon. J.R. RAU: I am easy.

Ms CHAPMAN: Thank you.

The Hon. J.R. RAU: Depends what the question is, obviously.

Ms CHAPMAN: Well, there is an invitation. It is referred to on page 15, for the benefit of other members of the committee. A 2.969 fit-out. Apart from consumer affairs, and I think the veterans' tribunal, and a few federal migration tribunals and so on, do we have any other government agencies involved in that fitout?

The Hon. J.R. RAU: I am advised it is just Consumer and Business Services.

Ms CHAPMAN: Does the government own the building?

The Hon. J.R. RAU: I understand it is a lease. I have some information, broadly, about that, and that is that in January of this year cabinet approved a seven year and two month lease renewal, and it is for around four and half thousand square metres, effective from 1 July 2015. About 65 per cent of the fit-out is 18 years old and is not really satisfactory, so it is intended that the lease incentive of \$2.9 million will fund a significant refurbishment and fit-out.

Ms CHAPMAN: Who does own the building?

The Hon. J.R. RAU: I would have to take that on notice.

Ms CHAPMAN: And the actual fit-out is for what? Is it for the chief executive's office of Consumer and Business Services or is it for the new toilets?

The Hon. J.R. RAU: If it is, I am going to ask him to move into my office, and I will go down there.

Ms CHAPMAN: I think yours is pretty good, so we will just come back to what is actually going to be in the \$2.969 million.

The Hon. J.R. RAU: It is five floors of the building, apparently.

Ms CHAPMAN: What is actually happening in them that costs \$2.969 million? Is it just a very expensive repaint or are there partitions?

The Hon. J.R. RAU: We can get detail of that. I think it is probably better if we take it on notice, but we will get you something. We will take it on notice.

Ms CHAPMAN: I note, of course, it is an agency that actually makes money for the state—

The Hon. J.R. RAU: It does.

Ms CHAPMAN: —so we are not necessarily saying that it is not necessary or appropriate. I would just like to have some detail of it, if that could be provided to the committee, thank you.

The Hon. J.R. RAU: They are a jewel in the crown.

Ms CHAPMAN: At least they make money—

The Hon. J.R. RAU: Indeed.

Ms CHAPMAN: —at taxpayers' expense, I suppose, but could we just move to child protection on page 56? How many members of the steering committee are to oversee the government's response to recommendations of the Child Protection Systems Royal Commission which, of course, are to come out next week, and who is on the committee?

The Hon. J.R. RAU: I will get you the exact particulars about who is on there. I will take that on notice, but the gist of it is it is a multi-across government agency group. I think there are approximately a dozen people, and the idea is for that group to carefully analyse the recommendations that we expect to be receiving from Commissioner Nyland and to work out implementation strategies and processes. It is the government's attempt to be ready to hit the ground running when the commissioner's report is received. Rather than having a cold start, scrambling around and starting from scratch, we wanted to have a group of people whose hands are ready to receive the report and to begin work immediately.

Ms CHAPMAN: Which is why, given that it is five or six days away, we do not have a committee yet, or are they just the committee for the purposes of the Public Service representatives of various agencies?

The Hon. J.R. RAU: No, I am informed that the group has already met once.

Ms CHAPMAN: I see, so can you provide a list then of who is on the committee?

The Hon. J.R. RAU: Yes, I will do that on notice. I just do not have the names and details now.

Ms CHAPMAN: In any event, could I say it is a group of police, families, communities—all of the usual suspects—relevant to and informed about the agencies that are responsible for child protection systems?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: Are they support members from the departments or are they just ministers?

The Hon. J.R. RAU: I am not personally—

Ms CHAPMAN: Just departmental people?

The Hon. J.R. RAU: They are departmental people. I have not been to the meeting that occurred. There is a cabinet subcommittee which I chair, which is called the Child Protection Subcommittee of Cabinet, and that has relevant ministers on it, which are the Minister for Police and, obviously, the Minister for Education and Child Development and so forth. This group reports to that subcommittee of cabinet.

Ms CHAPMAN: Is the response unit different to the committee of departmental people?

The Hon. J.R. RAU: There are three tiers to this. The top tier is the cabinet committee. Reporting to the cabinet committee is the steering committee, which are the dozen or so people, and reporting to the steering committee is a response group, which is working up policy, I guess, in relation to the thing.

The way I interpret this is that the response group is the first base. They recommend stuff which then goes to the steering committee, which then filters it across agencies to work out whether there is some obvious anomaly in it that has not been picked up, or whatever, and then that is referred to the cabinet subcommittee.

Ms CHAPMAN: Who is on the response group unit?

The Hon. J.R. RAU: Again, I will have to get you the details of that.

Ms CHAPMAN: Are there any people other than people who work for the government?

The Hon. J.R. RAU: No.

Ms CHAPMAN: So this is really just an extra \$1 million then. In a structured way, the department is assembling and the department then gets the extra \$1 million to prepare the report to government of what the government's response should be?

The Hon. J.R. RAU: I guess, yes. This is salaries, basically, of all of the people for all of that time doing all of this work. That is basically what it is.

Ms CHAPMAN: Aren't these people already paid?

The Hon. J.R. RAU: They are apparently seconded into this, as a stand-alone proposition.

Ms CHAPMAN: I see. So the salaries of the people who are on the response unit, who are all public servants from other agencies, are really going to be picked up by you while they work for you for three months in this response unit. Is that how it works?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: So we should see a corresponding diminution of the cost of these people in their respective agencies?

The Hon. J.R. RAU: I guess so, but it will be relatively tiny anyway.

Ms CHAPMAN: It is \$1 million.

The Hon. J.R. RAU: I suspect that, if these people are being pulled out of work elsewhere, they will probably be backfilling somebody to fill in for them.

The CHAIR: The Attorney does not need to speculate about what is happening in other departments.

The Hon. J.R. RAU: Yes, fair enough. I am not sure.

Ms CHAPMAN: Alright. In any event, this does not include paying for the advice of other experts who might be called in from the independent sector, or the non-government sector?

The Hon. J.R. RAU: I am advised that, if it is determined by these people that they need to bring in somebody external to provide some support or advice, the budget is able to accommodate that up to a point.

Ms CHAPMAN: What is the time frame that the response unit and the committee have been allocated to prepare the response and provide the advice to government in this financial year?

The Hon. J.R. RAU: Perhaps the best I can do is to give you my take on things. I would like this all sorted before the end of the year. Absent some unforeseen complexity, my expectation is that this piece of work would be concluded well before the end of the year, and ideally we would be in a position where, in as much as there is legislative change coming out of this, we at least have a bill in the parliament. That is me. Those who sit near me might tell you, if I was not around, that I often push the envelope a bit about getting time lines to happen. That is the way I would like to see it roll out, but whether it does—

Ms CHAPMAN: Is there any other provision in your budget, either of that \$1 million or otherwise, set aside as a contingency for the implementation of whatever recommendations come out of the royal commission?

The Hon. J.R. RAU: The only thing I can point you to is a quote from our Treasurer.

Ms CHAPMAN: That could be a worry.

The Hon. J.R. RAU: On page 6 of his Budget Speech, he states:

This budget retains additional funding in contingency to respond to Justice Nyland's final recommendations. We will make those plans public once the final report has been contemplated.

Ms CHAPMAN: So whilst the plans are yet to be identified and considered, as to what the government's response will be, how much has been allocated for that in the contingency?

The Hon. J.R. RAU: As far as I know, it is nothing more or less than I have just read out, but that is really properly a question for the Treasurer. I am not able to answer that question.

Ms CHAPMAN: But you are the minister in charge of child protection reform. Surely you would be saying to the Treasurer, 'Look, I want you to allocate—'

The CHAIR: The Attorney is not responsible for administering that particular part of the budget.

The Hon. J.R. RAU: No, but I just suggest you ask the Treasurer that. My understanding is that it is not unknown for there to be a notional contingency that does not have a number attached to it.

Ms CHAPMAN: How much did you ask for?

The Hon. J.R. RAU: I did not ask for anything, because I have no idea.

Ms CHAPMAN: I see. Alright.

The Hon. J.R. RAU: When I say I did not ask for anything, I am not suggesting that there may not be something required. That is not my point. To ask in a vacuum, when I do not even know what I am asking for, would be putting the cart before the horse, I would have thought.

Ms CHAPMAN: In respect of the announcement by the government in the budget that there would be an amalgamation of Families SA facilities to administer child protection services—one of their roles is to administer the child protection services—had you received any interim report from Ms Nyland to recommend that?

The Hon. J.R. RAU: The only interim report I am aware of us receiving was the one that was publicly discussed not very long ago and—

Ms CHAPMAN: On the restructure of the departments, yes.

The Hon. J.R. RAU: Yes. I do not believe there is—I will check, but my only recollection is the recent recommendation or report (or whatever it was) that Families SA be pulled out of education. As far as I can recall, that is the only recommendation or whatever that she has come up with, but I will check. I will see if there is anything. There is certainly nothing momentous, otherwise I would—yes, that is right. There was another not unimportant but comparatively not significant matter of youths not being up for victims of crime contributions, but that is not in the same ballpark as the other.

Ms CHAPMAN: Sure, it was a press release.

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: In any event, the amalgamation of these three units into a fourth premises is a cost saving, as you understand it?

The Hon. J.R. RAU: I would have to take that on notice. I do not know. You are getting into another minister's budget there, so I—

Ms CHAPMAN: It is just that you have allocated this \$1 million to respond to the royal commission, but in the budget already has been the announcement of the amalgamation of three important services, obviously, into one. That may be a good thing. It may be consistent ultimately with what comes out in this report, but having proposed that, have you given any instruction to your department in respect of this response unit to consider whether or not that is actually appropriate?

The Hon. J.R. RAU: Two things. First of all, inasmuch as there is anything going on inside DECD, I am not in a position to answer questions about that. They are internal DECD matters.

Ms CHAPMAN: I understand that.

The Hon. J.R. RAU: In relation to this matter, we have a cabinet decision made recently in response to the request or recommendation or report—however you wish to characterise it—from Commissioner Nyland. I do not see it as being the role of this group to attempt to second-guess the cabinet decision about that. I think what their starting point will be that that decision is taken as the government position on that particular point.

Then to everything else that is going to come out from the commissioner in due course, the government will either say, 'We've had a look at this and we already know which way we want to go on things,' and they will get an early steer. Or the government will say, 'We need a bit more thinking to be done about this. Can you go away and work something up for us so that the cabinet can make a decision?' This group will ultimately be presented, I think, with a mix of responses from cabinet. There is the one we have already decided, which I think they would have to accept is—

Ms CHAPMAN: Happening.

The Hon. J.R. RAU: Happened. And then there may be things which, once we receive the report, we can fairly quickly rule in or out and we might be able to go to them fairly quickly and say, 'Look, we have seen the report and unless you folks have some very good reason to the contrary, we are pretty sure we are going to be doing whatever it is.' Then there may be a group of things which are a little less clear initially which we would be expecting these people to spend time working up.

Ms CHAPMAN: I suppose really what I am asking is: is this response unit, which is getting \$1 million, going to be charged with considering, obviously, restructure that is already happening, possibly the amalgamation of Families SA offices which is budgeted for but has not happened yet, and then, particularly if there is either no or there are contrary recommendations by Ms Nyland in her ultimate report in respect of what services should be out in the field, is that within the area that this response unit will be considering in giving its advice to the government?

The Hon. J.R. RAU: Yes, I believe so because when you get down to the question of whether we have a central or a decentralised model, for example, the government has only received one official recommendation so far from the commissioner which we have agreed to. That recommendation does not address that particular point and so I think it is fair to say that, if the agency has been, as a matter of policy, doing one thing or another up until now and the commissioner recommends that it take a different direction, then that will be something that this group will be looking

at, unless, of course, it was something that the government was definitely not intending to do, but I do not expect that to be the case.

My expectation is that there will be general agreement, I would expect, with most, if not all, of what the commissioner has to say, but I am saying that again in a vacuum because I have not seen what the commissioner's recommendations are.

Ms CHAPMAN: In regard to the Victims of Crime Fund, which your administered item is listed on page 13, how much is currently in the Victims of Crime Fund?

The Hon. J.R. RAU: Well—

Ms CHAPMAN: A lot, I know, but I would like more detail.

The Hon. J.R. RAU: I am advised that, as at 30 June this year, there was \$238—is that dollars or millions of dollars?

Ms CHAPMAN: I trust millions. I certainly hope it is, unless Mr Koutsantonis has got his hands on it. It is \$238 million?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: What was the expenditure from and the income to it during the 2015-16 year?

The Hon. J.R. RAU: I thought you might ask me that.

Ms CHAPMAN: So you have the answer ready?

The Hon. J.R. RAU: I might have, yes. In the 2015-16 budget, the revenue was \$58,077,000 came in and \$30,966,000, went out.

Ms CHAPMAN: What is the projected expenditure from that fund in the 2016-17 year and over the forward estimates, given that we have had a review of the law now and people have put their applications in?

The Hon. J.R. RAU: I am looking at these numbers here. This is just what I am advised. I will start with revenue first. In 2016-17, it is \$60,681,000; in 2017-18, it is \$61,660,000; in 2018-19, it is \$62,607,000; and in 2019-20, it is \$63,492,000.

Ms CHAPMAN: And expenditure?

The Hon. J.R. RAU: In 2016-17, it is \$28,259,000; in 2017-18, it is \$28,810,000; in 2018-19, it is \$29,557,000; and in 2019-20, it is \$30,330,000.

Ms CHAPMAN: It might hit the half a billion dollar mark by 2020, by the look of it.

The Hon. J.R. RAU: Well, who can say?

Ms CHAPMAN: Given that very substantial balance growth that is expected over the forward estimates, is it the government's intention to reform the Victims of Crime Act to increase the compensation available to claimants?

The Hon. J.R. RAU: There has recently been a reform of the victims of crime legislation. As you might recall, we increased the maximum compensation payable from \$50,000 to \$100,000, and we doubled the payable maximum for grief to \$20,000 and funeral expenses to \$14,000. We have also nearly sorted out an increase in fees for legal practitioners representing individuals in relation to this. We have literally just done that. The extent to which those changes have been accurately factored into this, I cannot say. The only point I would make is—

Ms CHAPMAN: I hope they have been.

The Hon. J.R. RAU: Given three things: first, the maximum claims have gone up; that the funding for legal practitioners to represent victims has gone up—

Ms CHAPMAN: Four hundred dollars.

The Hon. J.R. RAU: Nonetheless. It may be that there is some volatility in this, I do not know. I think we will probably have to wait for this year's figures to see whether that occurs.

Ms CHAPMAN: But even assuming, Attorney, that there had been a delay in applications from the 2015 financial year into the 2016 financial year in anticipation of the legislation that was known but had not passed, had accumulated and given a bit of a balloon in this financial year, quite clearly, that legislation gave a very substantial improvement in funds available to the catastrophically injured and those with the highest injury. Attorney, you are well aware of the concern raised that the amount available for everyone else in this category was less than adequate.

You may not agree with that, but obviously there has been significant complaint about that, given that the Victims of Crime Fund—which does have some other obligations already in meeting the salary of the commissioner for victims of crime and also a victims advocacy group and so on—still has a very substantial ballooning net revenue stream over forward estimates, which clearly indicates there is the capacity to be more generous towards all of those other applicants who really have not had much increase at all because of the new regime.

The Hon. J.R. RAU: The numbers speak for themselves. I think it is fair to say that there is a reasonably healthy balance. What might or should be done about that is essentially a policy question. To take it really simply, there are three policy responses possible. One is leave it alone, but I emphasise, leaving it alone at the moment is leave it alone in the context of just having completely changed it, so we should wait and see what happens. The second policy response is to effect the amount of money coming in. The third is to effect the amount of money going out. There is an infinite number of policy questions attached to all of that. My preference is we just wait and see how the current changes, which have only literally just come in, bed themselves down.

Ms CHAPMAN: The Attorney is also responsible for the administration of the Legal Services Commission, and that is also at page 13. The Legal Services Commission itself has had some restructure in its governance, but I am assuming for the moment that has not provided any very significant saving or extra expenditure, hopefully the former given the objectives of that legislation. The Productivity Commission's recommendation to states and territories suggests that a combined \$80 million be invested in civil legal aid, and obviously the state has a substantial responsibility in this area. What factors have been taken into account in reducing the budget for the Legal Services Commission by \$6.1 million over the next four years?

The Hon. J.R. RAU: First of all, the question around the Productivity Commission: they are very good at recommending what other people might do, and they are to be commended for that. I think they also recently recommended that we shut down the motor vehicle industry, that we do not build any defence equipment in Australia and various other—

Ms CHAPMAN: National Disability. Some very worthy projects that they recommended—but I accept they want people to spend money.

The Hon. J.R. RAU: And that farmers should not get subsidised diesel fuel, and so on. They have got a view about pretty well everything. Let's put them to one side. As people would know, the Legal Services Commission does not fund civil matters, and I do agree that there is a longstanding problem in our community for people who are not wealthy enough—and let's face it, for civil litigation you have to be pretty wealthy, at least, if it is not going to really hurt you—but who find themselves in that unfortunate category where they have a civil problem and they find it difficult to get affordable advice. That has been a problem for a long time. It is a problem now, but the Legal Services Commission has never, ever sought to fill that gap.

Ms CHAPMAN: Are you saying that, at present, there is no funding available for advice on consumer protection and civil matters?

The Hon. J.R. RAU: No. They do have advisory services and, indeed, they do good advisory services. I am talking about legal aid, as such, for civil cases. The Law Society has a scheme which works to some degree. I have actually been extremely pleased with the way the Legal Services Commission has been approaching the way it does its business. I think it has been quite open minded to change.

Ms CHAPMAN: Did they ask for the \$6.1 million cut?

The Hon. J.R. RAU: I think it is fair to say they did not ask for that. In fact, in my experience, it is unusual for an agency to ask for a cut. This is a very simple way of explaining it and it is also my way of explaining it, so can you correct me if I am wrong, but the Legal Services Commission had constructed a set of reserves which were predicated on—

Ms CHAPMAN: Having to pay for capital works.

The Hon. J.R. RAU: It was not just that. They were predicated on things like, for example, every assignment of legal aid that had ever been given, but never called upon, would one day suddenly turn up in the letterbox. That is my understanding of it. This might have been an assignment granted 10, five, three years ago, or whatever, and they had notionally booked it up as an assignment of legal aid to so-and-so: \$500 or \$1,000. That was put onto a list. Ultimately, with that, for example, they did a call—and I cannot remember exactly when it was—a year or so ago to all these people and said, 'Look, you have an outstanding assignment; it is still sitting on our books. If you do not get in touch with us in the next six months or so, we are going to form the view that you are not particularly interested in this assignment anymore.'

So they were then able to purge their books of what amounted to old debt, which was a non-debt. So they have been able to do things which have improved their position. Whilst I am sure that they would prefer not to have had a reduction or some moneys taken out, I actually give them full marks for the way that the management team there is approaching things. An initiative as simple as that, where you discover that you have a whole bunch of notional debt sitting on your books, which, as it turns out, is not really there, and they work that out, they deal with it.

They are also looking to make a lot of changes internally, and that is part of the reason why I have had in the parliament legislation to deal with the management structure of the commission, because I think the chair of the commission, Mr Abbott (who we both know is a driving force) and the director, Ms Canny, are very good. I am wanting them to be backed up by a more commercially orientated board structure, which gives them the chance to get maximum value out of their budget and their staff.

Ms CHAPMAN: So this \$6.1 million cut is not to reduce in any way the funds available for Legal Aid cases; it is to deal with the streamlining of administration within the commission—is that what you are saying?

The Hon. J.R. RAU: That is ultimately a matter for the commission itself, how it deals with it. All I can say to you is that I am confident that they will be able, through efficiencies and changes in the way they do things, to deliver the saving and continue to offer good services.

Ms CHAPMAN: Let us hope that does take place and there will be no reduction to it, but, in your determination as to what cuts they should have, were you satisfied that they would be able to achieve those reductions in the cost of their operation without affecting the amount of Legal Aid available for representation in cases?

The Hon. J.R. RAU: I think is going to push them, I accept that, but I believe they will be able to do that and deliver their services.

Ms CHAPMAN: And apart from what you have described as a fake debt, a liability for the work that has been allocated and approved but not actually spent and that being a paper debt or liability as such, how much money do they have in the bank in reserve as at 30 June?

The Hon. J.R. RAU: I would have to take that on notice.

Ms CHAPMAN: Has there been any conveying to them that it is the expectation that they have to use whatever they have in capital reserve if they cannot achieve the efficiencies within the administration?

The Hon. J.R. RAU: Look, I—

Ms CHAPMAN: You have not asked for it?

The Hon. J.R. RAU: I do not know.

Ms CHAPMAN: Will you inquire whether Mr Persee asked for it before he left?

The Hon. J.R. RAU: If he will take my calls, I suppose.

Ms CHAPMAN: I am sure there will be a record somewhere if he has.

The Hon. J.R. RAU: I will try to find out. The gist of it is this: I do believe that the current management team and leadership group is capable of delivering significant change in the way the agency operates. We have been looking at this agency for a long time: we started doing reports on them five years ago, and I have to say that I have been really impressed by the way in which they have embraced new thinking, and they have improved what they had been doing. I think these are reasonable budgets to set. If it turns out at some time in the future that we hit a speed bump, no doubt they will talk to me and we will deal with it then.

Ms CHAPMAN: On the legal representation that is available in matters, I refer to whether there is any budget allocation for legal representation for elderly and disabled people in respect of their applications, particularly under the old guardianship rules before SACAT.

The Hon. J.R. RAU: The detail I will have to either ask my colleagues here or get back to you, but you might recall that, when the SACAT legislation was going through, there was a conversation, which I recall having with the Hon. Mr Wade, about the provision of support for people who were going into guardianship, and I think the member for Bragg was involved in that as well.

There was then determined that a certain amount of money would be allocated to the Legal Services Commission to provide some sort of advisory service. The detail I will get for you. I do not have it at my fingertips, but I do recall that there was something done about that, because there was money in Health, and I cannot remember how much, but there was some sort of money in Health for guardianship-type advocacy—

Ms CHAPMAN: Support persons

The Hon. J.R. RAU: Support stuff. And then there was some money which the guardianship board used to have available to provide some assistance. Now, my recollection is what we did was we pooled those funds and that pooled money has then gone to the commission so the commission can deliver that service. The exact detail, I will have to get back to you on.

Ms CHAPMAN: Anyway, your understanding is that there is some provision in the budget available for that?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: And in respect of the justice reinvestment trials, I am not sure whether that is in your agency department, as part of your law reform, but really my question is: does the budget contain funding to implement the justice reinvestment trials, given that the government made a commitment to implementing two trial programs?

The Hon. J.R. RAU: Yes. Justice reinvestment is a very interesting and difficult area. There was a commitment to trying a couple of justice reinvestment trials. There was no specific funding allocated to the initiative. The idea of justice reinvestment, strangely enough, is something that, depending on who you talk to, you get a slightly different definition, but our working definition at AGD is that it is to work with communities to reduce the number of people being imprisoned. In effect, it is based on preventing and reducing crime by addressing the underlying motivators and contributors to criminal behaviour.

It has been said by many that this sort of approach may be one of a mixed bag of measures to assist in reducing the number of Aboriginal people who are in custody. The Attorney-General's Department has consulted with various groups—community groups and others—and in July and August of last year, initial consultations were held in Port Adelaide to gauge community commitment to a potential trial of the justice reinvestment scheme.

At this stage, what we have, I guess, is a sense that people are interested in it, but we would need to actually have a specific proposal so that we could make a formal bid for funding. I can tell the committee that my personal view about these things is that, whilst the vibe of justice reinvestment is warm and glowing, I am looking for something that has empirical evidence to suggest that it is going to make a difference and it is capable of delivering improvement. I am not interested in funding

something, or even asking for funding for something, that is just really a well-intentioned but not empirically supported proposition.

Ms CHAPMAN: So, Attorney, there has not been any budget expenditure then since the meetings in July 2015, in that financial year. There is nothing in this financial year. Are you saying there has been no program put to you in the last 12 months that you suggest is good enough to have funding to conduct a trial?

The Hon. J.R. RAU: Under the rubric of justice reinvestment, no. We do have the proposal, which I think was called boot camp or ReBoot, which was a commitment that was given about trying to intervene with young people who offend. This is where we get into these definitional problems. Is this justice reinvestment or is this diversion? I do not know.

Ms CHAPMAN: I do not really mind which one you put it in because that is your responsibility. I am really asking: are any programs under any title that you would say are deserving of a trial to which you would allocate money, or are there existing programs—for example, Aboriginal services giving advice on domestic violence, anger management and so on of young men—to be expanded?

The Hon. J.R. RAU: I think one of them fits in that category. I am here avoiding what I think is the unhelpful definition of the terminology 'justice reinvestment'. I am talking about prevention and recidivism or—

Ms CHAPMAN: Early intervention.

The Hon. J.R. RAU: Early intervention, let's call it that.

Ms CHAPMAN: That is fine. I will call it whatever you call it. At the moment, it is Justice Reinvestment.

The Hon. J.R. RAU: We have the ReBoot program. It was announced in August 2015 that a not-for-profit organisation called Helping Young People Achieve would receive \$900,000 over two years to deliver this in partnership with Red Cross, and a \$100,000 bonus payment is available to the provider should the agreed results be achieved. The ReBoot grant will be the first in South Australia to be a pay by results grant.

Ms CHAPMAN: How much did they get in this year's budget?

The Hon. J.R. RAU: I will have to take that on notice, but can I say this one is interesting because this is the first time I have been able to find an opportunity to trial something that sits sort of in the social impact bond space.

Ms CHAPMAN: Well, you promised to do it.

The Hon. J.R. RAU: Yes, and I am interested in seeing how this works. I think social impact bonds, if they are properly framed up and properly scoped, have a potential to actually deliver quite good outcomes, but we need to sort of get into it.

Ms CHAPMAN: Outside of the early intervention and prevention, what about in prison?

The Hon. J.R. RAU: You are moving there into Corrections.

Ms CHAPMAN: I understand that but, in relation to rehabilitation programs under Justice Reinvestment that you would be responsible for, have you provided any programs to people in the prisons to assist them with that?

The Hon. J.R. RAU: I will have to take that on notice. I can say that, primarily, that would be a matter for Corrections to respond to, but we do have other things like, for example, the investment the state government, in conjunction with Santos and others, puts into the Power Cup. As people might be aware, a whole bunch of Aboriginal kids from around the state contribute by playing footy. They have a grand final, and they get to run around the Adelaide Oval before a footy game.

That attempts to actually bind them into attending school, and they get career paths out of that, so that is something we are doing in AGD. I will see whether there are other things more explicitly

in the rehabilitation area. I think you will find though that the answers to your questions will be spread across Health, Corrections, probably DCSI and SAPOL.

Ms CHAPMAN: Perhaps we could have then a list of the programs that are existing for this financial year to which your department is making all or a part contribution, what they do and whether any of them are new initiatives. I think what I am hearing from you is that the ReBoot grant and the Helping Young People Achieve grant are two new initiatives.

The Hon. J.R. RAU: Also, crime prevention grants is another long-running program.

Ms CHAPMAN: Lights in streets is another matter, but they are existing in that sense. I am happy for you to put them in the list if you want to tell me where you are doing that, but in relation to the two new ones that have been announced, if you could identify the amount that has been contributed to that. I think you said you would take that on notice.

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: I understand Helping Young People Achieve is a \$900,000 grant in conjunction with Red Cross, who are obviously putting in some money as well, and they get a \$100,000 bonus if they do something—presumably, do the job.

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: How are these new projects being measured? Who measures them, and what do they have to achieve to actually get a continuation of their grant?

The Hon. J.R. RAU: In relation to ReBoot, the trial is based at the Adelaide Youth Court and it targets, but is not completely confined to, 15 to 17 year olds who are appearing for a second or subsequent time in the Youth Court and are at risk of further offending. That is the cohort of people that we are trying to capture. They are referred to the trial through the court at the discretion of the judge or magistrate, or through family conferencing. The service provider is then required to develop a plan based on the individual needs of the young person and provide six to 12 months of community-based intensive support, which includes case management and mentoring. The young person also attends the Operation Flinders wilderness camp.

The intended outcomes of the trial include reduced offending behaviour and increased positive behaviour by the young person, including engagement and education, training, employment, and organised activities, whether that be sport or volunteering, or whatever it might be. The trial is being evaluated by the Australian Institute of Criminology. That is at arm's length from government.

As at 21 June, 44 clients have been referred to the program. Of these, 22 are currently active participants, 13 referrals are pending and waiting to be assessed, and nine have exited from the program. Of the 22 participants, 12 were referred through family conferencing and 10 through the Youth Court. Eleven are Aboriginal or Torres Strait Islander people and one is from a different cultural or linguistic background, and 17 are male and five are female.

Ms CHAPMAN: So what will they have to do to get the \$100,000 bonus?

The Hon. J.R. RAU: I will get you the information on that. It is being evaluated, not by me but by the Institute of Criminology. They have to hit the KPIs, but you want to know what the KPIs are.

Ms CHAPMAN: Yes, what they are.

The Hon. J.R. RAU: Okay.

Ms CHAPMAN: If you could identify if any of your other programs, either existing or new, incorporate a bonus scheme and, if so, what it is.

The Hon. J.R. RAU: Okay. Can I just mention too—it is a slight segue—I am actually intending tomorrow, as a matter of fact, to go and sit with the magistrate who presides over the Parramatta court. They have a very interesting—

Ms CHAPMAN: I think that is the federal government's new initiative, is it not, to have a new federal magistrate there? It was just recently announced. I hope we get to see that.

The Hon. J.R. RAU: Okay. This is their diversionary court or therapeutic court. I am very interested. I have been having conversations with the Chief Magistrate about how we might provide more options or opportunities for that to occur here, the basic concept being that a person comes in, they plead guilty and, in between the time of the plea of guilty being received and the time of the sentence being imposed, there is an assessment of the individual and certain recommendations made in terms of treatment, training, or whatever, and the person's compliance or otherwise with that set of recommendations is then a factor that is considered in the context of the sentence.

Ms CHAPMAN: Don't we already have that in our Nunga Court and drug courts?

The Hon. J.R. RAU: We do but I am not sure it is being utilised as well as it might be, so I am looking at some options around the country.

Ms CHAPMAN: In respect of the Crown Solicitor's Trust Account, which you also administer (page 13), what was the balance as at 30 June? What went into it and what went out of it in the last financial year? If you could just take that on notice.

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: One other question relates to the Independent Commissioner Against Corruption, whom I note publicly is either en route or up in the Northern Territory giving advice on the establishment of their proposed corruption commission. Does the Northern Territory government give the state government any money to contribute to that, or is he just doing a one-off trip to give them some advice?

The Hon. J.R. RAU: I can only tell you what I know about that. Basically, the Northern Territory government commissioned former Justice Martin to undertake an investigation as to whether or not they should have or could have or might have an ICAC-type arrangement there. I think he formed the view that they would struggle, given their size, to justify setting up something that is a stand-alone proposition there. He approached me to ask whether there would be any in-principle objection to us allowing our commissioner to be a dual commissioner. I said that, provided there is some appropriate funding—

Ms CHAPMAN: Sharing.

The Hon. J.R. RAU: Cost sharing—I could not see any objection to that in principle.

Ms CHAPMAN: How much are they giving you?

The Hon. J.R. RAU: I am not sure they are giving us anything presently, but I will check.

Ms CHAPMAN: So, if it is a condition that he is—

The Hon. J.R. RAU: I think it is only a 'report to government' situation presently. There is nothing yet established.

Ms CHAPMAN: I see. Is there anything in this year's budget that you are expecting to receive into government for work undertaken or that may be undertaken?

The Hon. J.R. RAU: No.

Ms CHAPMAN: At this point, if he is called upon to—

The Hon. J.R. RAU: They would need to pass legislation there first to even establish the jurisdiction for him to be called upon, which they have not done, so we are nowhere near that.

Ms CHAPMAN: But, assuming that it is put in place and even though there is no budgeting for it at this point, your expectation is that, if the services are required, there would be some recompense to the South Australian government or to your agency for the cost of providing that, just like we do currently on health services in Alice Springs and the like.

The Hon. J.R. RAU: Yes, I think it will be a simple cost-recovery model.

The CHAIR: Thank you, Attorney, and thank you to your advisers. I declare the examination of the proposed payments for adjourned until later today. We are now moving on to everyone's

favourite part—the Electoral Commission and State Records, if you want to bring forward some new advisers, Attorney.

ELECTORAL COMMISSION OF SOUTH AUSTRALIA, \$5,228,000

**ADMINISTERED ITEMS FOR THE ELECTORAL COMMISSION OF SOUTH AUSTRALIA,
\$93,000**

DEPARTMENT OF THE PREMIER AND CABINET, \$78,456,000

**ADMINISTERED ITEMS FOR THE DEPARTMENT OF THE PREMIER AND CABINET,
\$1,930,000**

Minister:

Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide.

Departmental Advisers:

Mr D. Gully, Acting Electoral Commissioner, Electoral Commission of South Australia.

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

Mr A. Swanson, Executive Director, Finance and Business Services, Attorney-General's Department.

Mr S. Froude, Director, State Records.

The CHAIR: I declare the proposed payments open for examination and I refer members to the Agency Statements, Volumes 2 and 3. I now call on the Attorney-General to introduce his new advisers and make a statement if he wishes.

The Hon. J.R. RAU: I will just say a couple of things about the Electoral Commission. First of all, we find ourselves in the midst of a process, and the process is the selection of an electoral commissioner. My understanding is that a report has been made in the last little while to Mr Schwarz, who is the officer who supports the Statutory Offices Committee and, therefore, I assume that, in the not too distant future, matters will be considered by that committee. That is the first thing. The second thing is that, the electoral cycle being what it is, the Electoral Commission has very busy periods and not so busy periods, although we have a boundaries commission happening presently, which probably adds a little bit of piquancy, if that is the right word, to this year.

The other thing I think it is important to understand is that the commission is facing at the moment some new tasks because the reforms made to the Electoral Act in 2013, which dealt with disclosure of political donations, public funding, expenditure caps and various other things, are slowly beginning to come into operation. We are already at the point now where the disclosure legislation has begun to do its work, and I can say that, in conjunction with the Electoral Commissioner and others, we are continuing to finetune the regulations in this area in an attempt to make sure that no undue and perverse hardship falls upon anybody because of those things.

We are going to see, over the next 12 months, a ramping up of those activities and we are running, for the first time, into an election cycle where all of those things are in place because, you would recall, they were not in place for the 2014 election because there simply would not have been time for everything to be prepared, so the commission is going to have some new challenges between now and over the next couple of years.

The other thing is that, from a policy point of view, I think some additional electoral reform is going to have to be considered by the parliament in the not too distant future and clearly that will affect the operations of the commission in one way or another. It would be my intention, as it is my

practice, to seek the advice of the acting Electoral Commissioner and his staff in relation to those matters just so I can inform parliament as to exactly what implications there might be. I know that is relatively general, but over to you.

Ms CHAPMAN: Thank you, Attorney, in respect of the imminent announcement of a new Electoral Commissioner to be appointed and we look forward to that. On the basis that it will be occurring in this financial year, why is there no adjustment in the FTEs from the 2015-16 year, which is at 27.4 FTEs? Is somebody going to be removed when the new Electoral Commissioner is appointed if it is not the same person but one of those who is in it?

The Hon. J.R. RAU: I think the answer to that question is: we do not know and I do not know, but I will take it on notice.

Ms CHAPMAN: Unless there is somebody already in the department or in the sense of taking that position, which there would not be then any change, one would assume then that whatever job is replaced would need to be replaced, but it appears as though that would not be the case. So either there is a new one coming in from outside, in which case there is no change in the FTE, someone else is to go; or there is somebody who is being utilised who is already in the commission, in which case their present position presumably would not be replaced, but if you could take that on notice.

The Hon. J.R. RAU: I will. I suspect the answer will depend a little bit on the outcome of the Statutory Officers Committee deliberations which are yet to occur, but I will take it on notice.

Ms CHAPMAN: I appreciate that, but, irrelevant as to who it is, it is either of those two and it does seem curious that there is no adjustment for that. Anyway, I will await your response in respect of that. Also at page 44, which relates to the workforce, what is the total cost to date, including advertising and the assessment panel cost, to select a new Electoral Commissioner?

The Hon. J.R. RAU: I will take that on notice.

Ms CHAPMAN: Does your department have to pay it, in the sense of, does it come out of the Electoral Commission budget?

The Hon. J.R. RAU: I understand it is not in the Electoral Commission budget.

Ms CHAPMAN: So you pay for it?

The Hon. J.R. RAU: I assume AGD carries it or the parliament carries it, but let me find out. I will take it on notice.

Ms CHAPMAN: What is the total cost of the Electoral Boundaries Commission in the 2015-16 year and how much is budgeted to conclude their work in the 2016-17 year? It is on page 44.

The Hon. J.R. RAU: In the interest of time, I will take it on notice.

Ms CHAPMAN: I am happy to receive it in the next half an hour, if it is located.

The Hon. J.R. RAU: Okay.

Ms CHAPMAN: In respect of the capital works at page 45, does the \$0.7 million in the 2016-17 year include any projects to trial electronic voting?

The Hon. J.R. RAU: Good news.

Ms CHAPMAN: I have an answer, you mean? Is that the good news, or is it going to be a good answer?

The Hon. J.R. RAU: That is exactly the sort of good news. I am advised as follows: the budget for the Electoral Boundaries Commission in 2015-16 was allocated \$570,000. The estimated result in 2015-16 is \$290,000, which means there is \$280,000 to go in 2016-17.

Ms CHAPMAN: Thank you; and the \$0.7 million? Does that include any projects to trial electronic voting?

The Hon. J.R. RAU: Are we on page 45?

Ms CHAPMAN: Yes. I am just asking—

The Hon. J.R. RAU: I see: the investment program is \$0.7 million.

Ms CHAPMAN: Yes. Is there anything in there to trial electronic voting?

The Hon. J.R. RAU: I am advised no.

Ms CHAPMAN: Is there anything in any other budget of the Electoral Commission to trial electronic voting?

The Hon. J.R. RAU: I am advised no.

Ms CHAPMAN: Is the Electoral Commission doing any preparatory work to investigate electronic voting, including examining any trials undertaken by the AEC?

The Hon. J.R. RAU: I think this is one that has come up previously. They are intending to implement a trial for vision-impaired people at the next election. I think that has been mentioned before. That will be absorbed. It is not going to be a subject of a separate item.

Ms CHAPMAN: I appreciate that is a separate stand-alone project which has just been identified, but in respect of electronic voting for the general public who are non-vision-impaired, is the Electoral Commission doing any preparatory work to look at that, including investigating any electronic voting trials that the AEC have done or will be doing?

The Hon. J.R. RAU: I am advised not. As far as electronic voting is concerned, I think it is problematic. It raises a number of very complex issues, not least of which include fraud and security and the capacity for a check or recheck of the ballot, because the physical evidence of the intention of the voter is never actually collected. It is merely a digital collection. Once that has been corrupted it is impossible to unscramble that egg.

From my point of view anyway, and I am just speaking my own mind on this, it may be that elements of the voting system might be enhanced by some technological elements. For example, proof of identity might be assisted through some form of computerised system in due course, which may improve issues if there are fears of fraud or multiple voting or something of that nature. I can indicate to the committee that the government has no present intention of advancing electronic voting, other than the trial about which we have just spoken.

Ms CHAPMAN: Page 46: public disclosure. Has any political party been prosecuted for breach of reporting under the new disclosure or public funding laws?

The Hon. J.R. RAU: No.

Ms CHAPMAN: Has any registered political party been suspended in the 2015-16 year, and if so, who?

The Hon. J.R. RAU: No.

Ms CHAPMAN: On the strategic review, at page 47: has the strategic review commenced, and in which month does it expect to publish its new strategic plan?

The Hon. J.R. RAU: I am advised that it has not yet commenced, but it will commence shortly and should be finished by the end of the year.

Ms CHAPMAN: Has the Electoral Commission undertaken any investigation or modelling on the future of itself, and in particular if any of its services are to be sold, outsourced or wholly incorporated for future elections to be conducted by the Australian Electoral Commission?

The Hon. J.R. RAU: No.

Ms CHAPMAN: Is it the intention of the government to consider any outsourcing of services provided by the Electoral Commission or, indeed, outsourcing the state election to the Australian Electoral Commission?

The Hon. J.R. RAU: No.

Ms CHAPMAN: Page 48, on interstate elections: what is the total budget to provide voting services to interstate electors in the forthcoming Northern Territory, ACT and WA elections?

The Hon. J.R. RAU: I am advised that, as there are only a few hundred electors involved, it is just absorbed as part of ongoing costs, and it is reciprocally dealt with by other commissions.

Ms CHAPMAN: In respect of the election of board members, page 49, what is the total cost of conducting the election of board members for Super SA, Funds SA and Super SA Select in August 2015? Are those costs fully recovered from those agencies?

The Hon. J.R. RAU: I am advised Super SA, the cost of administering that was \$183,000 and, pleasingly, an amount of \$196,000 was recovered.

Ms CHAPMAN: Funds SA? Super SA Select? Or you do not have those figures?

The Hon. J.R. RAU: That is the three of them.

Ms CHAPMAN: The three total, yes. Then, at page 50, in respect of election services, has the Electoral Commission provided any election services to any unions in the 2015-16 year and, if so, whom?

The Hon. J.R. RAU: Not that we are aware of, but we will take that on notice as well.

Ms CHAPMAN: In respect of income at page 53, what is the breakdown of the income described as 'Sales of goods and services' for \$478,000 for 2016-17, and the name of the agencies or clients paying for the same?

The Hon. J.R. RAU: I will take that on notice.

Ms CHAPMAN: Same item: has the Electoral Commission provided any personnel to the AEC to conduct the federal election in 2016 and, if so, what have they charged and how much have they recovered?

The Hon. J.R. RAU: I am advised that some of the state Electoral Commission staff worked on polling day, but they would have been paid by the AEC and therefore that is not—

Ms CHAPMAN: That is a direct payment to them, an entitlement that they can elect if they wish to take up extra work?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: Why does not the state Electoral Commission make available some of its staff? I appreciate that whilst we have the Boundaries Commission running there is that job to do and the enforcement for the disclosure obligations, but there is no election happening at that time for us. Surely, that would provide very significant income to the Electoral Commission and valuable experience to staff who, of course, are experienced in any event.

The Hon. J.R. RAU: I think the answer is that they need to be invited and they have not been.

Ms CHAPMAN: You have not offered?

The Hon. J.R. RAU: No.

Ms CHAPMAN: I do not have any other questions on the Electoral Commission.

The CHAIR: Any other questions about the Electoral Commission? In that case, we now turn to State Records, and I call the member for Davenport.

Mr DULUK: I refer to page 54. What was the cost of the free bus service to provide public access to Gepps Cross up until 30 June 2016?

The Hon. J.R. RAU: We will take it on notice.

Mr DULUK: And on average how many people utilised the service each week?

The Hon. J.R. RAU: I am advised that, when it is running, two or three.

Mr DULUK: So two or two three people per week go from the city out to Gepps Cross?

Mr FROUDE: Yes, so if nobody is taking up the service, we do not run it.

Mr DULUK: Has there been a decrease in volunteers because of the movement out to Gepps Cross for the State Records?

The Hon. J.R. RAU: No, I am advised that it has increased.

Mr DULUK: So there were fewer than three previously. Also on page 54, budget 2015-16, sales, goods and services, \$623,000; actual came in at \$300,000. What was the discrepancy?

The Hon. J.R. RAU: We will take it on notice.

Ms CHAPMAN: I have some questions on program 9, State Records, at pages 4 and 55, an entity which costs about \$7.8 million for the provision of services. I am not entirely sure, Attorney, what was the fallout of the restructure, but my recollection is that all our archival records are now at Gepps Cross, that is, local government and state government records, and, as has been pointed out by the member for Davenport, there is a transport service now provided to allow people to access that. Are all other state government records archived there or somewhere else?

The Hon. J.R. RAU: There are two sites, Gepps Cross and Collinswood.

Ms CHAPMAN: And what is at Collinswood?

Mr FROUDE: There is more of our collection out there, so about 25,000 metres of records out there.

Ms CHAPMAN: Just so I am clear about this (and probably because we had a lot of correspondence over this period), there was a bit of unhappiness about what I call state historical records for the purposes of people doing their individual research and the like, and that became a logistics exercise or concern for them, but those records are all at Gepps Cross, is that correct?

Mr FROUDE: No, the facilities at Gepps Cross and Collinswood house the permanent archive of the state. So at Gepps Cross we have our high access records, which are the ones accessed mainly by the public through our Gepps Cross research centre. We do, if necessary, retrieve records from our Collinswood site to provide those access services through Gepps Cross or to our government agencies as well.

Ms CHAPMAN: So is the Collinswood repository really just on the basis that it is spread over two sites, or is it things that people do not normally want to search?

Mr FROUDE: No, it is pretty much the low access records at Collinswood.

Ms CHAPMAN: Like what?

Mr FROUDE: It would be records that are not open for access at this moment in time.

Ms CHAPMAN: So things that are being kept confidential because of some statutory protection or the like.

Mr FROUDE: Yes, that is correct.

Ms CHAPMAN: Cabinet documents, I assume, are there if they are less than 10 years old?

Mr FROUDE: Yes.

Ms CHAPMAN: So, what happens under the arrangement now, where the previous premier announced that there is a 10-year rule and that, as they are published, we can retrieve and view cabinet records over 10 years old? Are they then brought up to the Gepps Cross facility, or do you just leave them there and put up a list and, if somebody wants them, you bring them out?

Mr FROUDE: Generally speaking that process is handled through the Department of the Premier and Cabinet and its FOI unit. If a document is required that is with us, then it is retrieved through the process through the department.

Ms CHAPMAN: I did not mean the external process to get it, I meant, where do you keep it all?

Mr FROUDE: Those records are either with us at State Records or they are still with cabinet's office or the Department of Premier and Cabinet.

Ms CHAPMAN: Okay, in your office though. Are they at Collinswood or have they been sent out to Gepps Cross?

Mr FROUDE: I would not know. I would have to take that on notice.

Ms CHAPMAN: In respect to the access, is there a time limit when somebody can go to view the documents that are accessible, per day? Is it only certain days of the week that you can do it now?

Mr FROUDE: Yes. We have specific open hours: we are open Tuesday to Friday, 9.30 to 4.30. We are also open every second Sunday of every month as well.

Ms CHAPMAN: And the provision for training suggests that there is an increase in the net cost—this is on a comparison between estimated results, page 54—due to the reduction in revenue associated with records management training. Have you had a reduction in staff?

Mr FROUDE: Yes, we have.

Ms CHAPMAN: Right. Because that suggests you had 41.9, and that this year you have 42 FTEs. How does that work? Or are they all trained and you do not need to train them?

Mr FROUDE: In relation to the training aspect, the provision of that service was not cost-effective for State Records to maintain, so we have actually restructured that area, so that we are not providing that training anymore.

Ms CHAPMAN: Are they still trained but by somebody else?

Mr FROUDE: Yes, they can get training through private sector organisations.

Ms CHAPMAN: Who has to pay for that?

Mr FROUDE: The agencies pay for it.

Ms CHAPMAN: The agency?

Mr FROUDE: Yes.

Ms CHAPMAN: Your agency?

Mr FROUDE: No, not our agency, the agencies that the staff belong to.

Ms CHAPMAN: I see, but it is not for your—anyway, it is an increase there. In relation to the material that you are recording and retaining, your job, which is not an easy one, I would have to say—I do not mean to the Attorney, this question, I meant to the head of the State Records Department. The Attorney's job is easy, especially having such an accommodating shadow attorney.

Anyway, can we go back to the work that you do do, which is an arduous task I am sure, in State Records of trying to define what you keep and what you do not keep. I appreciate there is an act which sets out a number of rules and guidelines, and some regulations, but we are in the world of emails. Can you give the committee some idea about how you process what comes into you from ministerial offices in respect to the records they have kept and sent to you for retention, as emails.

Mr FROUDE: At the moment, the retention of records is governed by disposal schedules and we have a disposal schedule in place for ministers' offices, and so those disposal schedules relate to the content of the records, not necessarily the format of the records. So whether it is a paper document or an email, for us it does not matter. What matters is the content of that email or that record and that determines how long it needs to be kept for. At this moment in time, we take paper records into our facility. We do not have the ability to take in emails, so agencies are storing those themselves.

Ms CHAPMAN: Do you have any role in the scrutiny of what is kept and what is disposed of?

Mr FROUDE: We do that through the work that we put in with agencies when we actually establish those disposal schedules, and through the State Records' council process as well, who approve the schedules before they are activated.

Ms CHAPMAN: Right. So once you have approved the schedules, the agency itself then sends to you some sort of hard copy and/or electronic copy of what they have in records and you can scrutinise that, to check that it is against the list, and of the material that you receive do you identify the nature of how it is retained, that is, whether it is a departmental or office record or whether it is a hard copy record or whether it is a private email record, which is of the employee? Do you do any analysis of that?

Mr FROUDE: No, we do not.

Ms CHAPMAN: You will have noted that during the year, in fact, the previous financial year, the Independent Commissioner Against Corruption provided a report indicating his concern in respect to information given to him that email communications were being undertaken on private emails of employees of the government.

The CHAIR: Member for Bragg, I think we are straying into extraneous territory and the agreed time has expired, I am afraid, unless you have a quick question you want to put on notice.

Ms CHAPMAN: In respect of that—

The CHAIR: What is the question?

Ms CHAPMAN: I am just asking, in respect of that, if you are able to identify that. Have you had any emails sent to you to record of individuals rather than of their departmental record-keeping?

Mr FROUDE: Not that we are aware of, no.

The Hon. J.R. RAU: Can I just make a quick comment that we have been working through the recommendations from Mr Moss, and State Records provided my office in March of this year with a series of responses and proposals to Mr Moss's recommendations. At the moment, I am in the process of basically asking cabinet to approve a bill to amend the State Records Act. Once I have that bill sorted, I would be seeking to discuss that publicly.

Ms CHAPMAN: To deal with that issue?

The Hon. J.R. RAU: All of these issues, yes.

The CHAIR: I declare the examination of the proposed payments to the Electoral Commission of South Australia and the administered items for the Electoral Commission of South Australia completed, and the proposed payments for the Department of the Premier and Cabinet and the administered items for the Department of the Premier and Cabinet be adjourned until later today.

Sitting suspended from 11:31 to 11:45.

**DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE, \$636,641,000
ADMINISTERED ITEMS FOR THE DEPARTMENT OF PLANNING, TRANSPORT AND
INFRASTRUCTURE, \$9,719,000**

Membership:

Mr Speirs substituted for Ms Chapman.

Minister:

Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide.

Departmental Advisers:

Ms S. Smith, General Manager, Investment Management, Department of Planning, Transport and Infrastructure.

Ms A. Allen, Manager, Planning Reform, Department of Planning, Transport and Infrastructure.

Mr A. McKeegan, Chief Development Officer, Department of Planning, Transport and Infrastructure.

Mr B. Cagialis, Chief Finance Officer, Department of Planning, Transport and Infrastructure.

Ms G. Vasilevski, Manager, People and Place Management, Renewal SA.

The CHAIR: Welcome back, Attorney. We are now looking at Planning and the Cemeteries Authority, so you are appearing in your capacity as Minister for Planning and Minister for the City of Adelaide. I declare the proposed payments open for examination, and I refer members to the Agency Statement, Volume 3. I now call on the Attorney to make a statement, if he wishes, and to introduce his advisers to us.

The Hon. J.R. RAU: First up, I have with me Anita, Sally and Andrew from Planning, who are part of the excellent staff there, who have done an extraordinary job, particularly in the last 12 months. They have been working very hard indeed on the planning reform legislation and the implementation of that.

I have to say that, although their sense of time and mind is slightly different, they make a considerable effort to get things done very quickly, and they have done an extraordinary job in circumstances where it may be the case that they have had unreasonable time lines—some would say that, anyway—imposed on them. They have done an extraordinary job anyway, and I would like to put on record my appreciation for them and their team and the great work they have done in supporting what is I think a very significant economic reform for the state, which should bring greater certainty, greater transparency and be quite competitive for investment opportunities.

Can I also say that, before we came formally into this session, I spoke briefly to the member for Goyder. I just want to indicate to the Chair that the member for Goyder does not think he needs to speak to the West Beach Trust or the Cemeteries Authority, and we have agreed to discharge them so that they do not sit here listening to what for them might not be very exciting conversations. I am happy, in the time that would otherwise have been allocated to them, for the member for Goyder to ask questions in other areas, if that is suitable.

The CHAIR: Just to clarify, the overall timetable has not changed.

The Hon. J.R. RAU: Yes, I do not wish to change the timetable.

The CHAIR: So, we replace the Cemeteries Authority with extra questions on planning.

The Hon. J.R. RAU: Mind you, if the member for Goyder wants to finish a bit earlier, that is fine, too, because we can go off and have a sandwich or even something better—we might even have a hot meal—but, if he wants to take up the full time, then the mere fact that the others are not here is fine.

The CHAIR: Okay, thank you.

Mr GRIFFITHS: Can I just clarify the point that the Cemeteries Authority were not asked to give evidence not because I did not need to ask some questions. I just want to state that, as a former member of the Cemeteries and Crematoria Association of South Australia, and indeed a curator of cemeteries, I have a great interest in it, but there are very few references actually in the budget paper for it, so I can pursue the information I require at another opportunity.

The Hon. A. PICCOLO: It is buried deep in the budget.

Mr GRIFFITHS: There are two lines, so it is rather hard to find. All of the questions will relate to just two pages also, which are Budget Paper 4, Volume 4, pages 81 and 82, but it is important for anyone listening to this to understand the significance of what is contained within the outcomes in the last year, what the highlights are and what the targets will be in the next year also.

As a person who, with the minister, his staff and many other members who sit in this chamber, was involved in the lengthy debate that occurred with the Planning, Development and Infrastructure Bill, I have a great appreciation for the importance and significance of it, and the implementation of it. I assume that the minister's question about the time frames that are in place and the difference he has with members of his staff relate to that five-year period still being highlighted instead of the much shorter time frame that he, I and many others would probably like to see occur.

The Hon. J.R. RAU: It is not just that. I would like to think if we have an idea on Monday, we could have a bill by Thursday and we could have it into parliament by the following Tuesday. For some reason that appears to be difficult. The reason is because you have to do a whole bunch of stuff to make that happen, which slows me down, but they are very polite, they keep telling me, 'You know you cannot do that; it will take longer than that,' and whatever. I do have a sense of urgency about all of these things. It is not just that five-year timeline, it is how quickly we can get bills into parliament, how quickly we can get change actually rolling out on the ground. I am pushing for timelines shorter than that five-year timeline, for most of it. It might be of some interest if I could, perhaps, just give a very quick overview of the implementation. Would that be of any value or not?

Mr GRIFFITHS: Not for me but for others that might read it. Unless you are actually talking about the targets that you are setting for the next 12 months?

The Hon. J.R. RAU: Yes, I can. The planning legislation is going to be switched on at different times and the old legislation switched off at different times, according to how we are getting on with the job. Some things are going to be necessarily sooner in the process than the others. For example, getting on with the establishment and planning commission is a central requirement. Our intention is to get cracking with that pretty much now. As far as that is concerned, for the immediate future what we have got is this: in the rest of this year we have the transitional bill, which I indicated to members before would need to follow the first bill. I am reliably informed that that will be done and dusted by the end of this year. Obviously I would have liked to have got it fixed this week but end of this year seemed good.

Mr GRIFFITHS: September.

The Hon. J.R. RAU: The new planning commission we hope to be in place by March next year. That commission, as the member for Goyder would appreciate, plays such a central role in all the other activities that it is pretty important that it is up and running.

The Community Engagement Charter: we would like the planning commission to actually be getting cracking on that as a very early piece of work. I do not think we can complete that work without the commission being established and ready to go, but I regard that as being a high priority.

The specifications for the planning system: we should be in a position where a rudimentary version of the planning portal is available later this year, but obviously the fully functioning, all-singing, all-dancing planning portal will not be entirely operational until all of the elements that sit behind it have been switched on.

The framework for assessment authorities: these are things like accreditation to professionals, assessment managers, assessment panels and so forth. We would be looking at all of that being sorted out by the middle of 2018.

The planning instruments: again, we are looking at state planning policy, regional plans, planning and design code. I am hopeful we can give all of those a bit of a push as well. That said, we have made a commitment, which I consider to be very important that we stick to, that this rollout has to be done in a collaborative fashion, involving councils, industry associations and interest groups. To that extent, I have a fairly high-level group of industry and council reps that I regularly meet and consult with. I am using that as a high-level reference group, and we are intending, under that, to establish—as indeed the act contemplates—reference groups under the act that will help us

deal with particular consultations in relation to particular aspects of the process. It is full steam ahead as far as we are concerned, and I hope to be able to turn as much of this on as soon as possible.

Mr GRIFFITHS: Some of my questions will seek some clarification and some time frames. My first question relates to the Planning, Development and Infrastructure Bill which was passed through both chambers. I have two potential dates for when royal assent was provided: 21 April and 17 May, but when does it come into force?

The Hon. J.R. RAU: That is the point. What is going to happen is that bits of it will come into force at different times. We are sort of decommissioning the old system and commissioning the new one, so there will be a series of simultaneous commissionings and decommissionings. As bits of the old thing are switched off, the corresponding bit of the new one will be turned on. That will roll out in a 'when ready' sort of time frame, but we are looking at about two years, within two years.

Mr GRIFFITHS: If we can just turn to the planning commission, I think you earlier referred to March 2017 for the commission.

The Hon. J.R. RAU: Correct.

Mr GRIFFITHS: I note that the current Development Assessment Commission, for example, has been appointed until June 2018—and that is a bit of a side issue—and I understand that you want to have an overlap just in case. Given the importance of the planning commission and the fact that the first stage of the legislation, which was key to getting anything going, is through the parliament, why is there a 12-month delay between the completion of that debate and the appointment of a commission?

The Hon. J.R. RAU: We have to settle a number of the ideas around exactly how the commission is going to be established and how it is going to function, how it is going to be supported. I am leaving a fair bit of time in there for recruitment because I have the view that this person is going to be an absolutely critical person and I want to make sure we get the right person and we spend the time we need to. In the best of all possible worlds, between now and the end of the year an ideal person might come out of the woodwork, and, if they do, I will grab them. That timeline anticipates that there might be a recruitment process that takes a bit of time, perhaps advertising or whatever. This role is one that is an absolutely pivotal position.

Mr GRIFFITHS: I understand that, minister. Does that mean that there will be a combination: potential headhunting opportunities where you target somebody, or if someone who you believe has the skills and qualifications required volunteers their services to you, or advertising for it? Will it be a mixture of all three? It just depends on what occurs, does it?

The Hon. J.R. RAU: I am open to all of that. We intend, I gather, to start advertising next month for people to put their hands up. I cannot emphasise enough, though, just how important it is to get a quality candidate.

Mr GRIFFITHS: I agree. Given the importance you place upon the position, is that an interview process that you intend to be a part of?

The Hon. J.R. RAU: I do not know that I am professionally competent to be part of a primary interviewing panel. I am not a planner and I do not profess to be aware of the esoterica of the bureaucracy, otherwise I would not keep insisting on these crazy time lines. But I would obviously be very interested in the process and I would expect to receive a report from a competent interview panel which would say, 'We assessed the candidates as having these strengths and these weaknesses.' I do not think it would add much value for me to be an interviewer.

Mr GRIFFITHS: And I respect the fact that that would be unusual if it were to occur.

The Hon. J.R. RAU: Yes, you are quite right. Ultimately, the recommendation comes from me to the Governor, but I will be relying on having a pretty solid panel of people who can assess the capabilities of a person. Also, the other thing is that a lot of this is going to come down to leadership and whether or not the person concerned has a demonstrated capacity for leadership and inspiring other people around them. These things are easy to describe but difficult to assess.

Mr GRIFFITHS: To identify, certainly. Just on a point of clarification: the commissioner will be appointed first and then the commissioner will be part of the total commission appointees, the individual panels?

The Hon. J.R. RAU: Yes, that is the idea. The idea is, once we have this person there, I want that person then to be a partner in all the decisions we make, so that that person does not get the idea that they have been brought in and then had a whole bunch of stuff inflicted on them. They should be brought in and be in a position where they are actually intimately involved in what we do.

Mr GRIFFITHS: But appointments of all those people will be by March 2017?

The Hon. J.R. RAU: That would be the plan, yes.

Mr GRIFFITHS: In your introductory notes, you referred to the appointment of assessment panels in the middle of 2018. What about design codes?

The Hon. J.R. RAU: Good point. I regard the design code and the public engagement charter as being two of the highly important elements of this. We have already been doing some work on a really rough crash-dummy version of what a design code might look like, on the understanding that it is only as a way of saying, 'It might look like this,' without any sense that that is what it has to look like in the end. I think we need to actually consult extensively about that design code. Basically, in terms of the public perception, this legislation has a very particular set of enthusiastic observers in the building and construction industry and the development industry—

Mr GRIFFITHS: It does, and in the community in this area, too, to be fair. There was a lot of community feedback on this.

The Hon. J.R. RAU: Yes. It has the community, which is looking at it from a different perspective sometimes. There are two bits that the community, I think, are entitled to be very interested in, and must be interested in. One is the community engagement charter which, as all of us know, from the many hours we spent debating this, is intended to engage the community at the front end in the formulation of development policy for their community. That is really important and I think that has to be highly visible to people.

The other bit is the design code. Most people who complain about development ultimately are complaining about horrible design or inappropriate design for context. My intention—and I know the member for Goyder and I have discussed this before—is that the design code should be a fairly high-level document. It is not like, 'All bricks must be cream and all windows must be blue,' or that sort of thing. It is a high-level thing about design principles.

The idea would be that those things are so embedded in this planning system that a natural inquiry in respect of each development application will be: how does that development application respond to the set of principles which are universal principles with which all development should be complying? That is the elevated level it is supposed to get to. It is fundamental.

Mr GRIFFITHS: I agree, and it demonstrates the need for consultation to ensure you have the right guidelines in place.

The Hon. J.R. RAU: Absolutely.

Mr GRIFFITHS: Additionally, on the charter for community engagement, is it a matter of determining what it is or will you consult on what the community engagement model will actually be? And, if you do, what are your plans for how to consult on what the community engagement charter will be?

The Hon. J.R. RAU: It is a chicken-and-egg thing, isn't it, to some extent?

Mr GRIFFITHS: It is.

The Hon. J.R. RAU: I can start off with what I had in mind. I did not want it to be prescriptive. In other words, I do not want the community engagement charter to look like, 'On day 1, a letter will be sent, and on day 14, the time for responding to the letter expires. We will clear the letterbox on day 21 and throw it all in the bin on day 22.' That is not what I had in mind. I had in mind a more performance-based set of engagement criteria, rather than prescriptive-based.

That is easier to say than to do. I think what we will wind up doing is coming up with a set of alternative principles or models for that non-prescriptive consultation model. We will then take those out as best we can, through local government and other fora, to try to get some feedback. Ultimately, we will then get to the point where we have a draft model engagement thing which we would then consult on. I know that is laborious and time consuming, but I think if we are going to get community buy-in, we have to go through that process.

Mr GRIFFITHS: I agree that it is necessary, too. Community support for planning and development models is important, I believe, otherwise we will all be bombarded by complaints.

Mr SPEIRS: Can I ask for a quick clarification on the community engagement framework? Do you intend for it to have the gravity that, if a planning proposal did not follow the guidelines set out there, they could be challenged? Is it simply an advisory framework or is it significant enough that an application could end up in the ERD Court because they did not follow it?

The Hon. J.R. RAU: That is a very good question and can I answer it this way, at the moment the community becomes engaged at the very end of the process which is the assessment of the garage next door to them. We are moving this engagement to the planning policy for the precinct in which you live which states whether or not that garage can be built at all. That is the first point. It is not about the assessment: it is about the policy.

The second point is that, to make this community engagement thing work, we have to actually have some performance criteria which must be achieved by the engagement before the engagement phase can be concluded. Here is where it gets complicated because if you have gone for the old-fashioned prescriptive engagement process—you can tick off on your calendar that I sent the letter last week, I had a public meeting this week, the submissions close next week and then I can ignore them—that is easy in terms of proving that you have gone through the steps.

One of the challenges we will have here is to actually formulate within the charter a reasonably robust assessment of whether the charter has achieved a threshold of engagement, and I do not underestimate the difficulty of doing that.

Mr GRIFFITHS: That is a key difference with the current system versus the future system too on how it is going to work. However, given that the charter is one of the early responsibilities of the commission, are you setting in place a time commitment in the charter that the commission has to meet for a charter to be confirmed?

The Hon. J.R. RAU: It does not mean that we cannot do preliminary work before the commission is up and running—and we will be and we are—but we will not have a finalised charter product before the commission is in place. We would basically hand over our work to the commission and say, 'Look, by the way, here is something we prepared earlier' and give it to them and say, 'You run with it and take it wherever you want.'

Mr GRIFFITHS: I understand. Can we check on the resources that are required for its implementation? I know that, in an earlier briefing to the ERD Committee, you referred to 12 new staff who had been engaged in a relatively short period of time, but when I look at the budget papers and the FTEs as at the 2015-16 and the estimated result of 87.3 and 2016-17 is 87.3, is that an accurate figure? I would have presumed that there would be more bodies or people associated with doing this work. I apologise, it is 134.7. I was looking at the wrong page. It is 134.7 down to 130.9, so we actually lost people.

The Hon. J.R. RAU: Can I get back to you on that one? I will check that out. I know that, according to my advice, we have employed seven people recently, so there are new people coming on. I think I will need to get you more information on this, but, as a general proposition, as I am understanding it, within the DPTI budget the administrative support for the planning aspect of DPTI is being recorded for budget purposes predominantly in another bit of the budget papers for DPTI. So what appears to be a reduction in staff is actually having more planning people, but less admin people.

Mr GRIFFITHS: Minister, as part of your detailed response you will provide me, could you just highlight over the course of 2016-17 how many more people will be employed to be involved in this?

The Hon. J.R. RAU: Yes, understood.

Mr GRIFFITHS: Just on the e-planning system that is going to be in place, I particularly note there is a cost component, and that is in the budget papers, that has been reported upon. The budget papers also reflect upon a council levy, and also an increase in development fees. Are you able to provide me with a breakdown of that across the future years of what that will be?

The Hon. J.R. RAU: You want it over the forward estimates?

Mr GRIFFITHS: Yes.

The Hon. J.R. RAU: I will have to get you that. I do not think we have that. I have how the money is being spent over the five years, but you are asking how other contributions have been collected.

Mr GRIFFITHS: For example, the Local Government Association were not advised of this and they are rather interested about what the cost impact is going to be upon member councils. I understand an increase in fees depends on the number of applications that come in, I understand that; but when you talk about a levy component, there must be some structure that is in place or proposed for that.

The Hon. J.R. RAU: I think I had better get you a more comprehensive answer, but I have been advised that inasmuch as we are talking about local government, there had been communication with them. There was a flat fee of \$4,000 applicable to councils. I will get further information because I understand your question and I want to make sure we give a full answer.

Mr GRIFFITHS: They did not indicate the \$4,000 per council fee to me. How long is that intended to be in place for? It comes back to the basis of all these questions about the financial matters: is this intended to be a full cost recovery? Is the government advancing funds on the basis of introducing e-portals or e-planning on the intention to recover all of that over a period of time? If so, how long?

The Hon. J.R. RAU: Yes. The intention is that it does recover its cost. I am advised that there is a 13-year period for recovery.

Mr GRIFFITHS: Just to be sure, is the government accepting the lost interest component of that cost, or is it intending to recover what the interest on the funds expended at the start would be too?

The Hon. J.R. RAU: I would have to check.

Mr GRIFFITHS: That is just an accounting treatment, that is all.

The Hon. J.R. RAU: Accounting is quite mysterious, I know.

Mr GRIFFITHS: I note also that the Local Government Association, as part of its pre-budget submission, requested support for training requirements for staff. I have a figure of something like \$300,000. Is there a provision in the budget to assist with that, or is that the responsibility of individual councils?

The Hon. J.R. RAU: I am advised that the department will be doing both training and secondment of council people into work with the department on these projects. I do not know that there is a formal training budget as such, but there is a notion of people being brought in and engaged with the process. The budget for training and development, which I would assume picks up all of this, has \$180,000 in 2016-17.

Mr GRIFFITHS: So it is not just within your own staff, that is externally also?

The Hon. J.R. RAU: External as well. Then \$45,900 in 2017-18, \$46,818 in 2018-19, and \$47,754 in 2019-20.

Mr GRIFFITHS: Minister, in relation to the application costs and the potential for them to increase, I am aware that you have a high-level group of which some components of the development industry are associated in the implementation of this. Have they been briefed on what the increase in the development application cost will be, and do they support it?

The Hon. J.R. RAU: I do not believe we have got into the nitty-gritty with those people yet. We have talked to them in general terms. I think they were all of an understanding of the cost recovery model, but it may not be that, at this point in time, we have gone down to that level of detail. It would not be turned on until 12 July 2018 anyway.

Mr GRIFFITHS: Yes, I know there will be an implementation period, I understand that, but the position put to me is that any additional costs associated with development—

The Hon. J.R. RAU: It would be my intention that we do talk to them, obviously. The answer is we will be talking to them, yes.

Mr GRIFFITHS: A different question area now, minister, the environment and food protection area, which we have a bit of a difference of opinion on about the implementation of it. I am advised that DPTI has written to, I believe, 35 landholders who have a right attached to a rural living at the moment within that environment and food protection area. I am wondering if it is possible to provide me with the names of those property owners because, as I understand it, there is a two-year transition period upon which a right continues to remain but then will be lost. Is that correct?

The Hon. J.R. RAU: I do not know about rural living and I certainly do not know about whether particular people have been written to. I will try to find that out. In general terms, there was a recognition that within the EFPA there may already be some allotments (not many, but a few) which have already been divided into relatively small sized pieces and have not yet taken advantage of the existing development rights attached to that property. It was thought that it would be unfair to remove those development opportunities from those people without notice.

What was decided was that those people should have the opportunity to have a period of grace to determine whether they wanted to develop their property or not, or whether they wanted to sell their property to a third party with the knowledge that the third party would have a window of opportunity or not. My assumption is that your question is about the relatively few people who are affected by that particular—and it is from commencement, yes, it is not from the date of the passage of the legislation.

Mr GRIFFITHS: That is an important point to qualify. I was going to try to get some clarification on that. Much of the value attached to a parcel of land is the ability to use it in a particular way. It reflects considerably on what you are able to do there, so I am pleased that there is at least an opportunity on that. As an extension of that—and some of it, I believe, is within the EFPA area but it also goes beyond that, where the interaction between agricultural uses is challenging sometimes—they have a conflict on how they are managed, and you have been aware of discussions and I am also. Is work being done to actually progress the challenge of trying to put a fix in place for that?

The Hon. J.R. RAU: Yes, there is. This is one of those contested points of policy because you have new owners versus established owners, you have new use versus old use, you have rural versus urban, and you have the question as to whether the appropriate management vehicle lies within primary industries or whether it lies within planning and if it does lie within planning, planning is not equipped to make the policy decisions about the appropriate responses because that skill lies within primary industries.

A classic example is: I am growing grapes, you are growing wheat; we have an adjoining property; you want to spray your property for your purposes, I want to spray mine for mine; the stuff I spray on mine is really good for mine and really bad for yours, and vice versa; what do we do about that if we want to actually develop up to our fence lines?

Mr GRIFFITHS: You are well briefed minister, I must say. That is the exact example that has been posed to us many times.

The Hon. J.R. RAU: That is one situation; and another situation is that you have historically a use like grazing on one lot of land and you have, say, vines on the other, a new purchaser arrives on the grazing land and wants to put something else on there which is still horticulture, agriculture or whatever but a different variety, which has its own completely unique management regime and which then impacts on you. So, we get into buffer zones and a whole bunch of conversations.

My view is that, ultimately, once the public policy about that, which is essentially a PIRSA conversation, has been resolved, it might be that planning might be able to play some part in the notification. There is an interagency working group looking at this problem, but for those who are interested in it I just want to make really clear that those people who are involved in planning, and I, are not the experts in agricultural farm compatibility or whatever—that is not our skill set. So, we need a multiagency approach. Whether or not ultimately the instrument to deliver that policy sits somewhere in a planning code or something is a debate for the future—it may do.

But, even if it does, I can say without any fear of being wrong, which I normally cannot do but I can on this particular topic, that we will still be confronted with the status quo the moment the new regime comes in, and future people. It is one thing to regulate future people, fairly or unfairly, by requiring them to have a buffer that they previously did not have, or whatever it might be, but to retrofit these solutions on existing problems will be extraordinarily complicated, I think.

Mr GRIFFITHS: And I agree that you cannot do it that way, but the dilemma is that, because of the management controls that have to be in place and the conflicts that occur, it has put some people in serious debt about what they can do, and for them there has been a desire to look at other opportunities to get themselves out of that with realignment of boundaries and an ability to develop smaller properties, and all that sort of stuff. It is a great dilemma, but I urge, from your position, minister, that you urge PIRSA to do its work quickly, because the future fix I believe comes from planning principals. So, ensure that it is done right.

The Hon. J.R. RAU: I cannot emphasise enough: the people who are next to me and behind me here are absolutely brilliant at planning policy in as much as what is the need for land parcels for urban development in this precinct of the city, etc., but they are not real good on grape vines and apricot trees—that is not their long suit. We need the experts on that to put in.

Mr GRIFFITHS: I refer to the 30-year plan review. I noted in the estimates of last year that you referred to the fact that the consultation would commence later in 2015, were I believe your exact words, whereas a review of the website yesterday highlighted it starting next month, I believe.

The Hon. J.R. RAU: This is another one of those things that I wanted done next Tuesday about two years ago, and as usual I underestimate the amount of work involved in these things. There has been a lot of work, a lot of consultation in this. We have got to the point where we are very close to having a document that we can put out there for final conversation. It is very close, like I mean weeks, isn't it?

Ms SMITH: It is weeks.

Mr GRIFFITHS: So, it is on the record now, Sally.

The Hon. J.R. RAU: How many weeks?

Ms SMITH: Mid to late August.

The Hon. J.R. RAU: There you are.

Mr GRIFFITHS: Can I get a briefing before it opens then? I have a nod also on the record.

The Hon. J.R. RAU: And we have been having targeted consultations with a whole group of people, including local government. The idea is that the new document will come out, and that will be our draft 30-year plan revision, and as we heard, it is going to come out in weeks, and then there will be a conversation about that which then will be settled. That document then becomes an element which underpins the new planning regime, because it is one of those state strategic planning principles.

I can, however, give you a few little teasers about what might be coming. The 2010 document made a whole bunch of assumptions. Those assumptions were, to varying degrees, informed assumptions, but they were, nevertheless, assumptions, as they had to be. We now have had the opportunity of observing actual behaviour and being able to map divergence of actual behaviour from assumptions underpinning the 2010 document. I will give you just a few examples of how there has been a divergence.

The 2010 document envisaged the consumption of 400 hectares of land per year. We have seen 320 hectares, that is the average over the five years, and at the present time it is around 200. So, we have had well below the 400, with trending down, significantly down, to the point where presently we are consuming about half of that.

Secondly, in terms of the yields, the assumptions in 2010 were that we would get 10 dwellings per hectare. The average, since that time, has been between 11 and 14 per hectare, with some areas, like Mawson Lakes, getting up to 47 per hectare. Of course, as our infill policy starts to gather a bit of steam, you would expect to see those actual dwelling yields continue to rise, certainly in parts of the city.

In terms of population, the anticipated population was 560,000; the actual is 545,000. That means that the number of dwellings required, under the assumptions in the original document, was 258,000 by 2036. That is now 248,000 by 2045. So, you can see that the demand for dwellings is coming down, compared with the assumptions. The uptake of land is coming down, compared with assumptions. The yield per hectare is going up, compared with assumptions.

In terms of dwellings constructed, there was an assumption that there would be 8,500 constructed. Last year there were 7,819, which is not too far off, but not bad. The five-year average is—sorry, start again. 7,420. The average construction estimates are not right either. The other thing we need to also take into account is that we now have 62 per cent of households that are one or two person households, and that is a growing number as a percentage of overall household formations, but three-bedroom homes account for 72 per cent of the housing stock.

You can see that there is quite a significant mismatch between housing formation requirements, that is one to two person households, and the housing stock, which is 72 per cent three-bedroom properties. They are just a few of the things which are going to be illustrated in the context of the revised plan to demonstrate that things are changing.

Mr GRIFFITHS: Any reduction in numbers concerns me, and it must you also, because it impacts upon the economy—

The Hon. J.R. RAU: Yes.

Mr GRIFFITHS: —and the vitality and strength of it. Certainly from a development industry perspective, while you have stated the five-year average, and it is close to that, as I understand it, the 2010 or 2011 projections were of 10,100 homes per year?

The Hon. J.R. RAU: That is not my information. I think you will find that the 2010 document had a series of ranges, and they usually plump for the higher end range. There are things about demolitions and replacements being included, or not, as well.

Mr GRIFFITHS: So we are talking about net, not gross.

The Hon. J.R. RAU: Yes. I was pleased to see recently that our performance in terms of building activity is clicking up here in South Australia. We are going to see a period of ups and downs in this whole thing, but at the moment it looks like we are moving into a reasonably positive space.

Mr GRIFFITHS: I think all of us in this room will hope for more than what the figures project anyway, but can I just clarify? As I understand it, there is an intention to have 15 years' of land available for development to be zoned in such a way or ready to go.

The Hon. J.R. RAU: I think the legislation requires the planning commission to commence an investigation if we get below a 15-year land supply, so there is an automatic trigger in there. It is not up to the minister: it will happen.

Mr GRIFFITHS: I understand that but, given the greater density of homes per hectare, as you have referred to, minister, does that mean there will not be land that is currently zoned residential that will be removed from that and put as deferred urban, for example, or anything like that?

The Hon. J.R. RAU: No.

Mr GRIFFITHS: It will remain as it is, okay.

The Hon. J.R. RAU: Let's say, in 2010, we had 20 years' worth of land rezoned, and let's assume none of that land was consumed between 2010 and now. What it will mean is, given the size of the house, the consumption rates, the densities and all of those other things, that 20 years' of land, without being touched, might turn into 32 years' of land because the consumption rates have changed. So, that is not a static number: that is a product of consumption, size of property, density and a whole bunch of other considerations.

Mr GRIFFITHS: I understand that, minister, but do you go beyond looking at the simple numbers to actually look at locality and opportunity in different areas also?

The Hon. J.R. RAU: To a degree.

Mr GRIFFITHS: I do not want to see any particular part disadvantaged. As you said, for some people, if they had to move from the south, it would be like moving interstate for them, and equally from the north also, so there has to still be that chance. So, does that become part of the deliberations?

The Hon. J.R. RAU: Yes, it does, but let's just talk on that for a moment. There is quite a bit of rezoned land in the south presently. There is not as much there or as much ever going to be there as there can be and is in the north—that is a function of geography, the Hills face zone and various other things—but there is plenty of opportunity down south for there to be higher density, so that people could still live there.

By higher density, I do not mean skyscrapers, but I mean townhouses or various other things: maybe two, three or four-storey properties near the beach and places like that where people find it desirable to live, and also around the major centres there like Noarlunga where you have large shopping complexes and good public transport linkages. I do not think we are at any risk of there being nowhere for people to live. It just might be that the housing choices or the options are different from one part of the city to another.

Mr GRIFFITHS: I just wanted to get the clarification because I think we both believe it is important for opportunity to exist in multiple areas. Can I just check then on the money that has been spent so far on the 30-year plan review because I am aware that, in a previous budget, I think in DPTI there was \$1 million from the Planning and Development Fund for work to have occurred? Can the minister confirm what the expenditure was in 2015-16, and if all the rest of the funds will be expended in 2016-17?

The Hon. J.R. RAU: I am informed that it is largely internal staff time, so the cost is not easily extracted, but we will see if there are any consultancies that are explicitly attached to this. Obviously, a number of staff hours of many staff have been engaged in this, but we will check and see whether there is any external work.

Mr GRIFFITHS: With the North Terrace tram extension announcement, and the possibility or probability of that going to different areas into the future because you are doing a 30-year plan, will the 30-year plan highlight time frame expectations for that sort of infrastructure development?

The Hon. J.R. RAU: It will not give you time line expectations for that because, to answer that question, you need to look at the other fundamental policy document, which is the Integrated Transport and Land Use Plan. That Integrated Transport and Land Use Plan has always contemplated that there will be a menu of options, including electrification to Gawler, Strzelecki Track, tram extensions and such like. As and when funding became available, and some of this may become, as has indeed been shown to be, a question of the preference of the federal government or federal minister of the day as to whether they like rail or road, those things will be accelerated or not according to availability.

So, we could not make the 30-year plan hostage to things over which we have no possible control. The plan is at a more general level to say that we acknowledge that these forms of transport are likely in the future to be going in certain places. What does that mean in terms of planning policy?

Mr GRIFFITHS: Minister, as an extension of the 30-year plan, but from the regional areas perspective, and I know you referred earlier to the state planning strategy—for example, I can quote

the Yorke Peninsula regional plan is 2007—is there also a program in place for the update of all of those? I have a date: Mid North is 2011, Far North was 2010.

The Hon. J.R. RAU: That is a good question. There is a lot of talk about Adelaide, but it is not the whole place, is it?

Mr GRIFFITHS: Thank goodness.

The Hon. J.R. RAU: There is some compilation going on with—I am sure you know Lisa from the LGA. The idea is that we have a two-year program commencing at the end of this year or beginning of next year, in conjunction with the LGA, to transition all of those regional plans and prepare new ones over a period of about two years, starting at the end of this year or beginning of next year. Can I say that it is really helpful, potentially, for areas like Yorke Peninsula, where there is a real opportunity, I think, for a regional local government voice, forum or congregation, as there is in the South-East with the SELGA group and as there is on Eyre Peninsula.

I would encourage those areas that want to accelerate their opportunity to be dealt with in the queue of people who might be lined up there. The more interest and excitement they generate themselves about that and the more they are prepared to partner with the department, the more quickly will be able to accelerate them. This is very much the early bird gets the worm, eager beaver—

Mr GRIFFITHS: So be quick and shout loudly that you want to do it, yes.

The Hon. J.R. RAU: And be prepared to put some of your own grunt behind it.

Mr GRIFFITHS: Absolutely.

The Hon. J.R. RAU: If you can maximise your capacity to offer assistance by actually working with adjoining councils, by pooling your efforts, the more the better. The new legislation also does attempt to facilitate voluntary regional approaches to things. We have shied away from the compulsory amalgamation thing. We have tried to make that legislation extremely attractive for regional collaboration between local government bodies.

Mr GRIFFITHS: The final question on the 30-year plan is: because it represents an urban uplift opportunity in many ways, is there dialogue occurring with the development industry about that so that they are aware and from their membership base they know what their future opportunities are? What level of consultation occurs with them?

The Hon. J.R. RAU: We have kept them involved in all of these consultation sessions about the 30-year plan. I have to say that we are approaching this whole planning reform thing on a partnership basis with the development industry and local government. We all recognise that we have to work together to make this thing really deliver the positive outcomes it needs to.

Mr GRIFFITHS: If I can ask a regional-based planning question. It is about the character preservation zones in McLaren Vale and the Barossa Valley, and the legislation that was put through. I also understand that a review was to take place in five years. Is that scheduled to occur during this financial year?

The Hon. J.R. RAU: I would have to check. To some extent, things have been made a little more complicated for those two regions because they are now doubly protected.

Mr GRIFFITHS: They are.

The Hon. J.R. RAU: They are very, very protected.

Mr GRIFFITHS: Just on that, is there an intention, from your point of view, to look at any other areas of the state?

The Hon. J.R. RAU: At this stage—

Mr GRIFFITHS: For the legislation opportunity, not the EFPA but other character preservation areas.

The Hon. J.R. RAU: At this stage, no, because my concern has always been that the biggest threat to our environment and food production areas is likely to be unrestrained urban sprawl, and

there is only one part of the state that has any possibility of exhibiting that behaviour, and that is the City of Adelaide. We are also obviously placed in a very high rainfall part of the state where the potential for agriculture and horticulture and all sorts of other activity is significant. We are not just dealing with the fact that it is a place where lots of people potentially could sprawl out and consume land, it is actually quality land with decent rainfall that could actually be feeding us.

Once we managed to get the EFPA in, it did two things: it secured the Hills Face Zone, going from just a policy proposition to something which has a statutory base, and it also put a cap on the north-western element of the city by just drawing that line along the Gawler River basically to the sea. I do not see any other areas of the state being at risk of that sort of unrestrained development pressure.

The EFPA, as you might recall, is a buffer zone of about 50 ks or thereabouts extending from the end of the metropolitan rezoned area. The reason it goes that far is to stop the towns in that space becoming the targets of unrestrained growth themselves. Otherwise what we would do is we would put a stopper on people crossing the road in Willunga and building houses on one side of the road but we would allow the township of Willunga to expand uncontrollably to consume it from the other direction, for instance.

It might turn out at some point in the medium to longer term future that that buffer zone that the EFPA has around the metropolitan area is not thick enough, but I think we have plenty of time to worry about that. I do not see there being any other part of the state where this is a problem. That said, again, if somebody could come to me and say, 'We've got either high heritage value or high agricultural value here and it's being threatened by some other thing' and that other thing might be industrial activity or it might be inappropriate farming or it might be any number of things, obviously we would look at it.

Mr GRIFFITHS: The other side of the argument about the EFPA is that it prevents the growth of those communities beyond the current town boundary. I know this up for review at a later time; I understand that. I do have a question on—

The Hon. J.R. RAU: Hang on, just on that one, you must also understand that most of those town boundaries are a larger footprint than the existing built areas of those towns.

Mr GRIFFITHS: Yes, I understand.

The Hon. J.R. RAU: And it also assumes that those towns will never ever change the method of—

Mr GRIFFITHS: Of occupancy.

The Hon. J.R. RAU: —occupancy that they presently have. In the wonderful electorate of Schubert even, I have noticed that there are townhouses in some parts or two-storey dwellings that look slightly denser than the 800 or 900 square metre blocks which might be the typical—

Mr KNOLL: You cut those out. The latest one only had 500.

The Hon. J.R. RAU: That is the council; that is not me.

Mr KNOLL: No, it was not; it was you.

The Hon. J.R. RAU: There are always opportunities for growth in those towns. If it got to a point where a town was literally being strangled by the EFPA, or by something, that is why the commission is there. A town in that situation would go to the commission and say, 'Look, we've got all sorts of trouble here. Can you help us, please?'

Mr GRIFFITHS: My remaining question is a quick one. I have always had concerns about the Coordinator-General and the \$3 million threshold for applications. I note that, by virtue of regulations for the Port Adelaide Regional Centre Zone—which I believe you brought in in April last year—you have created a subcommittee of the DAC that will consider applications above \$3 million in Port Adelaide. Why have you enabled proposals to be considered at two dollar-based levels?

The Hon. J.R. RAU: The answer to that is that it is a bit like what we have done in the City of Adelaide. That enables us to have a different approval process, but an approval process that

involves design review. It also changes the role of the council in relation to that, but the council does have a representative on that body. It is just that the body is not the council DAC.

The CHAIR: There being no further questions, I declare that the examination of the proposed payments be adjourned until tomorrow. Thank you, Attorney, and thank you to your advisers. We are now looking at ReturnToWorkSA.

ATTORNEY-GENERAL'S DEPARTMENT, \$118,141,000

ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT, \$101,555,000

Membership:

Ms Chapman substituted for Mr Speirs.

Mr Knoll substituted for Mr Duluk.

Minister:

Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide.

Departmental Advisers:

Mr G. McCarthy, Chief Executive Officer, ReturnToWorkSA.

Mr D. Quirk, Chief Financial Officer, ReturnToWorkSA.

The CHAIR: I declare the propose payments open for examination, and I refer members to Agency Statement, Volume 1. I call on the Attorney to make a statement, if he wishes, and to introduce any new advisers.

The Hon. J.R. RAU: I have with me the CFO, Mr Quirk, and the chief executive, Mr McCarthy. I just want to say a few words about ReturnToWorkSA. The whole system of dealing with people who are injured in their employment has been under significant change and transition over the last few years. In mid-2014, the parliament passed legislation that substantially changed the scheme in many ways, but most significantly, to place an unequivocal emphasis on return to work, as opposed to a pension scheme.

I have to say that I have been very pleased with the way in which the scheme and its management have been able to embrace that notion of getting people back to work and actually deliver real improvements in that regard. I would like to take this opportunity to place on record my appreciation of the work of Mr McCarthy and his team. They have done a terrific job.

I think the workers of this state are infinitely better off for having the team of dedicated people they have who are interested in getting them back to work and getting on top of those people's problems early, getting into their workplace, getting into the faces of everybody who is involved there and trying to make things work, as opposed to just having a reasonably hands-off approach to claims management. I am very pleased about that.

The second obviously is that, partly as a result of the legislative change and partly as a result of the excellent management performance of the corporation, there has been already a significant reduction in the breakeven premium rate for the corporation which has meant that they have been able to reduce the average premium charge to employers in South Australia from 2.75 per cent a couple of years ago, with an unfunded liability of \$1.4 billion or something, to a position where it is below 2 per cent.

We have in that process, in effect, handed back to the overwhelmingly small and medium-sized employers in South Australia collectively an amount of \$180 million per year not being collected from them for the purposes of contributions to a levy payable to the return to work corporation. That is \$180 million a year, each and every year, ongoing. Obviously, if the scheme gets into a position where the board determines that it is appropriate for the average premium to be reduced further, then you can add other numbers to that \$180 million, but for the present time it is \$180 million which is obviously an enormous benefit.

The other thing I think is worth mentioning is that the scheme at the moment is in transition and there are a number of things that are going on in the scheme which are one-off things. Anybody looking at the scheme presently needs to take a deep breath, calm down and understand that, just because there was a significant turnaround in the scheme last year or the year before, that is not something which is going to necessarily continue at that pace or may not necessarily continue at all and I will explain very briefly why.

There was a one-off release of the tail of the scheme by reason of redemption of outstanding long-term claimants. That process commenced shortly after the legislation came into effect and the effect of that was to, in effect, remove a lot of the tail of the old scheme. That meant money out the front door, but it also meant long-term claims release at the other end of the books in terms of the corporation. That is a trick you can perform once and once only, so that is not going to be repeated.

The second thing is that there is, in effect, a statutory release built into the scheme as well by reason of the two-year cut-off for income maintenance and the three-year cut-off for medicals. Again, that has an actuarial impact once and that then washes through the system. It does not have another impact the next year and another impact the next year. It recalibrates the system, but it recalibrates it once.

Then you have the changes in the management of return-to-work claims which have definitely improved. The return-to-work outcomes have definitely improved, but you cannot have infinite ongoing improvement to the performance of those claims. Sooner or later you start hitting up against diminishing marginal returns and at some point you get to the point where you are flatlining in your ability to make further improvement there. We have done the easy bits of that already, so the next bits are going to get harder and harder and harder.

So for all of those reasons, and whilst I am absolutely delighted with the way the scheme has gone and, again, I want to congratulate Mr McCarthy and his team as they have done a fabulous job, we all need to not get too excited about exactly what the scheme is at the moment. We need to let the thing sit for a while and stabilise and then take a good look at it in the cold light of day. I am confident it will look even better than it looks now in the not too distant future, but there are premature efforts to try to rush in there like a bull in a china shop and make all sorts of suggestions about how notional money might be frittered away in the scheme which is very unwise. The scheme has a statutory review period built-in under the act. We should be mindful of that, and we should give the scheme time to stabilise.

Ms CHAPMAN: I just make the observation that it appears that ReturnToWorkSA has had an increase in its performance outcome, and we are pleased about that. I am stunned that the government has not taken the opportunity to transfer its workers compensation to WorkCover, seeing it is doing so well. As it has not, we will see. Perhaps it is going to sell it. In any event, I have no further questions. I think the member for Schubert is keen to ask some questions.

Mr KNOLL: Thank you, deputy leader. I assume we are looking at Agency Statements, Volume 1, page 46, Program 7: Industrial Relations. Minister, in your opening statement you talked about the nature of cutting off the tail, the unfunded liability being a one-off. In September last year, ReturnToWorkSA put out a statement saying that they are 114.3 per cent funded, with now \$370 million in net assets. Your statements just now are foreshadowing a potential downgrade of that position?

The Hon. J.R. RAU: Not necessarily. All I am saying is that that position is volatile. I can tell you that the discount rate, which is something which people in the money markets pay a lot of attention to, every time that moves anywhere it has a significant and leveraged impact on the financial position of the ReturnToWork Corporation. The discount rate can only move a tiny bit, and the

numbers change. We were very happy with the way things were going before. I remain happy with the way things are going now. My only point is that people who look at those numbers from outside who, with the greatest of respect, do not understand what they are looking at and do not understand the fact that those numbers are highly susceptible to completely uncontrollable fluctuations in money markets, need to just have a cold shower.

Mr KNOLL: I think what you are suggesting is that there is a potential downgrade coming along. Certainly ReturnToWork, or WorkCover in whatever guise, previously when the unfunded liability reduced because of increases to the discount rate, or at least the more positive performance of the assets of the scheme—what you are suggesting now is that there is going to be a downgrade.

The Hon. J.R. RAU: No. There are movements. Between reporting periods, the thing will blip all over the place. Where it is on 1 July this year, and where it is on 1 July next year, do not necessarily represent where it has been between those 12 months.

Mr KNOLL: So when will the next statement be made? The last one I have got here is from September last year.

Mr McCARTHY: The next valuation is valued at June. That will be released in September when the valuation is completed by the actuaries. There are essentially three things that affect the valuation. One is obviously the claims liabilities, which we are very much in charge of. The other two elements are what happens in the investment markets, and we are somewhat held to what is happening on the world stage in that space. The one thing that we have absolutely no control over is what is called the discount rate. Since December, the discount rate has moved from 3 per cent to 2 per cent as at 30 June. That will be a significant downgrade from our perspective.

We would expect in the discount rate alone, notwithstanding what might happen to inflation, around about a \$250 million downgrade. It may not be quite that much, but in the discount rate alone, that is what it will be. We have absolutely no control over that. But I think what it does do is it highlights that whilst you might have a \$370 million surplus, that is a necessary buffer for when these sorts of world economic episodes happen and that there should not be a rush to simply give away the surplus, so to speak.

Mr KNOLL: If that is the comment being made, the point is taken. Minister, I must admit I was busy rifling through my pages when you introduced the advisers that you have here. Has Mr McCarthy's position changed recently? I understand you have taken on a new role with special projects.

The Hon. J.R. RAU: No. Mr McCarthy has indicated that at some point in time he is thinking of transitioning into another—

Mr McCARTHY: If I might just address that. It has been formally announced that as of 2 December I will be retiring. My contract expires on 2 December and I informed the board late last year that I had not intended to renew that. Sixty-two years of age, time to—

Mr KNOLL: Enjoy life.

Mr McCARTHY: I have had too many friends who have got ill too quickly in their early 60s.

Mr KNOLL: So, you have retained the position of CEO until that time?

Mr McCARTHY: Yes, that is right. I will stay active in the role until 2 December.

Mr KNOLL: I understand Mr Cordiner, who I am surprised is not here with us today, has been elevated to the role of deputy CEO?

Mr McCARTHY: Yes.

Mr KNOLL: Is he undertaking some of the functions that you have previously undertaken?

Mr McCARTHY: Not at this stage, no.

Mr KNOLL: So, you have not taken on a different sort of role since the announcement of your retirement, or you do not envisage there is anything different that is going to happen to your role between here and your retirement in December?

Mr McCARTHY: No, not that I am aware of, unless the minister has something that he has not spoken to me about.

The Hon. J.R. RAU: I have a couple of ideas for him but I have not shared them with him yet. I do not want to ruin the surprise here.

Mr KNOLL: That is alright. We can talk about it right now, if you feel like it. If I can move on then. Obviously, on 2 December we are going to need a new CEO. Will that position be advertised?

Mr McCARTHY: You would have to ask the board that.

The Hon. J.R. RAU: Yes, I think that is a matter for the board. Whilst I have a more than passing interest in the matter, it is a formal matter, it is an appointment that the board makes.

Mr KNOLL: Is that a soft way of suggesting that maybe Mr Cordiner has got a shoe in for the gig?

The Hon. J.R. RAU: Again, you would have to speak to the board.

Mr KNOLL: Same budget line: has the government been doing any work around looking into privatising all or part of the aspects of the return-to-work scheme?

The Hon. J.R. RAU: Not that I am aware of.

Mr KNOLL: So, there are no plans in the immediate or medium-term future to privatise either the insurance arm or other parts of ReturnToWorkSA?

The Hon. J.R. RAU: Not that I am aware of, no.

Mr KNOLL: So, you can confirm that ReturnToWorkSA has not done any modelling or any investigation into that matter, let alone any reporting from external consultants?

The Hon. J.R. RAU: I am not aware of any of that.

Mr KNOLL: Okay; not necessarily that fulsome with answers there, minister. If I can then move on—

The Hon. J.R. RAU: In fact, can I say that, to the extent that there has been any thinking on my part about the matter, it has been more in line with the suggestion made by the member for Bragg a moment ago that given that they are doing such a splendid job with the small to medium-size enterprises perhaps they could be of greater assistance within the government sector.

Mr KNOLL: On that line then, obviously there are three parts to workers compensation in South Australia. There is the return-to-work scheme, there is the Crown scheme, and then there are self-insurers. It has been suggested previously that, as part of these changes, there is some encouragement to try to get some self-insurers to come back to the return-to-work scheme. Has the scheme had any success in getting any companies to come back to the return-to-work scheme?

The Hon. J.R. RAU: I will let Mr McCarthy answer the nuts and bolts of that in a moment, but can I say that the situation for the self-insured people has changed somewhat. Significantly, they need to be mindful of the fact that if they do wind up with a seriously injured person they will be having that person on their books for, potentially, a very long time, at considerable expense.

So, whilst the short-term exposure to potential payment is limited, if they happen to be in a situation where their employees are unfortunate enough to be very seriously injured, you would not need too many of those to occur before you would have a bit of a long-term and very expensive commitment attached to your enterprise. Whether or not that is exercising people's minds, I do not know, but I will ask Mr McCarthy to comment.

Mr McCARTHY: Just to address your question: first, we are not actively pursuing it; however, I think from memory we have had two come back into the scheme for the reasons the minister has alluded to, and a number of others are running over their ruler, particularly the small ones, for the reasons the minister alluded to. It is a whole different dynamic now being self insured in this current scheme than it was in the previous scheme.

Mr KNOLL: If I can extrapolate, the proposal was put forward early this year in terms of upping the thresholds around self insurers and the eligibility to be self insured, and that was around trying to get companies to come back to the scheme?

Mr McCARTHY: No, that was around the increased exposure they have as a result of the seriously injured and also what pressure the new economic lump sum benefit would put on to self insureds. That is based, for example, with the economic lump sum—that is, a lump sum that was not there before. It could put up towards a \$350,000 demand on a self insured, which needs to be paid immediately. That demand was not there previously: they paid weekly on the drip. So, it creates a different set of circumstances around financial liability, and therefore the board took the view that there was a need to reconsider what those banks guarantees might be.

Mr KNOLL: Obviously you have just outlined the reason for the need to change the eligibility criteria for self insurers: what was then the reason for not going ahead with those proposed changes?

Mr McCARTHY: In terms of what—the eligibility?

Mr KNOLL: In terms of increasing the eligibility threshold, the number of employees and the financial guarantee?

Mr McCARTHY: Simply because of the feedback from those key stakeholders in the self-insured space. It was pretty clear that the board was listening to what they had to say.

Mr KNOLL: To move on, looking at agent fees, it shows that over the last number of years we have seen some significant increases: 36 per cent in 2011-12; 2012-13 was only 5 per cent; 2013-14, 46 per cent; and, 2014-15, a 55 per cent increase in agent fees, given to, I assume, the amount of ? asset. Can you explain why such drastic increases?

Mr McCARTHY: It was around focusing their attention on the liability releases that would need to be made in the scheme. Notwithstanding the fact that the new legislation had actually brought down the cost of the scheme, which was about half that \$1.4 billion savings—the other half came out of around \$700 million worth of liability release, and that was part of the incentives to get the agents focused on achieving the outcome. We achieved a \$700 million liability release as a result of getting them focused on action. It was about creating the incentives for them to achieve that.

Mr KNOLL: So, historically that long-term tail, which is the \$700 million we are talking about, is about 2,000 people who are long-term on the scheme—rough numbers, but either way have all of those redemptions and cases been finalised now in advance of the two-year—

Mr McCARTHY: No, about half of them will have come off the scheme as a result—

Mr KNOLL: So there is still about half to go?

Mr McCARTHY: Yes, probably a little bit less than half who would get to the two-year threshold.

Mr KNOLL: So we still have half to go, and if it is a 1,000 or a bit more or a bit less than that, that is fine.

The Hon. J.R. RAU: And, incidentally, all of them would have had an offer. All the long-term claimants were contacted pretty early in the piece, more than two and a half years out from when the legislation went through, and they were all told, 'Listen, if you folks want to get off, we'll pay you the two years plus an extra six months,' because as soon as they put up their hand they could have got that as a lump sum in exchange for leaving. Some chose not to, which was obviously their right, and some chose to go. The ones still there now from that transitional group, who were there before the new scheme came in, are there because they have chosen to remain there and not because they have not been given an opportunity to exit.

Mr KNOLL: So, two questions that arise from that then: first, you said before that there is a potential downgrade of the funding ratio of the scheme, but if only half the people have been redeemed off the scheme and you have managed to get a \$700 million reduction in the unfunded liability because of that, why are we not expecting something similar now as the two-year statutory cap comes into place?

The Hon. J.R. RAU: I think it is already factored in by the actuaries. From the moment the bill passed, they took that as a gift.

Mr KNOLL: And then why, if we are saying there are half the amount of cases on this tail, these long-term people on the scheme, still to be dealt with, and I assume they are going to start to get offered economic lump sum and medical lump sum payments and we are going to go through some whole-person impairment assessments, why is this scheme now looking to its claims agents to reduce their workforces by around 30 per cent?

Mr McCARTHY: Because in the long-tail scheme you had claims that were obviously newer claims that you need to manage, but there is a significant reduction in the numbers of claims that are active on the scheme—it is about half. So, it was about 14,000 active claims that you needed people to manage. Under the new scheme, it will be less than half of that. So, you just do not need as many people.

Mr KNOLL: If I can move on—and this will be my last one—I have had some information given to me by a local business that had an employee who went for an overnight stay in a hospital down in the south-east, after being hit by a cow. I will get to where I am going. He stayed overnight, had three or four X-rays, a couple of morphine injections, was kept overnight for observation and sent on his way. The hospital and Country Health SA then charged \$9,279 for a single overnight stay, with no real surgical procedure or anything involved with it.

The question is: is there a differential rate charged to businesses once people present as a ReturnToWork claim as opposed to just a private citizen? Is there a differential great charge by Country Health SA to ReturnToWork for these services?

Mr McCARTHY: Not to my knowledge. That is an interesting figure that you have quoted there.

The Hon. J.R. RAU: I would actually be interested afterwards, if the member for Schubert could, if necessary with names deleted, but if not, confidentially provide Mr McCarthy with a copy of that because I would not mind following that up.

Mr KNOLL: If I can then ask, what is the process? Because I assume there are a lot of people who would present to public hospitals, the cost of that would then be charged to the ReturnToWork scheme. Is there a standard set of costs associated? Is there something that ReturnToWork negotiates with public hospitals?

Mr McCARTHY: It is negotiated directly with the Department for Health, as a fee. The public hospital system for us is not a very big proportion of our expenses, because most people who present at public hospitals, it is more what you might call trauma or a serious style of injury, whereas we tend not to get—we are not like the motor accident scheme where you get lots of serious trauma. The vast majority of the injuries that we get are simply soft tissue, sprain and strain, that type of injury, which really primarily gets dealt with either at the local GP or medical centre. If somebody was to have a serious accident in a workplace, where they might lose an arm or something like that, then they will get carted off to the public health system, but we get very, very few of those.

Mr KNOLL: So, the ReturnToWorkSA minister is confident that there is no cost shifting from the health department to—well I assume it will ultimately flow through to the businesses of South Australia, through their premiums?

The Hon. J.R. RAU: I would like to explore the question that you posed to us before I answer that question.

Mr KNOLL: Certainly you have not had discussions with the health minister?

The Hon. J.R. RAU: Not about this, no. I am very happy to examine it. I think it is worth looking at.

Ms CHAPMAN: I address the question of the chief executive position first, and I thank Mr McCarthy for his service, obviously in the reform period of the WorkCover Corporation, now ReturnToWorkSA. When the chief executive, that is Mr McCarthy, was appointed, was there an advertising of his position?

The Hon. J.R. RAU: Mr McCarthy might know. I do not know. That happened, fortuitously for me, a few weeks before I became minister. Fortuitously, I say, because he has been a splendid chap to work with, but I did not actually appoint him.

Ms CHAPMAN: I am happy for him to tell me.

Mr McCARTHY: Yes, it was.

Ms CHAPMAN: And the board appointed you?

Mr McCARTHY: Yes.

Ms CHAPMAN: And the minister of the time approved that?

Mr McCARTHY: I would imagine so.

Ms CHAPMAN: Back to you, Attorney. Is it not the process that, in fact, chief executives of this corporation have to be approved by the minister?

The Hon. J.R. RAU: I would have to check. I would like to think that would be the case, but I do not have the legislation in front of me, so I do not know.

Ms CHAPMAN: If it is to be approved by you, is it your intention that you would require that the position be advertised for the replacement in due course?

The Hon. J.R. RAU: I have not thought about that so much. We still have Mr McCarthy for a few more months, but I would decide whatever I was going to do in conjunction with the board. I frequently, I think, meet with the chair of the board and less frequently attend, as a courtesy, for a small time during board meetings just to say hello and whatever, and I would expect that they would discuss with me their views about that.

Ms CHAPMAN: In the meetings you have had to date, have they raised with you what arrangements they have in mind to replace Mr McCarthy?

The Hon. J.R. RAU: They have raised this: they have said, obviously, as the day approaches when Mr McCarthy is leaving, it would be foolish to wait until that moment before working out who is capable of backfilling some of his current functions, and they are turning their minds to who can do what. Absolutely, that conversation has occurred, but I have not been advised that there is going to be an advertising or is not going to be an advertising, or that they have a settled position about who they want or whatever.

I think they are planning. There is succession planning—there is no question about that—but I have not got the impression there is a settled position. The member for Schubert asked the question about Mr Cordiner. Obviously, Mr Cordiner is one person who might reasonably aspire to the position. There is no question about that, but there are others in the organisation who might as well, and there are others interstate who might, but I am leaving that for a conversation with the board and, in particular, the chair.

Ms CHAPMAN: Would you not agree that, in relation to the statutory corporations for which you are responsible, the usual expectation is that a position would be advertised both internally and externally and that, in some exceptional circumstances, a person might be specifically appointed outside of that practice?

The Hon. J.R. RAU: Yes, I basically agree with that. It has been my policy to try to do a public call on all of these statutory-type positions, and that is even in cases where I am not dissatisfied. Some of them require renewals and, even though I am not dissatisfied with the current incumbent, I have often advertised not because I am telling them I do not want them but because I just want to see whether there is a fresh opportunity there. So, I agree in general terms but, if the board were to come to me and say, 'We have an exceptional person, and we think we should just get on with it and do this,' and they were able to persuade me that that was the best way to go, obviously, I would listen to that as well.

Ms CHAPMAN: Sure, but it is just that, in four months, Mr McCarthy will be leaving and the board, to your recollection, has not raised with you yet what process they have in place for his replacement.

The Hon. J.R. RAU: Not in that form.

Ms CHAPMAN: In four months—as we know from the appointment of other persons in these roles, it does not happen overnight—there obviously needs to be a process, if it is to be advertised, and a panel process of recommendation to the board, and the board needs to meet.

The Hon. J.R. RAU: I think that is a good point.

Ms CHAPMAN: It would need to get on with it pretty quickly.

The Hon. J.R. RAU: I agree.

Ms CHAPMAN: Thank you.

The Hon. J.R. RAU: I might ask Mr McCarthy if he would not mind adding that to the list of things to talk to the chair about next time I see her.

Ms CHAPMAN: Excellent. In relation to the applications for compensation claims, could the minister outline the number or rate of compensation rejections from 1 July 2013 until now? That would be divided into claims of physical and mental injuries.

The Hon. J.R. RAU: I think we need to get it on notice but, obviously, from 2013 until now, we are straddling the old scheme and the new—

Ms CHAPMAN: Correct.

The Hon. J.R. RAU: —and I think there are certain things about the old scheme and the new which are reasonably clear at the moment without me giving you exact numbers. Firstly, the old scheme had a larger gateway. In other words, the entry point to the scheme was less vigorously patrolled than is presently the case. That is partly a statutory change and it is partly a management matter. I think Mr McCarthy did tell me that there appears to be—and I will let him use his own words here in a moment—something of a change in culture occurring in the workplace out there, where there is less of a litigious, less of a let's-have-a-go type mentality.

Ms CHAPMAN: I hope that is not a reflection of the large unemployment rate in South Australia.

The Hon. J.R. RAU: No, it is not. Mr McCarthy might like to say a couple of things about that.

Mr McCARTHY: We can say disputes are down significantly, that I can tell you. In terms of the numbers that you have asked for, I would have to take that on notice, I am sorry.

Ms CHAPMAN: That is alright. In doing that, if you could just divide that into physical and mental, perhaps.

The Hon. J.R. RAU: I have some information, actually; I have just been shown it. This may not be exactly what you are asking for but it is in the same space. As at May of this year, income support costs in 2015-16 are 12 per cent less than in 2014-15—that is not 2013-14 which you asked for, but it is in 2014-15. Medical treatment costs are down by 12 per cent, compared with 2014-15. Physiotherapy costs are down 22 per cent, compared with 2014-15. The number of claims moving 104 weeks is 27 per cent below 2014-15. Mental injury claims have decreased 39 per cent below 2014-15. Complaints received year-to-date were 22 per cent below the number for the comparable period in 2014-15.

Ms CHAPMAN: What I am actually seeking, minister—sorry to interrupt—is the number of rejections.

The Hon. J.R. RAU: Okay, well the next one might give you some indication of that. The number of claims disputes lodged is 52 per cent below the number received for 2014-15. Remember the dispute arises from a rejection.

Ms CHAPMAN: Right, it may be, but sometimes there may not be a dispute arising from a rejection, that is, they're just simply removed.

The Hon. J.R. RAU: No, indeed, they are not accepted, yes.

Ms CHAPMAN: In any event, of the rejections, if we could have a breakdown of those since 2013, physical and mental.

The Hon. J.R. RAU: Yes, okay.

Ms CHAPMAN: In relation to the privatisation option, has there been any request by Treasury to do any modelling or preparation for the sale of the whole or any part of ReturnToWorkSA?

The Hon. J.R. RAU: Not to my knowledge. You would have to direct that question to the Treasurer, but not to my knowledge.

Ms CHAPMAN: I am asking what he has asked you; whether he or his department have asked you to undertake any work? Have they sought any data or information from ReturnToWorkSA in respect of preparing material themselves for that assessment?

The Hon. J.R. RAU: Not that I know of, no.

Ms CHAPMAN: Of the self-insurers, and there is a number of them, obviously—

The Hon. J.R. RAU: Can I just say again—and I mentioned this to the member for Schubert—my personal view is actually that at the moment the intelligent conversation we should be having is almost the reverse of that, which is how the fine team that Mr McCarthy has can be adding value to the government.

Ms CHAPMAN: I will be coming to that in a minute. It is just that, obviously, the Treasurer has made statements himself that CTP is the opportunity for insurance to be—and ought to be—dealt with as a business, and logically, therefore, as an extension of this entity, re-primed, re-prepared, back on track to be available to sell, or any part thereof. I am just surprised, Attorney, that seeing that it is functioning so well, that you have not jumped on an opportunity to look about whether they should take on government work to do that. You have a number of agencies—for example, nursing and health—which have a high level of claims. Teachers perhaps not so much because you have knocked out the stress sections and so on. Nevertheless, there is a very significant workforce—over 105,000 people—working for the government now, all of whom are self-insured. Are you aware whether there is any inquiry coming from Treasury, for example, to exploit that opportunity?

The Hon. J.R. RAU: I can give you some information about that. Recently, in January I think it was, I was given responsibility for public sector matters. I had expressed some concern to probably Mr McCarthy and anyone else who would listen to me about whether or not the state was in a position to adequately deliver on its responsibilities under the Return to Work Act as an employer, and in particular whether the responsibility cast upon an employer under section 18 of the act, to offer a reasonable alternative employment to one of its employees, was capable of being delivered under the present management arrangements. That led me to a series of considerations, and I have initiated a conversation about that, not Treasury.

Ms CHAPMAN: Is that with the view to either this particular agency—I am not asking you to name it—or other perhaps smaller agencies that may not be able to accommodate, as you have said, as best as they should and therefore perhaps those agencies might look at doing it.

The Hon. J.R. RAU: That is part of the conversation.

Ms CHAPMAN: So you have had that conversation with the board or with Mr McCarthy?

The Hon. J.R. RAU: I have discussed it certainly with Mr McCarthy at a high general level. I certainly have not discussed it with the whole board. I think I probably mentioned it briefly to the chair of the board at some point in time. Within government, the conversation goes something like this: if you were wanting to take advantage of the skill sets that they have in there to manage government employees, would you invite them to manage all or some of them? If so, how would you account for that? Would there be a premium paid and, if so, how would it be struck, etc. So there is quite a lot of detail that sits under the general proposition.

Ms CHAPMAN: Would you not agree that if the Treasurer were looking at this through a different prism he might see it as an opportunity to (a) save money for the agency and their expenditure and (b) increase the value of ReturnToWorkSA for the purpose of sale?

The Hon. J.R. RAU: No, I do not think that is the case. To the extent that you had the state public sector in that scheme, I cannot imagine any government would be wanting to privatise the management of its own employees.

Ms CHAPMAN: Look at the LTO.

The Hon. J.R. RAU: Well, anyway. I do not think that makes it any more interesting from that point of view; in fact, it might make it marginally less interesting.

Mr McCARTHY: There is no evidence—in any of the privately underwritten schemes around Australia, the Crown or the public sector remain separate from those. It would be very difficult for underwriters in Australia, regardless of how cocky they might think they are, to have the capacity to underwrite something as large as the Crown, even in this state.

Ms CHAPMAN: Alright. Let's look at the other self insurers, namely the larger operations in South Australia, that is the private companies, the large enterprises in South Australia that are self insured. You indicated that the board, having listened to the industry, was not happy to deal with changing the rules of eligibility, and I understand that, but you also pointed out the disadvantages, I suppose, of staying self insured under the new regime, particularly exposure to lump-sum obligations and the catastrophically injured.

Mr McCARTHY: Particularly for small employers.

Ms CHAPMAN: Absolutely. Have any of them come back to you?

Mr McCARTHY: I mentioned earlier that two have.

Ms CHAPMAN: Two have, yes.

Mr McCARTHY: And there are a number that are having their consultants run the ruler over whether or not they might be better off, because self insurance is not just about the cost of claims: it is about the cost of being self insured and it is about the cost of reinsurance. There is a whole range of other costs that impact being a self insured that are fairly static in some senses. So, the smaller you are the less you get the benefits of the economies of scale.

Ms CHAPMAN: Are you surprised that it is such a low number?

Mr McCARTHY: It is not a low number.

Ms CHAPMAN: Of the hundreds of employers in South Australia, the thousands of employers in South Australia—

Mr McCARTHY: That are self insured, you mean?

Ms CHAPMAN: That are self insured.

Mr McCARTHY: It is very high in South Australia. The numbers of self insured in South Australia, compared to other states which are much bigger, are significantly large.

Ms CHAPMAN: How much are they? Another seven I think you said.

Mr McCARTHY: Probably half a dozen, yes.

Ms CHAPMAN: In respect of the premiums that have been offered now, could you provide to the committee a scale and some examples at the lower level, and obviously per rate, what they were last year and what they are this year?

Mr McCARTHY: I would have to come back to you with that but, yes, absolutely.

The CHAIR: Thank you, Attorney, and thank you Mr McCarthy and Mr Quirk. There being no further questions, I declare the examination of the proposed payments be adjourned until later today.

Sitting suspended from 13:30 to 14:30.

Departmental Advisers:

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

Mr D. Soulio, Acting Deputy Chief Executive, Attorney-General's Department.

Mr A. Swanson, Executive Director, Finance and Business Services, Attorney-General's Department.

Ms M. Boland, Executive Director, SafeWork SA.

Mr M. Spratt, Manager, Corporate Services, SafeWork SA.

The CHAIR: We are continuing now with the Attorney in his capacity as Minister for Industrial Relations looking at SafeWork SA. I declare the proposed payments reopened for examination and I refer members to the Agency Statements, Volume 1. I now call on the minister to make a statement and introduce his advisers.

The Hon. J.R. RAU: I am joined here by, on my right, Mr Swanson, who is the Executive Director of Finance and Business Services with AGD, on my immediate left, Marie Boland, who is the Executive Director of SafeWork SA and, on her left, Michael Spratt, who is the Manager of Corporate Services at SafeWork SA. I thought I would say a few words about SafeWork SA by way of opening. When, in 2013, we began the process of looking at changes that could be made to the then WorkCover scheme, we engaged in a lot of dialogue with various groups, some of them employer organisations, some of them employee organisations.

Whilst our primary focus at that time was the question of ReturntoWorkSA, as it now is, we did encounter some collateral feedback regarding SafeWork SA. If you think about it, if we want to have the best possible safety and conditions for employees in this state, we need to have not only a system that mops up and takes care when a person is injured and returns them to work as quickly as possible, but also a very active campaign to stop those accidents happening at all, because obviously you do not have to mop up an accident unless it has happened. That is really where SafeWork SA fits in to the scheme of things.

I resolved that, if we got the opportunity to reform ReturntoWorkSA, we would then move on to SafeWork SA with a view to maximising the performance that that agency was able to deliver. It is interesting that this is one of the few examples of where the complaints from employer groups and employee groups were almost identical. You do not often get that. Often you get completely different sides of the coin coming from those two groups. This was not one of those situations.

The complaint was basically that, within SafeWork SA, there was not a sufficient distinction between the policing function which, for the purposes of the discussions we have had about this, we have referred to as the 'black hats' and the educational or supportive function, which is the 'white hat' function. Many employers were not comfortable with inviting SafeWork SA people into their workplace with a view to educating them or their staff for fear of that person transforming themselves immediately into an inspector and sticking a whole bunch of notices all over the place and causing difficulties for their business.

That led to a conceptual idea of a separation of those two arms, those two functions, in a very real sense under the larger umbrella of SafeWork SA. We toyed with the idea of whether that required some legislative scheme. We could have done it that way, but we actually came to the conclusion that that was not necessary. Given the fact that it was not necessary, we thought, let's get on with it without pursuing that particular path.

In conjunction with and in consultation with a lot of the employer and employee organisations, a lot of work was done by Marie and her team to actually give effect to a new management structure and a new organisational structure called SafeWork SA. I am pleased to say that since 1 July this year, SafeWork SA has been, in effect, two separate and discrete units, one unit being notionally the regulator unit and another being an educator unit.

This is the first time that a work health and safety regulator has provided an education service that focuses purely on providing support and assistance to workplaces. What is new about this service is that the staff delivering it have no inspectorial powers whatsoever, so they are there to help.

Ms Chapman: We have been asking for that for 15 years.

The Hon. J.R. RAU: Well, here it is.

Ms Chapman: I am thrilled.

The Hon. J.R. RAU: The separation of the compliance and educational functions of SafeWork SA allows work health and safety inspectors to focus on ensuring the laws are not being breached, and where they are, suitable enforcement action can be taken. At the same time, educators who are not inspectors can concentrate all of their efforts on providing support to workplaces. My expectation is that this will be of particular benefit—

There being a disturbance in the strangers' gallery:

The Hon. J.R. RAU: Has somebody beamed into the chamber? It is the deputy chief executive.

Mr SOULIO: No, I was pointing upstairs, not at myself.

The Hon. J.R. RAU: I thought that was an attempt by him to remind everybody that I had not introduced him. Ladies and gentleman, this is the deputy chief executive. In particular, I think small and medium-sized businesses in South Australia are really the audience that I was particularly concerned about because, unlike the Coles and Woolworths of this world, they are not big enough to have their own internal dedicated educational arms within their business and so, in many instances, they do not really have these things traditionally available to them at all, which is obviously a problem. As I said, industry and unions are supportive of the new model, which I am very pleased about.

Within the regulator, the inspectors are now grouped into industry-based teams. The industry-based teams are, first of all, community, retail and business services; secondly, primary industries, resources, country compliance and engineering; thirdly, manufacturing, wholesale transport and utilities; and, fourthly, construction. This enables the inspectorate to build their knowledge about the industry they are regulating, identifying injury trends and solutions and keeping pace with the industry's technological changes.

The educator is a completely new unit within SafeWork SA. This unit has mobile advisers and to some extent this draws on some of the experience from ReturnToWorkSA with their mobile case managers who can visit workplaces to provide face-to-face assistance in identifying any work health and safety hazards in the workplace. These are intended to help workplaces develop and implement practical solutions and system changes to manage them. The educator will also work with industry and unions to develop educational materials and support collaborative improvement strategies across industry sectors. Those who were listening to my answer to a question the other day might recall that we were talking about some of those materials as recently as yesterday in the parliament.

The educator and mobile adviser function is quite unique now in Australia because these people do not have the power of an inspector and the service is completely free to the employer receiving the service. It is designed to make people feel more comfortable about inviting SafeWork SA staff into their workplace to talk about issues without fear of being prosecuted.

At SafeWork SA's head office at Keswick, there will be a customer service hub which will provide access to resources, information and one-on-one advice with SafeWork educators. SafeWork SA's regional offices will be staffed by inspectors and customer service officers who can help people in those regions with any questions.

I believe this new structure will benefit workers, employers and the community generally and help to reduce workplace injuries and fatalities from occurring in the first place. This, of course, will then reduce the financial, human and social cost for businesses, injured workers and their families.

I have to make the point though that the establishment of an educator does not mean that the government is going to go soft on enforcing compliance, especially when it comes to protecting vulnerable members of the workforce. In April, SafeWork SA's prosecution of a labour hire company in relation to an incident that led to severe burns to a temporary migrant worker from Taiwan led to a fine of \$240,000 plus costs, which was the highest penalty recorded against a single entity since South Australia adopted the nationally harmonised work health and safety laws in January 2013.

In May, a Queensland-based labour hire company was fined \$150,000 plus costs after a contracted employee suffered life-threatening injuries while working on the South Road Superway project. The message is basically quite simple: if you want SafeWork assistance to help improve work health and safety in your business, you can ask for that help, you will receive it and you will be given that help without fear of those people then prosecuting you as they arrive on your premises. However, that said, companies that do disregard the laws and do expose their workforce to unsafe practices should expect the inspectorate to be taking an interest in them and, obviously, prosecuting them where appropriate.

Ms CHAPMAN: I just have a brief opening statement, if I may, Mr Chair. I thank the minister and the senior people who are here today to present their budget for the 2016-17 year. The minister has announced the actual operational arrangements now of the new separated structure of enforcement and educative roles within SafeWork SA, which we welcome. It has been a long time coming, but we feel that is very important for the obvious reasons that people are not likely to seek help from an agency if they feel that they are going to be photographed and inspected and recorded, and evidence retained for the purpose of subsequent prosecution.

Can I urge the Attorney, seeing as he has a number of hats, to ensure this flows through to other agencies which operate in government, including agencies such as Families SA, which obviously have a role in supporting an early intervention in families in crisis and at the same time have a role in respect of child protection and therefore obviously are, in some cases, mandated to report and act upon circumstances in which children are left at risk. Highly unsatisfactory in a circumstance where one is trying to encourage primary prevention and not extend to necessary ultimate intervention, in that case to remove children from a family.

I would hope that he would exercise this formula of ensuring that there is not a conflict in the operations of agencies. Quite obviously, SafeWork SA has a very important role as the principal inspectorate. For obvious reasons, they are the guardians of the workplace in respect of safety. But we all know the benefit of educative opportunities, and if they have a dual role by a single person then that will always be complicated, and there will always be conflicts of interest and inadequate take-up. So thank you for that and may it spread through the administration. The member for Schubert has some questions.

The Hon. J.R. RAU: Before the member for Schubert starts, can I say—

Mr KNOLL: I have not asked a question yet.

The Hon. J.R. RAU: I know. I am just responding to the deputy leader's remarks. Can I just say that I have been so encouraged by the response that we have been receiving from both employer and employee organisations to the changes that have been made by SafeWork that I have already come to the view that the deputy leader suggested I come to; that is, this is a good model and it should be a model that we try to replicate where it is possible to do so. I do agree with her that one of the considerations that we must be giving to changes in the child protection area is to give consideration exactly to that point, and that is something I agree with her on. I have come to that conclusion independently of her advice, but I am pleased to think that we are on the same page.

Mr KNOLL: Fantastic; just obviously a completely different budget line.

The CHAIR: Member for Schubert.

Mr KNOLL: Thank you, member for Little Para. My question relates to Budget Paper 4, Volume 1, page 47. I assume that is going to be the operative page for this session. It is quite interesting to hear your remarks, Deputy Premier. I note on that page, Targets 2016-17: 'Separate education and compliance functions to deliver responsive and effective education and compliance programs.' I assume that is what we are talking about. This is a highlight for 2016-17. As you were

reading that out, it came as quite a surprise to me. I would like to refer back to some *Hansard* from the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation from 4 June 2015. Ms Boland, in her role then as acting executive director before she was made permanent in that role, gave the following statement:

In November—

That is November 2014—

Bryan—

Bryan being the previous Executive Director of SafeWork SA—

updated you on the structural changes SafeWork SA had made further to the recommendations of this committee, particularly the recommendation around improved delivery of education services through the separation of functions into a community engagement directorate and a compliance and enforcement directorate. As you may recall, those changes took effect from 1 July last year.

So, 1 July 2014 is when the separation of those things came into place. Why are we only now talking about this, two years later, as if it is something completely new and different, because the evidence to the committee was that this happened on 1 July 2014?

The Hon. J.R. RAU: I will let Marie say a few words about this as well, but can I say that what has happened is we had a change in the executive director role because the former executive director retired and moved on and there was a process of selection which ultimately resulted in the acting executive director becoming the executive director.

It was considered by me, and I think others, that until we had a settled permanent executive director it would not be prudent to try to implement a, basically, two-pillared structure with two subordinate directors, for want of a better term. You would need to have the permanent executive director involved in that conversation because you would want them to be part and parcel of the appointment process, or at least give advice and whatever about which of the candidates that might come forward would be most suitable.

So, the order of things was: work out, in a permanent sense, who the executive director was. That was done. Then, go through a process of recruitment with respect to the heads of the respective arms and make sure that the practicalities of the administrative separation were put into effect and so on. Now, that took some little time to get to the point where I am able to say I think it is now a functioning established state of affairs, but I—

Ms BOLAND: That is an important point, I think, because when I was talking about that at the committee at that stage we had internally, ourselves, decided to set up a community engagement directorate. At the time I was director of policy and then I was made director of community engagement. What we tried to do was almost anticipate some of this engagement because people were wanting us to provide education, but the critical thing is that at that time the community engagement team were inspectors.

This is a new thing that we are talking about, from 1 July of this year, where we have actually split the organisation into an educator and a regulator. What we tried to do in the years just before Bryan left was address the concerns that we were hearing about: we need more support, we need more education. We tried to set up an engagement team, but it kind of reinforced the need for the structure that we now—when the Attorney came on basically he said, 'Let's just not have inspectors over there.'

So, I think that is the critical, unique new thing in this new structure is that we literally have two separate arms, discrete, separated, with no inspectors on the educator side.

Mr KNOLL: So, we have the community engagement directorate and then the compliance directorate, as they were then. I assume that is still the same structure now?

Ms BOLAND: No, because at that time we had an executive team of four. We had an executive director, we had a director of compliance, a director of policy and community engagement and a director of business services. This structure has allowed us to reduce that executive—

Mr KNOLL: If this community engagement directorate, as it was, still had inspectors, how did their role differentiate from the other areas, given that there were personnel then undertaking the same tasks?

Ms BOLAND: I guess it would be what people would understand in the regulatory field as proactive auditing and proactive compliance work. So, it was still couched around the work and functions of inspectors. So, their primary task was proactive compliance, whereas the new educator has no compliance role at all.

Mr KNOLL: How many employees are there as part of the education function?

Ms BOLAND: We do not have the split, but I can take it on notice, but I can do a guesstimate quite easily, because we have 89 inspectors, so there are about 89 on the regulator side, so the remainder would be between educator and business services. We will bring it back; there is probably about 40 or 50 in it, because bear in mind that includes all our licensing function and our customer service help staff as well.

Mr KNOLL: So there would be specifics? There would be more than seven employees engaged in education programs?

Ms BOLAND: Yes, there are probably 40 or 50 at least.

Mr KNOLL: But having said that, you just said that there are other functions that are part of that, licensing and that sort of stuff. We are talking here about providing this much vaunted function that the Deputy Premier has talked about. How many front-line staff will be going out to businesses in an education capacity?

Ms BOLAND: We have about 10 on the mobile, face-to-face, and then we have a team of probably another six to 10 who are the industry sector workers. Regionally we also have educator support staff in each regional office now, so it probably comes up to about 30 or 40.

Mr KNOLL: If you are providing answers to questions on notice, you said that there were some around specific industry areas: can you provide a breakdown of how many per industry sector that is of import?

Ms BOLAND: Yes.

The Hon. J.R. RAU: To add something in here, there is a little, so far invisible, piece of this puzzle, and that is that risk management is something we have not talked about yet today. We have talked about management of work injury through ReturnToWorkSA and returning to work people. We are talking here presently about education and prosecution or inspectorate activity. But, there is another little piece that is probably worth mentioning, and that is risk management and risk identification.

In as much as we are talking about the group of employers who are insured under the return-to-work scheme, which is overwhelmingly the small to medium-size employers, the return-to-work scheme has a very powerful data analytics capability. They use that data analytics capability to actually target risk management activity by ReturnToWorkSA. I think they have shared information that their data analytics reveal with the people in SafeWork SA, so they can actually prioritise where they might focus their activities in terms of education, and so forth.

Mr KNOLL: Which is all the information we get being on the occupational health and safety committee—we have been out to see it all—so thank you for that.

Ms BOLAND: We are also intending to work very closely with their team of mobile people as well, so rather than have two people arrive at the one place, we can complement each other.

Mr KNOLL: When you say 'mobile', are you referring to the mobile case managers from ReturnToWorkSA?

Ms BOLAND: Yes, our mobile team is working very closely with their mobile team to get the most out of the resources we have.

Mr KNOLL: Wonderful. To go to the highlights, 2015-16, what compliance programs were put in place to deal with workplace incidents?

Ms BOLAND: To deal with specific workplace incidents? Are you asking about dealing with specific workplace incidents? We have two roles: a reactive compliance function and the proactive, so the compliance programs that deal with workplace incidents are part of our reactive compliance programs. For example, following the Royal Adelaide Hospital fatalities, we have quite a comprehensive program up and running with industry partners around scissor lift safety, so we have the training organisations, the employers, the unions and SafeWork SA working together on short, medium and long-term strategies for dealing with safety.

That is just an example, but we do that whenever there is, obviously, a fatality, but also we look at trends. We have an assessment centre that meets every morning that deals with all the complaints coming in—and we have all the key people in the room for that—and we can monitor trends coming out of complaints. For example, we noticed there were a lot of electrical incidents coming out of aged care and hospitals and it was around the beds, the electrical, moving the beds up and down, and it was a simple matter of an education campaign around making sure that the cord—

Mr KNOLL: The cord does not get jammed.

Ms BOLAND: So it goes from the quite complex scissor lift to, well, that is a simple thing that could be dealt with through a good education, get out there on the proactive compliance program. They are just two examples from the high end to the lower end of what kind of programs we would do.

Mr KNOLL: Is there some sort of performance indicator? How are you able to ascertain whether these compliance programs are effective and responsive? There is a fairly broad 'maintain the work injury reduction trend' in South Australia.

Ms BOLAND: I guess ultimately the measure is that trend and one measure is the WorkCover statistics, but also then more immediately we can obviously get feedback from the responsive business and industry sectors as to how they feel about the effectiveness. We are also bringing in as part of our new structure, and I cannot remember the name of it, but it is this thing where you can follow-up immediately. So, if an inspector comes to your workplace or one of our educators goes to a workplace, there is an immediate contact on, 'What was your response to that visit? Did you find it useful? Did you not?' If people say 'No, it was rubbish', we would ask 'Why?' and then we would send someone out again immediately. We are looking to, next year, getting a lot more customer focused, if you like, as well—

Mr KNOLL: Is there a proposal then to quantify those documents or put them into some sort of report or put them into some sort of performance indicator?

Ms BOLAND: Yes. What I want to do too, as part of this, is have quite public reporting. So for all the industry teams, for example, and the advisers, I want every month that on our website we say 'Here is where we went. Here are the notices. Here is what the notices were for' and track the trends. So, yes, have quite an open—

Mr KNOLL: Like a dashboard-type system?

Ms BOLAND: A dashboard system, yes.

Mr KNOLL: Do you know when that would look to be operational?

Ms BOLAND: I am hoping that, once we finish July, that the July figures will be up in August. It is quite a high priority for us. People are working on it as we speak. That is the intention.

Mr KNOLL: Fantastic.

Ms CHAPMAN: Referring to Budget Paper 4, Volume 1, page 47, who is the beneficiary of the once-off \$1 million funding provided in the 2014-15 year for the Health and Safety Workplace Partnership program?

The Hon. J.R. RAU: This is for 2014-15?

Ms CHAPMAN: Yes.

The Hon. J.R. RAU: I have a breakdown here:

- The Independent Education Union received \$93,000;
- The AMWU \$102,000;
- ASU \$157,000;
- AWU \$121,000;
- CFMEU \$135,000;
- NUW \$155,000;
- SA Unions \$35,000;
- SDA \$151,000;
- Total \$949,000.

Ms CHAPMAN: Why did SA Unions, which of course is an amalgam group, a representative body of unions, receive \$35,000?

Ms BOLAND: Their proposal was to have health and safety representative conferences across the entire union. Basically, theirs was a funding to produce and organise a conference.

Ms CHAPMAN: For people other than the unions that have just been read out?

Ms BOLAND: For health and safety representatives generally, yes. It was for any health and safety representative.

Ms CHAPMAN: Do you know when they got the \$35,000? I appreciate there was money for the others. There are specific unions who have a specific workforce, but SA Unions is a representative body, a bit like a council, and they have had their own functions. Did you get any feedback on who went to it?

Ms BOLAND: Yes, there is a report. They were obliged as part of the funding to give a final report, so they have done that.

Ms CHAPMAN: How many attended?

Ms BOLAND: 112.

Ms CHAPMAN: Were any of those people who were not members already of the other unions you have just read out?

Ms BOLAND: They have not in the report itemised—

Ms CHAPMAN: Did you ask for it?

The Hon. J.R. RAU: It says here 21 per cent.

Ms BOLAND: There were 21 per cent who were union members, so most of them were not union members, in fact. It was 21 per cent of the participants.

Ms CHAPMAN: Just in respect of performance, minister, there are a number of disturbing references here to, I suppose, underperformance as a result of the KPIs that the agency set itself and are then missing by quite a bit. Let's just go to a specific case. Let's consider something like the Salvemini case, who is the fisherman who died. You are familiar with it, so we do not need to go over it in detail. It was some years ago now. Ms Boland, though, is familiar with it because I think, shortly after she got appointed, she was dragged into a conference on it. Sadly, the person involved in that case was a young man who was tied up in a fishing net and died.

In one of a number of meetings we had two years ago, which Ms Boland attended, she was to report to us the enforcement or implementation of the recommendations arising out of one of the early investigations in that case, primarily, of course, to make sure that other personnel on boats—fishermen or other staff, etc.—would not be caught up in a net or have their legs caught in a rope or anything else, and be injured or hurt or die. Two years later, we are still waiting for an answer on that but, then again, I do not have to have an answer to me specifically.

I would like to know how you keep some record. Using that as a case example, has anyone, since two years ago, been injured or hopefully not die, but I have not heard of that, as a result of the implementation of any of those recommendations? I still do not know if they have actually been employed by all other shipowners, etc.

Ms BOLAND: There have been no fatalities since due to similar sets of circumstances. There has been one fatality on a fishing vessel where a worker drowned when they fell overboard. One thing we have implemented is an idea going back to the industry teams. I think one of the weaknesses of SafeWork SA at the time was we did not have people who had the expertise around commercial fishing that we could have benefited from so, from part of the feedback on setting up the industry teams, one of the first jobs I have given the primary industry resources country compliance team is to go back and do another audit on all of the fishing vessels around the recommendations and the safety barriers and things like that.

I also spoke to Andrea Madeley from the VOID group about whether she thought we might be able to engage Lee Salvemini. As you know, part of his distress was feeling that he was not being listened to and he perhaps felt frustrated at SafeWork SA's response, so I guess we are looking at ways of engaging him as part of these audits. I guess my point is it has not gone off our radar. The last audit specific to the safety barriers was in 2013, so it is a priority for that primary industry team now to do an audit again around those—

Ms CHAPMAN: I suppose what I am really trying to ascertain is that since we met and an assurance had been given as a response to a request that there be a coronial enquiry—'Look, that will not be necessary. SafeWork has already gone in. They have done an assessment. They have put recommendations; these are now in place. Obviously, hopefully, with that occurring there will be no further incident.' As I still do not know what the recommendations were and I still do not know whether they have been implemented, what I want is some assurance from you, because it is a case that we are both familiar with, that they have been implemented, that the fishing industry has been informed of them and that the requirements, whatever they are, are operating. Perhaps you could bring back to the committee a list of what those recommendations were, when and what was implemented.

Ms BOLAND: The last audit we did in 2013 was around the recommendations. The audits and the observation at that time indicated that all the entrapment risks were being controlled with the safety barriers and emergency stops. That was the primary recommendation, it was around—

Ms CHAPMAN: Just for my language, you mean that all the industry had been advised and they had implemented on their vessels those requirements, and you have done an audit and you are happy with it.

Ms BOLAND: Yes. In 2013 was the last audit, but what I am saying is that I have tasked part of our new industry team with: three years later we go back again and do another audit.

Ms CHAPMAN: So if other people have come into the industry since, or existing ones who have now added reels to their facility, they do not necessarily know what the rules are yet?

Ms BOLAND: Exactly, yes. The other side of that is, on the education side, because we now have an industry—

Ms CHAPMAN: You will have the industry squads going out.

Ms BOLAND: We have an industry squad for fishing and agriculture. Their task, then, is to go out and educate, again, about the issues and—

Ms CHAPMAN: Excellent. Thank you. I refer to page 47. Is Aaron Cartledge still on the Construction Industry Long Service Leave Board?

The Hon. J.R. RAU: As far as I am aware, the answer to that is yes.

Ms CHAPMAN: Will the Attorney be removing him?

The Hon. J.R. RAU: I thought I might receive a question about this.

Ms CHAPMAN: Last year's estimates: I will tell you what you said, if you would like.

The Hon. J.R. RAU: I have been advised that SafeWork made some inquiries about this because I wanted to receive some advice as to what the criteria were and what the appropriate procedures and processes were for such a matter to be considered. SafeWork received, apparently, some advice from the crown. However, as recently as a couple of weeks ago, if I remember correctly, there was another decision of the court in respect of Mr Cartledge, and so—

Ms CHAPMAN: It gets worse.

The Hon. J.R. RAU: My understanding is that further advice has been sought by SafeWork SA, and it is, as I understand it, asking that the most recent development in respect of Mr Cartledge be factored into and taken into consideration in preparing that advice. I am told that I should be receiving this shortly. I should also make the point that, depending on the advice, given that any consideration may involve the removal of a person from a government-appointed board or committee, there does need to be an appropriate process and appropriate procedural fairness. This advice is seeking to provide guidance to me in respect of those matters, as well.

Ms CHAPMAN: Attorney, this issue occurred in March 2014. That is over two years ago. The findings were made in respect of his conduct over two years ago. You told us, as a committee, this time last year, that you had only recently become aware of that behaviour as such, if I just put it in general terms here, and that you were 'putting together the clues' and 'would give them due consideration'.

Whilst there has been further conduct, which has been the subject of further reporting and action, surely you are not telling the committee that, having looked at what happened—and the findings were made back in March 2014—that that alone is not enough for him to be removed from the committee and for you to be able to act on it?

The Hon. J.R. RAU: I understand the question. My position, I guess, is that I want to make sure that I am acting on the basis of advice which properly addresses the threshold questions. There are in fact, as I understand it, two committees, not one. One of those committees, if I am not mistaken, is the mining and quarrying—

Mr KNOLL: MAQOHSC.

The Hon. J.R. RAU: That is it, MAQOHSC. That is one of them.

Mr KNOLL: That would be independent of government, though.

The Hon. J.R. RAU: I am not exactly sure of whether or not that has anything to do with me. The other one—

Ms CHAPMAN: Does he receive a payment from the government for both?

The Hon. J.R. RAU: I am advised he does.

Ms CHAPMAN: And you know, Attorney, the obligation in respect of the Governor, removing someone for dishonourable conduct, or severe neglect of duty, etc. I do not need to go into the detail; the findings have been made so we do not need to traverse whether or not he is guilty. My question really is: if you are satisfied in due course that he should not be there and you ask for his resignation or remove him, or ask your colleague in the cabinet to do that, if it is the direct responsibility of another minister, will you ask him to repay the money that he has received from these boards for the last 2½ years?

The Hon. J.R. RAU: Just a further bit of information, MAQOHSC—an amazing name—is apparently fully funded by the Mining and Quarrying Industries Fund, but I still think the Governor has some role.

Ms CHAPMAN: Sure. Whether it is you or Mr Koutsantonis or the cabinet in full to refer to the Governor, I appreciate that there is a decision to be made. It may not be exclusively yours. There are two boards and there are two different ministers who have principal responsibility for them. I have not asked minister Koutsantonis whether he is taking the action as the Minister for Resources, nevertheless, my question stands: if you are satisfied in due course that he should not be there, will you ask him for the money back?

The Hon. J.R. RAU: Let us cross each bridge before we come to it. I need to get to the first point.

The CHAIR: The Attorney has answered your initial question. Your second question is hypothetical.

Ms CHAPMAN: Let me ask you this: how much money has he been paid from your department for this role since March 2014?

The Hon. J.R. RAU: That we can find out. My understanding is that this is one of these sessional fee type—let us get the full details. I think it is a sessional committee. How frequently it meets, I do not know, but it looks to me from the information I have here, which I will check, that the sessional sitting fee is \$177. Now, how frequently—

Mr KNOLL: Eleven times last year.

Ms CHAPMAN: Assuming he went to all of the meetings.

Mr KNOLL: No, he only rocked up for about half.

Ms CHAPMAN: Anyway, we will say it is a sessional meeting attendance fee.

The Hon. J.R. RAU: We will find out how much.

Ms CHAPMAN: Thank you.

The Hon. J.R. RAU: I might add too—and this is something else I do not have the answer to—that I believe, in some instances, both in the case of trade unions and industry associations, practices vary according to whether those fees are ultimately the fees that are kept or given to that individual or whether they are fees that are paid to the organisation. I do not know the answer to that in this particular case.

Ms CHAPMAN: Thank you.

The Hon. J.R. RAU: I do have some further information about this. What years were you interested in, 2013-14 or 2014-15?

Ms CHAPMAN: 2013-14.

The Hon. J.R. RAU: In 2013-14, 11 meetings were held and five meetings were attended—\$885. In 2014-15, 11 meetings were held and six were attended—\$1,062. In 2015-16, 11 meetings were held and nine meetings were attended—\$1,593. Those moneys were paid from the Construction Industry Fund, pursuant to the provisions of the Construction Industry Long Service Leave Board.

In respect of the mining committee, again, according to my advice—and we will check what I am giving you, but this is what I have—they are again entitled to a sessional fee. That is paid from the Mining and Quarrying Industries Fund which, I am led to believe, is an employer fund. It is not a government fund, anyway. In respect of that, the sessional payments included for 2013-14, \$1,858; for 2014-15, \$1,518; and for 2015-16, \$1,062.

Ms CHAPMAN: Of the \$1 million funding we referred to earlier, how much was the CMFEU paid?

The Hon. J.R. RAU: This was the earlier question?

Ms CHAPMAN: Yes.

The Hon. J.R. RAU: It was \$135,000.

Mr KNOLL: Just to follow up on a few of those things, Attorney, we talked about March 2014 as being the first conviction. We then saw, on 22 April, further convictions which led to almost \$1 million worth of fines for the union. On 31 May, the Federal Court found Cartledge guilty, and last Friday was sentencing. How often does Mr Cartledge need to break the law before you are going to take action? In the event that you finally do, will you include Mr Roberts, who serves as an alternate to Mr Cartledge on the Construction Industry Long Service Leave Board and who, in the April findings, was also found guilty of charges? Will he also be asked to stand down?

The Hon. J.R. RAU: I will have to take that on notice. I do not know the formal standing of the alternates—Mr Roberts has gone, I am advised.

Mr KNOLL: Too quick for you.

The Hon. J.R. RAU: No need to worry about Mr Roberts. That was about a year ago, apparently. Just as matter of interest, so that members understand that it is not necessarily as simple as some might think, if you go to the conditions of membership provision in the Construction Industry Long Service Leave Act —

Mr KNOLL: We have all read it.

The Hon. J.R. RAU: —which I am sure you have read, relevantly, section 8(2)(b) talks about neglect of duty or dishonourable conduct. 'Dishonourable conduct' is an unhelpful turn of phrase. What would be helpful in clarifying would be if the wording had been 'or is convicted of a criminal offence' or something of that nature. Members might recall that a not dissimilar provision used to sit in the Legal Practitioners Act.

There was a question as to what that meant and whether it applied in the context of a person's behaviour in a certain way or whether it was to do with other things more generally. I am not expressing an opinion on those things one way or the other, but I am trying to illustrate that I think I need to have some sound advice which will assist me in making—or not making, as the case may be—a recommendation to cabinet and the Governor.

Ms CHAPMAN: Minister, you are also the Attorney-General of the state. Whilst you might quote the Legal Practitioners Act and its interpretation—in which, of course, under current law, any conduct unbecoming can have ramifications—

The Hon. J.R. RAU: Indeed.

Ms CHAPMAN: —you are not seriously suggesting to the committee that you require some kind of indication from the Crown Solicitor's Office that the interpretation of 'dishonourable conduct' would not be such a low threshold as not to include automatically the conviction for a criminal offence, which has now occurred twice, as being a necessary threshold for you to act?

The Hon. J.R. RAU: I am not saying that. I am not expressing a view about that. I am just saying that I would like to have the benefit of advice, not just as to what the threshold point is for dishonourable conduct within the meaning of that provision in this act, but also the appropriate process and procedure that should be undertaken in order for natural justice and various other considerations to be taken into account.

Ms CHAPMAN: Last year, Attorney, you sat here and said you were going to give this matter consideration. You got advice and that is fine. I am assuming that it did not take nine months for you to get that advice. Then a further decision comes out compounding the felony, if I can put it in colloquial terms. Are you really suggesting that you need to get advice again?

The Hon. J.R. RAU: To be clear on this, as I understand it, the advice was actually being sought by SafeWork SA rather than by me directly, and the time that it took them to receive it, whether the questions were framed properly, whether the answers were adequate and whether they had canvassed procedural fairness and other things, I am not sure, but my advice from SafeWork SA has been that they are presently not satisfied that they have the appropriate information yet to provide to me.

Ms CHAPMAN: And you have not acted upon it? You have really left it up to SafeWork SA and their board?

Ms BOLAND: Initially, when we asked for the advice, a lot of the decisions were still open for appeal and so the reason why we have been going back has been as each decision has been finalised and to get further clarity.

Ms CHAPMAN: But we are talking about convictions in April 2014, that is 14 months before the Attorney gave evidence to this committee last year and way past the appeal period, and we are now another year down the track with more conduct which has been found to be wanting.

The Hon. J.R. RAU: I remember it came up. In fact, my first recollection of this being brought to my attention was a rather penetrating curve ball question from the member for Schubert in question time a while back on this point. That is the first time I have any recollection of having this particular thing put to me in the way that it has been.

Mr KNOLL: To follow up on that, each of these instances we are talking about directly relate to Mr Cartledge's conduct on different worksites, so they are all of a type. When we are talking about dishonourable conduct, surely, if it is in the course of the duties which give rise to him being on this committee (i.e. he is a union official who has something to do with the construction industry, which is presumably why he is on the board) this is illegal conduct directly involved in the course of his duties, but also it is illegal conduct of a similar type. We are talking about illegal activity on construction sites and it is continued and repeat behaviour, so this idea that we need to keep waiting for new evidence when the crimes being conducted are of the same type is a little bit ridiculous and certainly tries to stretch out this episode far longer than what it needs to.

The Hon. J.R. RAU: I hear what people are saying.

Ms BOLAND: It was about providing further clarity, not necessarily further evidence. Because we needed to provide the advice, we needed to be able to understand what the minister would require to be able to make his decision.

Ms CHAPMAN: Did you put any complaint to the Attorney or to your minister (as your minister rather than Attorney) at the delay at which you were not getting any serviceable advice—

The CHAIR: Member for Bragg, the question should be directed at the minister.

Ms CHAPMAN: Did you receive any request to act, minister, by the SafeWork SA executive or the board to hasten the response that apparently was taking over a year to get legal advice from your other department, namely, the Crown Solicitor's Office?

The Hon. J.R. RAU: I do not believe I have agitated it with them. I do recall that when the member for Schubert asked me a question last year, I asked that inquiries be made, and I gather that that went off. I have to confess that this particular matter has not been foremost in my mind since that point in time. My expectation when I asked for that was that in due course I would receive an appropriate piece of advice which was going to assist me in plotting out how I proceed in a lawful fashion. I must say I do not think I was running around chasing people about this. I think it escaped my list of priorities.

Ms CHAPMAN: I have some other questions, if I may. Firstly, in relation to the proceedings in the court at present of which Ms Boland is the applicant as the head of SafeWork SA against the consortium arising out of Mr Castillo-Riffo's death on the new RAH site. It is listed for trial next year. My question is: what has been the cost of SafeWork SA so far in prosecuting that case?

The Hon. J.R. RAU: I think we will have to take that one on notice.

Ms CHAPMAN: On page 48 of the relevant agency document: the visits that are being undertaken by SafeWork SA, the number of proactive compliance and enforcement visits which are to inspect and see that there is compliance and also to provide advice and information, which as you pointed out, as of a few weeks ago is now a split role. In the 2016-17 year, it is proposed to be 5,000. Last year, there were 5,613. Were any of those visits to the old Supreme Court house or the Sir Samuel Way Building, which largely accommodates the District Court, to inspect for a safe workplace?

The Hon. J.R. RAU: We will have to take that on notice because there are so many of them to go through.

Ms CHAPMAN: I also ask whether there is any outcome as a result, if there has been any inspection of those two premises, as to any aspects of which are not compliant with work health and safety requirements—

The Hon. J.R. RAU: Again, we will take that on notice.

Ms CHAPMAN: —and if so, what notice has been given to the Courts Administration Authority to remedy that? Similarly for this year, is there any intended follow-up inspection for that purpose? If that could be taken on notice as well.

The Hon. J.R. RAU: That is all on notice.

Ms CHAPMAN: Thank you. I think that is all.

The CHAIR: The member for Schubert has the omnibus questions. Is this for the entire A-G's department? Yes, excellent.

Mr KNOLL: The omnibus questions are:

1. Will the minister provide a detailed breakdown of expenditure on consultants and contractors above \$10,000 in 2015-16 for all departments and agencies reporting to the minister, listing the name of the consultant, contractor or service supplier, cost, work undertaken and method of appointment?

2. In financial year 2015-16 for all departments and agencies reporting to the minister, what underspending on projects and programs (1) was and (2) was not approved by cabinet for carryover expenditure in 2016-17?

3. For each department and agency reporting to the minister, please provide a breakdown of attraction, retention and performance allowances, as well as non-salary benefits, paid to public servants and contractors in the years 2014-15 and 2015-16.

4. For each year of the forward estimates, please provide the name and budget of all grant programs administered by all departments and agencies reporting to the minister, and for 2015-16 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, the purpose of the grant and whether the grant was subject to a grant agreement as required by Treasurer's Instruction 15.

5. For each year of the forward estimates, please provide the corporate overhead costs allocated to each individual program and subprogram administered by or on behalf of all departments and agencies reporting to the minister.

6. For each department and agency reporting to the minister, could you detail:

(a) How much was spent on targeted voluntary separation packages in 2015-16?

(b) Which department funded these TVSPs?

(c) What number of TVSPs was funded?

(d) What is the budget for targeted voluntary separation packages for financial years included in the forward estimates (by year), and how these packages are to be funded?

7. What is the title and total employment cost of each individual staff member in the minister's office as at 30 June 2016, including all departmental employees seconded to ministerial offices and ministerial liaison officers?

The CHAIR: I think the Attorney is keen to answer all of those right now.

The Hon. J.R. RAU: I will take them on notice. I think in a moment there is a cup of tea available.

The CHAIR: I thought you were going to answer the questions. In that case, there being no further questions, I declare the examination of the proposed payments be adjourned until later today.

Sitting suspended from 15:30 to 15:45.

DEPARTMENT OF THE PREMIER AND CABINET, \$78,456,000
ADMINISTERED ITEMS FOR THE DEPARTMENT OF THE PREMIER AND CABINET,
\$1,930,000

Membership:

Mr Speirs substituted for Mr Griffiths.

Minister:

Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide.

Departmental Advisers:

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

Ms I. Haythorpe, Deputy Chief Executive, Services and Intergovernmental Relations, Department of the Premier and Cabinet.

Mr S. Woolhouse, Chief Finance Officer, Department of the Premier and Cabinet.

The CHAIR: We are continuing with the Attorney-General in his capacity as Minister for the Public Sector. Before I say that, we are going to go from, as agreed, 3.45 to 4.15 on the Office for the Public Sector, and then 4.15 to 4.45 on Service SA and Shared Services. That is the agreement. So, are those advisers here and we can facilitate a change of advisers in half an hour's time?

The Hon. J.R. RAU: Yes. In terms of the Office for the Public Sector, Erma will be primarily assisting in that respect, and Ingrid will be primarily assisting in respect of Shared Services, etc.

The CHAIR: I declare the proposed payments open. I refer members to Agency Statement, Volume 3, and I call on the minister to make a statement, if he wishes. He has already introduced his advisers.

The Hon. J.R. RAU: I have already mentioned who is here, but I cannot resist the invitation to say a couple of things. The public sector is and should be seen as one of the state's assets and we should be trying to find ways in which we can maximise the benefit to the community of what is a substantial human and material asset to the state. I believe there must be opportunities within the public sector for improvement.

That is not meant to be perceived as a critique of the thing it is now; it is not meant to be anything other than a statement that I think we should always be striving to improve and where possible there should be opportunities to improve. That improvement could be at many different levels, but I will give a couple of points that I think are worth considering. One is the extent to which the state, as the notional employer of public sector employees, acts as a good and supportive and responsive employer.

There is also the extent to which the state as an employer, through its managerial functions, gives maximum opportunity for its employees to get the most out of their jobs, and to manage them in such a way that they are high performing, fulfilled employees of the state. So those aspirations I guess are fairly high level, but I think they are important aspirations: some of them involve culture, some involve management structures, some involve leadership, but they are all in my opinion important, and I think there is an appetite within the public sector to try to make improvement in all of those respects.

Mr SPEIRS: Turning to Budget Paper 3, page 25, table 2.6, employee expenses for the public sector, can you confirm whether any executive bonuses were paid to either chief executives

or other executives in 2015-16, and whether there is a provision for any such payments in the 2016-17 financial year?

The Hon. J.R. RAU: I am advised that the Commissioner for the Public Sector only collects data in relation to chief executives, and I am led to understand that that does not include performance bonus payments. Whether there are other agencies, instrumentalities, detached offices, attached offices, or whatever else that might do that, is not something we are presently able to assist you with.

Mr SPEIRS: But the chief executives in charge of public sector agencies do not?

The Hon. J.R. RAU: The Public Service agencies, I am advised they do not.

Mr SPEIRS: Does the government still maintain a policy of banning executive bonuses?

The Hon. J.R. RAU: I do not know whether there is such a policy, but I will take that on notice and find out whether there is such a policy and whether there has been any change to it.

Mr SPEIRS: Moving on to Budget Paper 5, page 13, the second to last paragraph of that page: can you confirm which public sector EBAs will be exempt from the new policy of limiting public sector wage increases to 1.5 per cent per annum?

The Hon. J.R. RAU: I will try to get back to you with an exhaustive list, because there may be one or two smallish workforce components that I might omit in this, and I do not want this to be taken as the whole answer. There is a group of employees, the building, metal and plumbing trades group, the rail commissioner train operations group, the SA Ambulance Services, the visiting medical specialists, nurses and midwives and the rail commissioner infrastructure.

Essentially the reason for that is that the negotiations with those groups had already advanced to some degree before the budget, and in the context of those negotiations the then policy in respect of wages had been applied to the offers made by the state, and it was considered both by the state and, I can assure you, by those groups that it would be a bit cheeky to withdraw the offer from the table, it having already been made.

Mr KNOLL: Can I ask a follow-up question on that? Does the minister accept that, in limiting public sector wage increases to 1½ per cent per annum, he is essentially asking public servants to accept a real wage cut over the forward estimates?

The Hon. J.R. RAU: No, I do not. The term of 'real wage' is obviously a balancing act between purchasing power and money received and I do not think anybody can be confident, in any way, as to what the purchasing power of whatever money will be received over the next few years will actually be, whether inflation will outstrip wages growth or vice versa, so I do not accept that that is necessarily correct.

Mr KNOLL: Your own budget states that over the forward estimates, that in each of the years over the four years, inflation will be or the Adelaide Consumer Price Index will be above 1½ per cent, ranging from 1¾ per cent to 2½ per cent, but your own budget outlines the fact that CPI will be well above that 1½ per cent, so I ask again—

The Hon. J.R. RAU: No.

Mr KNOLL: Are we asking the public sector to take a real wage cut?

The Hon. J.R. RAU: I understand your question. If the forecasts were something other than a prediction and they were actual budget—If somebody was able to jump into the DeLorean and head off to a point a year or so from now and look back and have those numbers and say to me, three years from now, 'Have those numbers been fulfilled or not?'—my point is simply this, that it is mathematically the truth that your first question was: does this necessarily mean these people are going to be getting less than cost of living adjustments or whatever the case might be? My answer is: mathematically the answer to that is no.

Whether, in terms of the budget projections about what might happen, if all those projections were to come true, would these people keep up in each and every one of those years? The answer to that is: maybe not. I am just saying, as a matter of reality, Treasury does the best they can to make a projection, and I am not criticising those projections at all but, just because they make a projection,

does not necessarily mean that will be what the cost of living will adjust by. It will adjust by what it adjusts by.

Mr KNOLL: So then, minister, are you suggesting that in the light of the higher inflation there will be a change to that cap policy?

The Hon. J.R. RAU: No, I am not. The way things are going at the moment, can you tell me whether interest rates are going up or down?

Mr KNOLL: They will go down next Tuesday.

The Hon. J.R. RAU: Can you tell me whether inflation is going to go up or down?

Mr KNOLL: Inflation, according to your budget, goes up by between 1¾ per cent to 2½ per cent.

The Hon. J.R. RAU: I know that and they know much more about these things than I do. All I am saying is when I read the paper I am reading a few weeks ago that one third of the world that is not living in some sort of dark age is actually in a deflationary environment at the present time.

Mr KNOLL: That is not the case with South Australia or Australia?

The Hon. J.R. RAU: I am just saying—

Mr KNOLL: Minister, it is difficult to understand how you can have it both ways by saying you do not believe the figures—

The Hon. J.R. RAU: I did not say that.

Mr KNOLL: But then that if there is fluctuation to those figures that that is not necessarily going to make any difference to your EBA wage rise cap?

The Hon. J.R. RAU: Can I rephrase your question for you and then answer it?

Mr KNOLL: Well, no. I think you can answer the question that I have asked. If you want to become a member of the opposition, that is fine, but unfortunately in this context you are the minister.

The Hon. J.R. RAU: Okay, fair enough.

Mr KNOLL: We still come back to the fact that you are asking, and I think you are gently suggesting that, given factors that are happening around the world, South Australians should align with the other two-thirds of the world that is seeing cuts to real wages and that South Australian public servants can expect the same.

The Hon. J.R. RAU: No, I am not saying that at all. All I am saying is this. There is an anticipation that there will be a certain change in the cost of living index of South Australia in the forward estimates. There is a government policy about wages growth during the forward estimates.

All I am trying to say is that, if the wages policy outcomes which we are seeking are achieved, and if all of those projections turn out to be correct, there will be a difference between the wages policy outcomes and the projections. My only point to you is that those projections ultimately may or may not be correct for reasons that are beyond my comprehension and are possibly beyond anyone's comprehension in here—that is all I am saying.

Mr KNOLL: Alright, just to finish off then, if I can rephrase your answer in the right way, the answer is not no: it is maybe and probably, yes. I will get the member for Bright to move on.

Mr SPEIRS: Just moving back to the EBAs which were exempt from the 1.5 per cent per annum rise. Are those EBAs being negotiated through the Office for the Public Sector or through the commissioner?

The Hon. J.R. RAU: That is a mixed bag. The rail ones are, by reason of statutory arrangements, vested essentially in the Rail Commissioner so, even though there is some interaction between the rest of us and the Rail Commissioner, as a matter of law, the Rail Commissioner is the responsible person although, clearly, it is our expectation that he will be following general government policy in attempting to get outcomes which are consistent with general government policy.

In respect of the ambulance, medical specialists and midwives, as a matter of formality, it is the case that the Office for the Public Sector is the ultimately responsible government agency. That is clear and, indeed, I have recently written to ministers and chief executives to make that point very clear to them so that there is no confusion about this. What we do not want to have are multiple chiefs and no Indians, so we are trying to get a situation where there is a fairly clear position.

That said, particularly in an institution or an organisation the size of health, with all of the complexities and special elements that go into an organisation of that scale, we must be significantly in consultation with the health department people who know particular things about their workforce and have particular information, so we would be collaborating with those. The only other one is for the building and metal plumbing trades, and I think that is directly done by the Office for the Public Sector.

Mr SPEIRS: So, two of those that you mentioned there—the Rail Commissioner and the South Australian Ambulance Service—have had quite a bit of public attention in recent months because of delays with those EBAs. I guess we can address the Rail Commissioner issue to Mr Deegan at a later point, but with regard to the South Australian Ambulance Service EBA, what is the progress with that EBA and what are the reasons, from a departmental point of view or from the office's point of view, for the delays with reaching a settlement on that?

The Hon. J.R. RAU: I am advised that the situation there is, as best we can tell, nearing an agreement, and we are hopeful that, in the next couple of weeks, we will be in a position where there is an agreement that I can take forward to cabinet for endorsement, so that is a matter that is in a very advanced state of negotiation.

Mr SPEIRS: When did the South Australian Ambulance Service's previous EBA expire?

The Hon. J.R. RAU: Can we get back to you on that because I just do not know if we have that sitting here? We will have to get it for you.

Mr SPEIRS: Can you advise which EBAs are coming up in the near future?

The Hon. J.R. RAU: The nurses are in play, salaried medical officers, salary wages parity group, admin staff, firefighters.

Mr KNOLL: Those four, so SASMOA, the admin staff and the other couple that you mentioned.

The Hon. J.R. RAU: Firefighters.

Mr KNOLL: They are the ones that are coming up. Because obviously this policy is put in place across the forwards—so it is over the next four years—they are the only three that are going to be negotiated in the next four years.

The Hon. J.R. RAU: Not in the next four years, these are ones that are right on the—

Mr KNOLL: Right on the cusp. The ones who are going to feel unfortunate for not having started. That is touching.

The Hon. J.R. RAU: There may be others during the forward estimates that cycle back in, and then—

Mr KNOLL: So these are the vanguard?

The Hon. J.R. RAU: Yes. There may be others where, for example, they were fixed up two years ago. They are fine for the present, but they will land into the renegotiation phase during the forward estimates. They will come onto the balance sheet, as these are.

Ms CHAPMAN: Minister, whether your agency negotiates the EBs or doesn't—and you have identified a number that are exempt in this process but sometimes are backing your process. However, at the end of the day, are the EBs all registered with your office?

The Hon. J.R. RAU: The Rail Commissioner does not, I think—

Ms CHAPMAN: So apart from train drivers, everyone else's EB is in some way recorded in the office of public employment?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: Apart from train drivers, who are still negotiating, apparently: I think from the 11 July budget and estimates there is still indication to us that they are still discussing—the last offer having been rejected, but we will wait to see what happens there. Can your office provide a schedule to the committee of each of the EBs and their date of expiration. I appreciate that you would not necessarily have it right here, but we would appreciate that.

The Hon. J.R. RAU: That is no problem.

Ms CHAPMAN: While we are on the wage freeze, or wage policy as it is being described: at page 13, on Budget Paper 5, this is recorded:

The previous wage policy of limiting wage growth to 2.5 per cent per annum is well above recent Consumer Price Index (CPI) outcomes and is not sustainable in the current economic climate.

I think you have explained that, in your view, even if the proposal is to cap it at 1.5 over the next three years for most of these arrangements, that that is not too inconsistent with the CPI, which might be a bit higher, but is still way below the 2½ per cent, and hence that statement.

The indication, from this policy, is that it will expire at the end of the three years, and we are back to where we started. Is it the government's intention—assuming it retains government—that it would again keep the wages capped at 1½ per cent, or consistent with CPI, or does it automatically resume at 2½ per cent?

The Hon. J.R. RAU: I think the position is this: first of all, that would be a decision for the incoming government, whatever colour that might have. Secondly, that it is clearly a budget-related determination, because a fundamental element of the cost structure of the state government is the salary and wages bill for its staff—so it is an integral part of the budget process. So my answer to that would be: at the expiry of this policy or, in fact, before the end of the forward estimates, over which this policy is to be applied, the government of the day would need to formulate its own view about whether this policy was to be retained, or whether there was to be a variation of the policy, or whatever. That is a decision for another day.

Ms CHAPMAN: So there is no reason for the public sector to expect that there will necessarily be a resumption of the usual 2½ per cent, after this \$357 million initiative has expired?

The Hon. J.R. RAU: I do not think there is any reason for them to have a view one way or the other. We are speculating here but, if in three years' time we have moved from the present environment into an environment where we are running inflation at a clip of 5 or 6 per cent per annum, which I think is highly unlikely, but if we were, obviously we would be in a completely different environment. If we were in a position like Japan, where we have negative interest rates, again, we would be in a different environment. I think these things need to be reappraised periodically in light of the prevailing economic circumstances.

Mr KNOLL: If I can ask a different question. Recently Mr Paul Anderson, the executive director of the Office for Recreation and Sport, left us. Did he receive a termination payment?

The Hon. J.R. RAU: We do not know. I think it is rec and sport, which is Mr Deegan strangely enough, but they sit in DPTI. If you are entertaining Mr Deegan one afternoon, you might care to roll that past him and hear what he has to say.

Mr SPEIRS: Minister, can we move back to Budget Paper 4, Volume 3, page 167, the paragraph in the program summary? Can you confirm the reduction of 56.2 FTEs from the government services program and explain what is driving this cut?

The Hon. J.R. RAU: I am advised that there were temporary people who were put on to deal with a particular project that rejoices in the title of CHRIS 21. When that came to an end, the need for those particular people came to an end. That is the explanation I am given.

Ms CHAPMAN: They are the people who pay us.

The Hon. J.R. RAU: Yes, it is a payroll system.

Mr SPEIRS: Were they contractors for a period of time?

The Hon. J.R. RAU: I am advised they were casuals or contractors.

Mr KNOLL: On that same line, can you confirm the total cost of the CHRIS 21 payroll reform project?

The CHAIR: While you are deliberating I will just remind members that there is another half an hour to go on this line, but we can ask questions about Service SA and those things.

The Hon. J.R. RAU: Mr Chairman, I am relaxed as to how much members want to divide their time between this topic and Shared Services or Service SA. Ingrid is here to help us with that and others are here. It is up to them, but if they do not really have any questions on Service SA, I think we should let Ingrid know because she has to catch an aircraft at some time. I am in the hands of the committee.

The CHAIR: I think we are waiting on an answer to a previous question.

The Hon. J.R. RAU: The answer is, as I am advised, that in September 2015 the total project cost was approved, including the agency component estimated at \$21.9 million. The project is on track to be completed within this approved budget.

Mr KNOLL: Just one last question before I hand over to the member for Bragg, what was the original budget for the project?

The Hon. J.R. RAU: Well, let me see. The original budget? Is there some magic in the word 'original'?

Mr KNOLL: Normally, when these things start, there is a budget and normally when these things finish, there is a budget and it tends to be that B is more than A.

The Hon. J.R. RAU: I had better take that on notice and find out.

Mr KNOLL: Of course, yes. Heaven forbid that blowouts are exposed. That is fine.

Ms CHAPMAN: My question is in respect of page 173 of Agency Statements, Volume 3. There is a target for 2016-17 in respect of trainees and graduates. If I can start with Highlights 2015-16, it states: 'Facilitated the graduation of 130 trainees'. Then at the bottom of the page, under Targets 2016-17: 'Coordinate public sector efforts to recruit 800 trainees and graduates by March 2018.' This is all in the Jobs4Youth program. Is there any reason why there is a very substantial increase? Where are they going to be?

The Hon. J.R. RAU: This is part of Jobs4Youth and the policy is to recruit 800 young people into the public sector across four years. To date, there have been 486 placements with a further 114 required to meet the 2016 target of 600. Recruitment commenced in 2016. To date, they have recruited 119 into the program including 36 Aboriginal or Torres Strait Islander people, five with a disability and two long-term unemployed.

This year, so far, 27 per cent have come from the northern suburbs, 23 from the southern suburbs, 19 from regional areas including the South-East, West Coast, South Coast and Murray Bridge and graduate participation is only 20 per cent of placements. It is focusing on long-term unemployed and other people who are having real difficulties entering the job market.

Ms CHAPMAN: I think in that information there was a 600 target for last year?

The Hon. J.R. RAU: For this year.

Ms CHAPMAN: Is the reference to 130 trainees successfully completing, am I in error in assuming that that is how many we had? Or did we have 600 last year and only 130 graduated? Let me just ask you how many we had last year, so that I have apples to apples.

The Hon. J.R. RAU: Can we get those numbers for you? I do not think we have those here. We will get a table for you.

Ms CHAPMAN: Of those graduates, the 130 trainees, was that, in recollection, a small percentage of what you had? I know you are going to get the actual number, but is it only ever a third or a half or a quarter that ever graduate from these programs?

The Hon. J.R. RAU: We will get that as part of the table. I am told the success rate is usually pretty good.

Ms CHAPMAN: Let us assume that there might have been 150 or so who had previously been in the program. That would suggest then that, in this year, there is a massive increase in the number of trainees that has been taken up. Is that because there is high youth unemployment or is there some new initiative promoting these traineeships, with funding for it, so that we absorb the unemployed? What is the basis of this? I am not actually criticising the program. I am just trying to ascertain where we are up to with it.

The Hon. J.R. RAU: As I am understanding this, there was a commitment given as of 2014 that it would be 200 year, adding up to 800. Apparently, not each year has been consistent in terms of numbers offered to these people. In at least one year, there was an underperformance in terms of offering, which has been, to some extent, overcompensated for in subsequent years, where there has been an increase in the take-up, but with the objective being that there will still be a landing on the promised 800 within the four-year period.

Ms CHAPMAN: In relation to the Commissioner for Public Sector Employment and the indication here that there is to be a continuing support to that statutory role, I understand that, but it says here:

...through determinations and guidelines and standardisation of employment arrangements and conditions.

What does the latter mean?

The Hon. J.R. RAU: That is a really good question.

Ms CHAPMAN: How about a really good answer?

The Hon. J.R. RAU: I will do my best. The situation is that if you start from the premise that the state, in all of its manifestations, is an employer for a great many people across a great range of activities, then there should be commonalities between the rights and responsibilities of the state, as the employer, and the individual employees, as people employed by the state. Obviously, there will need to be some diversity to take into account the very peculiar and particular activities that some people do.

For example, a salaried medical officer is going to have particular aspects of their employment which bear little or no relationship to a train driver or somebody else, but by the same token there are many other elements of the employment relationship which ideally should be as consistent as possible so that there is a degree of reasonably based expectation that all public sector employees will be, in the broad sense, treated fairly and equally.

This is a project whereby I think we are going to have to look at a range of things, starting off with very high level things and working our way down to more particular things. I accept, and I am happy to put on the record, that it is almost impossible to imagine that we will wind up with every single public sector employee on a uniform contract or uniform terms and conditions because of the range of activities they are doing and the fact that some diversity would need to be reflected in the formalities. That being said, we would like to get much of the substructure or the foundation of each one of those relationships being consistent.

Ms CHAPMAN: In respect of the TVSPs, the Budget and Finance Committee heard on 11 July 2016, Mr Reynolds explaining that the new government policy was that each of the departments was individually to pay their TVSP payments and would be accounting for them. There was a reference though in answer to the question: does anyone in government collect this information? Does the Commissioner for Public Employment? Mr Reynolds indicated that he would need to check it, but he said, 'She may still keep a register around that.' My question is: is there a register of TVSPs paid by each of the departments? Do they provide accounting back to the commissioner for record keeping?

The Hon. J.R. RAU: My understanding is the answer to that question is no, I am advised. However, this is something the commissioner and I, amongst other things, have chatted about. We chat quite regularly about all sorts of things. There is much to be said for a common register because it would be, first of all, handy to know. This gets back actually to the earlier question the member for

Bragg asked about common across government expectations. It would be useful for government and for inquiries of this nature if there was a single repository of that sort of information and it also would assist in other matters. I think it would help the government and scrutiny of government if there was a single repository of that information. That is something we have talked about and it is consistent with the topic of the last question.

Ms CHAPMAN: When the government introduced this new policy that it would come out of each agency's budget, obviously it needs to be recorded in each of the agencies, but at the moment, to find out how much government had spent on TVSPs as part of their reduction in the Public Service arrangements and the efficiency dividends required, surely it would have to have that information to be able to check whether, in fact, that is exactly what the agencies were doing and, indeed, the overall expense to government?

The Hon. J.R. RAU: What I am assuming is the Department of Treasury and Finance would, as its annual scrutiny of each agency takes place—

Ms CHAPMAN: You might be disappointed with the evidence given to the Budget and Finance Committee because the suggestion is that that is exactly what they are not doing, and it is now up to each of the departments, hence the question of the chairman to Mr Reynolds to try to ascertain who was doing it and in particular whether the Commissioner for Public Sector Employment might be doing it given the importance, as you say, in managing that accountability of what is actually happening out there. In any event, perhaps if that can be taken on notice if there is ultimately a receipt of that material—

The Hon. J.R. RAU: If there is anything we can add to the answer I have given, I am happy to do it on notice.

Ms CHAPMAN: I appreciate that. I am just going to specifically request that what you do provide is a list of the TVSP payments as at 30 June for each of the agencies.

The Hon. J.R. RAU: We are not in a position—

Ms CHAPMAN: Nobody is collating it at the moment, that is why I am asking you.

The Hon. J.R. RAU: I think that might be something, if I might be so bold, that you might include in your omnibus questions for other agencies so that you get it on an agency by agency basis. They should be able to tell you that, and the annual reports and the financial statements of the individual agencies.

Ms CHAPMAN: Unfortunately for some of them, including the education department, we will not receive it until about April or June next year, so that is not terribly helpful.

The Hon. J.R. RAU: We will do what we can to be of assistance.

Ms CHAPMAN: If it is the intention of the Commissioner for Public Sector Employment to collate that information for all of the helpful statistics she puts on her website, we would ask that that information be provided to the committee when it is collated.

The Hon. J.R. RAU: As I have said, I find myself yet again in furious agreement with the deputy leader on this.

Ms CHAPMAN: Frightening.

The Hon. J.R. RAU: It would be very useful.

Ms CHAPMAN: I am happy to move on, if the other committee members are, to Service SA.

Membership:

Mr Duluk substituted for Mr Knoll.

The Hon. J.R. RAU: How can we help?

Ms CHAPMAN: I am referring to page 169, it is Sub-program 7.2 of Budget Paper 4, Volume 3. I think Service SA is still with the Department of the Premier and Cabinet.

The Hon. J.R. RAU: It is.

Ms CHAPMAN: Having originally been with the department of transport, I think, several years before that. Is there any intention to move it, or is going to stay in the Department of the Premier and Cabinet?

The Hon. J.R. RAU: At this stage, it is where it is. There is no intention that it be moved.

Ms CHAPMAN: According to this, it has 324.6 budgeted employees for this forthcoming year. That is just a slight increase from what had been there in 2015-16. Is there any new role that they are to assume in the forthcoming financial year?

The Hon. J.R. RAU: I do not know about a new role, but they certainly are focusing on improving their service delivery to members of the public who are interacting with them and trying to become more of a customer-orientated, accessible portal for those people wishing to engage with the government. I think there are a number of programs that they have been undertaking, utilising new service centres, which are a delivery opportunity for government information and assistance. In summary, I have been actually very impressed with the discussions I have had since becoming responsible for this earlier this year with the sense of pride that they are taking in wanting to have a customer-focused, easily accessible public profile.

Ms CHAPMAN: Of the work that is done by the 325 (in round figures) people, are most of those employed in the receipt and accounting for the registration and documentation relating to motor vehicles?

The Hon. J.R. RAU: I am advised that the majority of them would be in the 20-odd service centres that are sprinkled around the place, but they do have other functions as well. That might be something, if the deputy leader is especially interested in having that degree of fine grain, that we take away to try to get it broken up.

Ms CHAPMAN: Perhaps if we could have a breakdown in categories of what they all do. I have to say that, in covering areas in respect of transport and infrastructure, I was always a little surprised as to why this whole agency, which had a very substantial role in dealing with the registration of vehicles and the like—in fact, it has a very substantial income of about \$38 million ready to come in this financial year—would even go to the Department of the Premier and Cabinet. Anyway, he is the Premier, he can have whatever little agencies he likes, I suppose. If it does more than just manage the receipt and then referral of those funds onto Treasury of motor vehicle-type registrations then I would be interested to identify if they do anything else.

The Hon. J.R. RAU: Okay, we will take that—

Ms CHAPMAN: Some of it would be to do with licensing I expect, but again, it is all around the motor vehicle industry, to the extent of giving people tests and upgrades and I think young people have special tests that they also have to do on electronic machines and so on.

The Hon. J.R. RAU: I am advised that it is fair to say that the majority of their activity is centred on motor vehicle-type registration issues, but we will see if we can get a better breakdown of other activities.

Ms CHAPMAN: The wait time in customer service is claimed to be, it is recorded here, reduced by 36 per cent. What was it before and what is it now?

The Hon. J.R. RAU: Obviously, if you improve customer service there are tangible and intangible dimensions to that, intangible things like happier customers and all that sort of business, but of the tangible things we have things like customer waiting times.

Ms CHAPMAN: That is what I am asking you about.

The Hon. J.R. RAU: The customer waiting times in the customer service centres decreased from 13 minutes 18 seconds in 2014-15 to nine minutes 15 seconds in 2015-16. The average speed of a call to be answered in the contact centres decreased from 5.45 minutes in 2014-15 to

3.04 minutes in 2015-16. The number of inbound calls reduced from 1.16 million to 1.04 million, which is roughly a 10 per cent—

Ms CHAPMAN: That may mean they might be sick of waiting, of course, or not ring at all.

The Hon. J.R. RAU: It might be they are getting so well served elsewhere they do not need to ring up. So, the efforts have resulted in the overall customer satisfaction rating remaining at 94 per cent in 2015-16 and that reflects the operational focus on improvement in waiting times with the timeliness satisfaction rising from 79 per cent in 2014-15 to 90 per cent in 2015-16.

Ms CHAPMAN: Of those surveyed.

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: To be honest, it is hardly reflective, given this is the only place they can go. They are paying a government compliance or fee, it is a monopoly and so they have to go there, or put it online. But I am pleased to see there has been an improvement.

The Hon. J.R. RAU: There is improvement.

Ms CHAPMAN: At least in the wait times. I am almost scared to ask this, but I will: what is the new look and feel of www.sa.gov.au to improve the user experience? I hope I do not have a furry picture of the Premier or something.

The Hon. J.R. RAU: No, I do not think there is anything that cheesy in there. There are things like being able to use one universal form online, which then achieves multiple outcomes. This is basically a digital by default proposition, and it is suppose to be a one-stop shop for citizens who want to do business with the government. What we are trying to do in particular is make an electronic platform that will enable agencies to move services online, and the government is committed to reducing the length of forms that people need to complete by 25 per cent.

The electronic form platform, along with the form standards and guidelines developed by Services SA, will be tools to improve performance and reach those targets. The whole-of-government change of address form, for example, went live this month, allowing citizens to tell us once about a change of address, and this phase of the form includes 12 services across government that would have required 12 separate forms to have been completed—19 pages and 124 fields.

Ms CHAPMAN: Assuming, of course, that you register it with the right group that knows not to have to repeat it.

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: But, anyway, that is good.

The Hon. J.R. RAU: The electronic smart form requires a maximum of 28 fields to be completed if all 12 services were to be notified. As a smart form, only the relevant questions are asked, so this reduces with fewer services.

Ms CHAPMAN: And when will it start?

The Hon. J.R. RAU: It has started; it started this month.

Ms CHAPMAN: So, it has been launched?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: I will move now to Shared Services SA, unless other members of the committee have any questions on Service SA.

The CHAIR: I think you have the floor, member for Bragg. You have seven minutes though, I advise.

Ms CHAPMAN: Yes, I appreciate that. I think you have already referred to the rollout of the new Chris21 payroll platform, which you say has commenced. When will that be complete?

The Hon. J.R. RAU: June next year, I understand.

Ms CHAPMAN: So 2017? I suppose it is just in the year. It is also proposed that this agency, Shared Services SA, will investigate potential solutions for the future management of financial systems across a number of state government agencies. What does that mean?

The Hon. J.R. RAU: They have fabulous names here: this one is called 'Masterpiece'. You are probably going to say, 'What's that?', and I will tell you.

Mr DULUK: What's that?

The Hon. J.R. RAU: I will tell you. The department, through Shared Services SA—

Ms CHAPMAN: As long as it is not called 'EPAS'.

The Hon. J.R. RAU: No, it is not called 'EPAS', this one's a masterpiece! It will lead investigation solutions for the future of management of financial systems across the non-health sector of government. In April this year the government extended its current finance system support contract for non-health for a further two years. The contract for existing non-health agency finance system, with info for provision of the Masterpiece application, expires in November 2018, and Shared Services is leading the investigation into what options are available for these agencies prior to this contract expiry. So, that is Masterpiece.

Ms CHAPMAN: Is there any intention to dismantle Shared Services SA.

The Hon. J.R. RAU: Not that I am aware of, and from my observation, albeit relatively brief, I think they are doing a terrific job.

Ms CHAPMAN: It is only—correct me if I am wrong—as at 30 June about three or four years old: is that correct?

Ms HAYTHORPE: Seven years.

Ms CHAPMAN: Seven years old. Perhaps I did not count the first three, they were so disastrous. Anyway, in the last few years is the government satisfied that it is actually providing an efficiency and cheaper provision of services and product across the departments that it operates in?

The Hon. J.R. RAU: Yes, I do have some information about that. Shared Services has actually exceeded its savings targets in 2015-2016. By 30 June this year, Shared Services will have achieved a total of \$416 million in accumulated savings. The full details of these savings can be found at page 72 of the Supplementary Report to the Auditor-General's Annual Report for the year ending 30 June 2015.

Shared Services processes over 100,000 employee pays every fortnight. Of these, 99.76 per cent were processed without error in 2015-16. Shared Services also successfully lodged 77 sets of financial statements in 2014-15, all within the prescribed time frames. Over 2,388,000 invoices have been processed this year, with 95.2 per cent of them paid within 30 days, and over 517,000 invoices have been raised this year, with 99.98 per cent raised without error.

In terms of customer satisfaction, a customer satisfaction rating of 65 per cent was achieved during 2015-16. It recently completed an Australian Shared Services Association benchmarking exercise, and when compared with other Australian federal, state and local government jurisdictions that took part, Shared Services had, compared to the other participants, the lowest process cost per invoice and the second lowest process cost per payslip.

Ms CHAPMAN: I am not sure if I have asked this question. I do not think I have. What caused the delay in the implementation of the e-Procurement System across SA Health? It is referred to on page 168, about 0.5 on that page.

The Hon. J.R. RAU: The only information I have about that, and you might care to ask the health minister more about this, is that it was completed in August 2015, the rollout, and over a 15-month period Health's payment performance has improved from 78 per cent paid within 30 days to now sitting at 92 per cent paid within 30 days.

Ms CHAPMAN: Can I just clarify this? The roles that Shared Services provide in the corporate and business services, does it apply now to all government departments, because initially

there were some that were holding back and were given, I suppose, a note to the teacher that they did not have to go through them. I think one of them was Health at the time.

The Hon. J.R. RAU: I think it is best to give you a breakdown of that. Overwhelmingly the answer is yes.

Ms CHAPMAN: Perhaps which ones are not in it.

The Hon. J.R. RAU: That is what we need to ascertain for you. Tourism Commission, I am given as an example; Courts. There will be odds and sods here and there that are not in that.

Ms CHAPMAN: So perhaps if the representative on the committee could provide us with a list of any agencies or parts, that is services of certain agencies, that are not provided by Shared Services SA, and if there is an expiry on the exemption which they have been granted, if that could also be provided. I would also be keen to know whether the Department of the Premier and Cabinet uses the services of Shared Services SA. If that could be on the record.

The Hon. J.R. RAU: I am advised that DPC does use—

Ms CHAPMAN: And that the list will be provided?

The Hon. J.R. RAU: Yes, I have asked. Formally, for the record, I invite the officers to assist the member for Bragg with that material.

Ms CHAPMAN: Thank you, sir. Thank you, members.

The CHAIR: I declare the examination of the proposed payments be completed and we will now move on to Consumer and Business Services.

ATTORNEY-GENERAL'S DEPARTMENT, \$118,141,000

ADMINISTERED ITEMS FOR THE ATTORNEY-GENERAL'S DEPARTMENT, \$101,555,000

INDEPENDENT GAMBLING AUTHORITY, \$1,809,000

DEPARTMENT OF TREASURY AND FINANCE, \$55,641,000

**ADMINISTERED ITEMS FOR THE DEPARTMENT OF TREASURY AND FINANCE,
\$1,582,470,000**

Minister:

Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide.

Departmental Advisers:

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

Mr D. Soulio, Acting Deputy Chief Executive, Attorney-General's Department.

Mr A. Swanson, Executive Director, Finance and Business Services, Attorney-General's Department.

Mr G. Kamencak, Acting Commissioner, Consumer and Business Services.

Mr J. Bonnici, Manager, Business Services, Consumer and Business Services.

The CHAIR: We are now looking at Consumer and Business Services. Of course, we have the Attorney-General here as the Minister for Consumer and Business Services. I declare the proposed payments open for examination, and I refer members to the Agency Statements, Volumes 1 and 4. I call on the minister to make a statement and introduce or reintroduce his advisers.

The Hon. J.R. RAU: First of all, to my extreme left, again, we welcome Caroline Mealor, the Acting Chief Executive of the department. On my immediate left is Mr Swanson, who knows things about matters financial and has helped us thus far many times today and, of course, on my right is Mr Soulio, the Acting Deputy Chief Executive, who has, I hope, turned off his phone.

The CHAIR: You have a statement, Attorney?

The Hon. J.R. RAU: I could say a number of things, but I will say a few little things. Basically, I have been impressed with the way CBS has actually improved its performance over the last few years. It was not that long ago, and certainly within my memory and, I am sure, the memory of others here, when CBS was regularly in the news and the subject of questions in the parliament for all the wrong reasons: delays with issuing of licences, problems with this and problems with that.

I think the staff and the leadership there deserve to be congratulated for the way in which they have actually improved the performance of CBS and made it into one of the agencies that you do not hear much about. At least I do not hear much about it, and I do not mean that in a bad way. I can assure you that, as a minister, an agency you do not hear a lot about is one that is probably doing things well because nobody is grizzling about it.

CBS do a lot of important work. They are very active at the moment in working out ways to assist the government and me, in particular, to find ways of eliminating red tape and duplication of unnecessary process. The licensing function alone of CBS involves considerable opportunities for the stripping out of unnecessary repetitive or annoying form filling and other sorts of things, and we are looking constantly at opportunities to make improvement there.

The deputy chief executive, acting currently in the Attorney-General's Department—who, in his spare time, is also the Commissioner for CBS and who is also the liquor licensing commissioner—in that space has actually been trying to take a number of initiatives to improve the way in which the whole culture in South Australia, which involves the availability of liquor, is moved from a culture which can become boorish and dangerous into a culture which is more orientated towards enjoying oneself in a safe environment and contributing to the vibrancy of this city and to the wine and food flavour of South Australia that we are trying to promote, both domestically and for tourists, whether they be from other states or overseas.

We are presently about to finalise a position in cabinet in respect of the recently completed review of the Liquor Licensing Act by former Justice Tim Anderson. He has made some 129 recommendations. A very thorough report which I invite people, if they have not looked at it, to please consider looking at—it is a very good piece of work. Within this current year, my expectation is that we will be moving on some substantial reform and red tape removal in the liquor licensing area, but always with the clear objectives in mind of enhancing public safety and making alcohol and food part of a lifestyle which is a positive lifestyle for South Australia, not part of boorish undergraduate sort of behaviour that winds up manifesting itself in admissions to hospital and other forms of unnecessarily unpleasant things.

That is a bit of an overview and I am very happy to attempt to assist the committee with anything they may care to ask.

Ms CHAPMAN: The member for Davenport, I know, has some questions. I will not have an opening statement, given that was so long.

Mr DULUK: Agency Statement Volume 1, page 30: this is around the income from fees, fines and penalties. It is increasing by about 4.12 percent in 2016-17. Is there a reason why the increase is so much above current CPI? It is budgeted to increase by \$1.2 million for the financial year 2016-17.

The Hon. J.R. RAU: I was going to get the acting deputy chief executive and commissioner to answer that, because it is his doing, but I think I probably should try first.

Mr DULUK: You did not know that it was going up by so much?

The Hon. J.R. RAU: I had an inkling that might be happening.

Ms CHAPMAN: This department actually makes money.

The Hon. J.R. RAU: The 2016-17 budget versus 2015-16 estimated result: the increase in total income for the 2015-16 estimated result of 35.7 to the 2016-17 budget of 37 is mainly due to the indexation and increased activity levels for regulatory fee income in 2016-17.

Mr DULUK: So there has been no factoring of any review—obviously the Anderson liquor review—and a new fee penalty regime put in?

The Hon. J.R. RAU: No. It is way too early. The cabinet has not even considered that.

Mr DULUK: Is it intended that any response from the Anderson liquor review will include a new fee structure that will increase cost to licensees?

The Hon. J.R. RAU: That would depend on the decision of the cabinet. At the moment there is no decision, and all we are facing is a set of recommendations from Mr Anderson that depends on what cabinet finally resolves in respect of those recommendations. At the moment they are simply under consideration.

Mr DULUK: So you are not ruling it out?

The Hon. J.R. RAU: No, I am not ruling anything in or out, but I emphasise Mr Anderson's report is, at the moment, nothing more than a report. We will be giving consideration to those recommendations. I need to spend some time talking to the commissioner about whether he believes there need to be refinements on those recommendations, or indeed if he disagrees fundamentally with some of those recommendations.

Ms CHAPMAN: How could he disagree with them? He recommended them.

The Hon. J.R. RAU: No, this commissioner. I should refer to him as the acting deputy chief executive and commissioner because that would be more comprehensive.

The CHAIR: Thank you. Now we know who we are talking about.

Mr DULUK: Moving to page 32, Activity indicators, No. of alleged non-compliance matters assessed. It is estimated at 350 between February and June 2016, but there is a projection of only 80 for 2016-17. Why is there a dramatic fall off in the projected assessments?

The Hon. J.R. RAU: I am advised that this is actually one of those serendipitous typing errors and it should actually be 800, so I think your question might need to be reversed. If you were to reverse your question and ask me why there has been such a dramatic increase, I would tell you that the 2015-16 year was not for a full year and therefore is not indicative of a full year's recording.

Mr DULUK: Correct, because my full statement was that the last third of the year reflected the decrease. Very well picked up. What about the number of fair trading and related inspections, 2,400 estimated in 2015-16, down to 1,500?

The Hon. J.R. RAU: There is a measure that replaces the trader visits to monitor compliance with legislation to include visits for product safety purposes and fair trade legislation.

Mr DULUK: I know that; that is what it says. Is there any concern that consumers could be left exposed due to fewer inspections?

The Hon. J.R. RAU: I might invite the acting deputy chief executive and commissioner to respond to that.

Mr SOULIO: Thank you, Attorney. We have gone through a process in Consumer and Business Services to basically do a full review of how we do our compliance and enforcement work. We have brought in a new director as the deputy commissioner and have gone out to industry. We wrote to about 50 industry bodies and agencies to get feedback on how we are doing our compliance work. The figures in there are reflective of making sure that we are focusing on the right harm.

We want to move away from a situation where we are trying to achieve a target by a measure of a number in here by having a flexible approach to the inspections that we are doing and using more of an intelligence-focused approach to that to get outcomes. So that is more the reason for that change. This is a year when we will assess those numbers of inspections and how they are working.

We may do more of those but we are thinking of setting a target which means that we are doing intelligence-led, which will have better outcomes is the focus for that.

Mr DULUK: How are we on track for the first 28 days of July then?

Mr SOULIO: I do not have those numbers in front of me. I will take that on notice if you would prefer.

The Hon. J.R. RAU: But you can rest assured that the agents are in the field.

Mr DULUK: Does that then apply to the next line down, in relation to liquor, gaming and casino inspections?

Mr SOULIO: Yes, that is correct.

Mr DULUK: Are there any particular areas of liquor, gaming, casino or wagering that are likely to have significantly fewer inspections?

Mr SOULIO: If I can answer that, part of it is about making sure that we are targeting the right levels of harm. Where we have, after conducting that review, identified that there are areas where we go out and visit and over a number of years never find a problem, whether it is small clubs or restaurants and things like that, it is moving away from that process and having a look at where are the higher risks of harm and spending more time in those clubs.

Mr DULUK: But we are not seeing an increase in gaming licence is across the board. There is still only one Casino and so many wagering places. In fact, wagering places are probably actually closing.

Mr SOULIO: The Casino is a large operation. We spend a lot of time in the Casino reviewing how they are operating and any concerns that we have identified with the Casino. So that is a resource-intensive compliance and monitoring exercise.

Mr DULUK: How does this decrease relate to some of the new measures that are proposed to the late-night code, obviously prompted by the government and also the Anderson liquor review? How will that be monitored between the recommendations and the late-night code and obviously a decrease in inspections. Are we expecting the police enforcement branch to be looking at more policing in the late-night code area?

The Hon. J.R. RAU: These are very interesting questions because each one of these elements is interrelated. I will invite the Deputy Chief Executive/Commissioner to say a few words about the interaction between his agents in the field and SAPOL but, from my point of view, the Late Night Code is there to set a minimum set of standards that reasonably assist in maintaining a standard of safety that the community might be hoping to expect in some venues and some parts of the city.

This is to be supplemented by the recent amendments to the Summary Offences Act that I brought into the parliament, which would enable areas—probably the same areas—to be the subject of declaration by SAPOL in respect of certain enhanced policing capabilities. Another layer of that same thing is to see the liquor licensing commissioner and his agents focusing on bad behaviour rather than on routine blind audit type activity. That is not to say that there is not a role for spot audits or things of that nature. There are, but I am very keen to have his trained operatives in the field pursuing risk-based investigations, rather than being in the field doing pro forma audit type activity.

Whatever happens out of Anderson, I am pretty confident it will be the case that we will be looking at a system for liquor licensing where those people who misbehave are going to feel the consequences of that and feel it quickly. In this respect, I do sympathise with some of the comments that have been made to me by the AHA, saying, 'Look, for those people who are doing the right thing, why don't you just leave them alone?' I do not disagree with that.

We are going to try to increasingly focus the activity of the field operatives on the high-risk operators, and the consequences of those operators transgressing the rules, I think, need to be direct, immediate and stern. That is, I think, the flavour of Anderson's recommendations. I agree with that general flavour. We have, in any event, been moving the focus of activity within the CBS into

that sort of thinking, rather than the, 'Hello, hello, hello. Here I am. It's Thursday. I'm here to check whether you've got all the signs up in the toilet again.'

Mr SOULIO: An example of that is a matter in Mount Gambier not too long ago. I think the media described it—or perhaps the Attorney described it—

The Hon. J.R. RAU: *Coyote Ugly?*

Mr SOULIO: —as a *Coyote Ugly* situation. A couple of our agents were in that venue for some time observing the conduct and stayed there after the venue had closed. The doors were shut and drinks were served and inappropriate conduct was going on and that resulted in a disciplinary action being taken. It is a much more resource-intensive activity to get an outcome compared with going around checking signs and things like that.

We would rather focus on where we are identifying those sorts of breaches but spending the time to identify those. It may be that we say we are looking at less activities, but we are getting a much bigger general deterrence outcome and a better outcome. I would like us to be focusing on outcomes rather than stats.

The Hon. J.R. RAU: Can I just add, too, if you have a look at Mr Anderson's report, which I really think is an excellent piece of work, he makes a point about things like, for example, service of alcohol to underage people in venues. I personally believe we should be getting onto that and dropping that on them like a ton of bricks.

If the agents are out there investigating that, it might be quite an intensive piece of work but, if they pinch somebody for it, the book should be thrown at those people because—and, again, I think this is a recommendation of Anderson's—if there is anybody who appears to be 25 or under, they are supposed to be getting their ID off them. If these people are too lazy to do that and, as a result, they are allowing underage kids to get in there and consume alcohol against the law and place themselves in an environment that is unsafe, that is not okay.

Ms CHAPMAN: If I may, now that the Attorney has raised this issue, there are two issues I want to raise about that. One is in respect of the serving of alcohol to underage patrons in hotels or other liquor outlets. It might be Adelaide Oval, or others—I do not want to name them specifically, but other venues which have a liquor licence. My recollection is that it may not be the case, although I want some clarification on this, that there is still no penalty for a young person under 18 using a false ID.

The Hon. J.R. RAU: I think the deputy leader is correct and it is something that we have been discussing. I think there is a fair case to say that you should not just be penalising the licensee. You should also make it an unattractive proposition for the young person to do that as well.

Ms CHAPMAN: One day we might look at the *Hansard* on that with your predecessor, who made it clear in the legislation when updating this 10 or so years ago that he would not be including minors in the category of having to be the subject of, not necessarily a penalty, but some kind of conviction—

The Hon. J.R. RAU: Sanction.

Ms CHAPMAN: —or sanction. It happened to be only a few months away from the next election, which could have had something to do with the 18-year-old vote, but in any event I make the point—

The Hon. J.R. RAU: My personal view is that we should be considering an expiation-type response if we find underage people going in. They know that they are not supposed to be there, that they are not supposed to be seeking to be served alcohol. If we are going to be pinching the people who serve them and imposing quite severe penalties on them, especially, as you say, if they are using dodgy ID material, that might well be a decent defence, assuming it is not just something cut out of a piece of cardboard with 'Hello. I'm 25' written on it and a photo of somebody they have met once. If it is a genuine mistake where the licensee has been reasonably misled by the behaviour of a young person, I think it is not unreasonable that that young person should at least have an expiation or something.

Ms CHAPMAN: Good. I will keep that little bit of *Hansard* on that from you. The second, and it is a form of complaint which I am sure other members of the committee have had too, is in presenting an ID, fake as it may be, or using the brother's or sister's who is older, and the failure of the person who views it on entry to the premises to identify the gross inconsistency that would be obvious that they are not that person—a 16-year-old blonde girl walks in and there is a freckle faced redhead on the card. I do not know about other members, but I have certainly had that complaint put to me, usually by a parent who is very angry about the fact that their child has been entering premises and for whatever reason has got into trouble with it.

What action has been taken in the enforcement side of things to ensure that there is a checking of this equipment for some reasonable verification? Bear in mind, I quite appreciate that it is very difficult for a person at the door to necessarily distinguish whether someone is 16 or 22, I accept that, especially for young women and so on, but it just seems to me that there is scant regard for even an attempt to identify whether the person in the picture is the person standing in front of them.

The Hon. J.R. RAU: This does rely on the security staff that venues have and Mr Anderson, again, in his report does make some recommendations about ID scanners, which we obviously will have to consider, or the actual recording of an image, both of the ID and the person.

Ms CHAPMAN: But apart from his recommendations, I am asking: what is the agency doing at present to actually look at the picture, look at the person who is presenting it and make any assessment?

The Hon. J.R. RAU: It is not the agency doing that, unless they are actually on one of their covert operations.

Ms CHAPMAN: That is right. That is what I am saying. Is the agency supposed to be the supervisor of this?

Mr SOULIO: Certainly it is in relation to the fact that if there are minors on premises when they are not meant to be or certainly when they are being served when they are not meant to be. One of the issues that we have had, and it is a recommendation again of Mr Anderson, is the ability for my agents to ask for identification. We do not have the power to do that for people and that is one of the recommendations to be added, so it becomes a police issue for that authority to—

Ms CHAPMAN: Has there been any attempt by the agency to scrutinise or supervise the failure of people to actually even observe the picture with the person? I am not talking about giving your enforcement officers higher powers to call for their identification. That may or may not come to fruition. I am talking about what is happening now.

Mr SOULIO: I understand what you are saying. I will have to come back to you to confirm this, whether that has been picked up in any of our themed inspections, but I am not sure that we have had officers standing over the shoulder of a security guard checking that he is looking at the photo and the person and there is a match. I am not sure that that has been done, but I will come back to you.

Ms CHAPMAN: But that would be obvious, if you know full well that people are using false IDs, that there is some checking of them happening. I am not talking about the electronic scanning, that may or may not happen, but now.

Mr SOULIO: Certainly, the industry has raised the concern of not even being able to seize fake IDs where they identify them, or where people have tried to use that. They have made that submission. They are identifying people who are using fake IDs, they are refusing them entry, but they then cannot seize them to refer that to the police or do something with it. That is another of the recommendations from Mr Anderson.

Ms CHAPMAN: The flip side of all of this is then the responsibility of the proprietor not to serve alcohol to an under-age person, or to serve someone when they are completely inebriated, or in fact it is a lower threshold than that. This obviously is particularly concerning if it is to an under-age patron, bad enough if it is to an adult. You are not the first commissioner I have asked this question, and you probably will not be the last. I do not mean that your job is about to go—

Mr SOULIO: Depends how the next 20 minutes goes.

Ms CHAPMAN: I did notice there is a one-person reduction proposed this year in the workforce, so you had better be careful. How many outlets have you suspended the licence of in the last 12 months for a breach of the Liquor Licensing Act in respect of serving alcohol to inebriated customers?

Mr SOULIO: Suspended the licence of serving intoxicated—I do not have the figures, but I assume it is zero.

Ms CHAPMAN: You assume it is zero?

Mr SOULIO: I do not know of any that we have suspended, so I will say that the answer is no. Again, a lot of that investigation in relation to serving intoxicated is a matter where the overlap with police comes into this. Police spend a fair bit of time on observations in relation to that. They have taken action in relation to licensees, for example on Kangaroo Island, for serving people intoxicated. Then that follows a disciplinary proceeding that the police take. So they are spending more time—

Ms CHAPMAN: That was a prosecution at the Penneshaw Hotel for a person who was killed on the way home. That is one-off.

Mr SOULIO: Yes. That is an extreme example.

Ms CHAPMAN: That was an offence in relation to that, but I am talking about what action you have taken, as the commissioner, to suspend. If you have not done one in the last 12 months, can you remember the last time you did one?

Mr SOULIO: No, I cannot.

Ms CHAPMAN: How long have you been the commissioner?

Mr SOULIO: Two years. That is again an issue where we have looked at the processes that are undertaken to observe people who are being served. It is complicated in trying to identify that, and I think it is the feedback we have had from the police in relation to proving the elements in relation to the offence of someone is intoxicated and they have been served. I think there is work that can be done in relation to identifying that through CCTV footage and things like that. Certainly, there is some work that can be done in relation to that. Also Mr Anderson, through feedback from my office and through the police in this process, has identified offences in relation to breaches for people being intoxicated on premises as one of his recommendations. That will need to be assessed as to how that works.

Certainly, I think the rationale in his recommendation is that if someone is on premises and intoxicated, either you let them on to the premises or you served them to the point where they became intoxicated, and that puts the onus again on the licensee in relation to that, but it also makes it easier in relation to a proof of an offence. One of his recommendations through the feedback on that process has been to identify ways to make it easier to tackle that issue, to ensure that we are able to establish that someone was intoxicated, they were served. There is some nuance in relation to the recommendation that the government would need to look at.

Ms CHAPMAN: In the last 12 months, is there any licence that you have suspended for any reason?

Mr SOULIO: I think it was in the last 12 months, but certainly we have looked at suspension of licences for safety issues and for noncompliant building work—

Ms CHAPMAN: Looked at, or suspended?

Mr SOULIO: I will have to get back to you on the details of that.

Ms CHAPMAN: Finally, in respect of the trade and occupational licensing which you provide through your service, is there any industry or group of people who are proposed to be regulated?

Mr SOULIO: Who oppose to be regulated?

Ms CHAPMAN: Who are proposed to be regulated in the forthcoming 12 months.

The Hon. J.R. RAU: Who are not presently regulated?

Ms CHAPMAN: Who are not presently regulated. I mean, just like we have done the hydroponics industry and the like.

The Hon. J.R. RAU: We have been in discussions, and I will be corrected, no doubt, if I am wrong about this, but we have been in discussions with the real estate people about property managers because there is a view that—

Ms CHAPMAN: People like strata title people or—

The Hon. J.R. RAU: Yes, people who collect rent rolls and rent agents. There is, I think, a legitimate concern that some of those people are cowboys and there needs to be some sort of, perhaps, licensing arrangement there.

Ms CHAPMAN: So, if they are not already a registered real estate agent and they are just operating a rental management business, that they need to be caught somewhere or other in the regulatory process.

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: I understand. No other questions, Mr Chairman, thank you.

The Hon. J.R. RAU: Before we finish, can I thank all members of the committee for their time today. I must say the questions the deputy leader was asking about people bobbing up with false identification reminded me of an old film starring Steve Martin where he is working in a garage for a fellow called Mr Hartounian. A man in a very sharp looking Latino sort of hotted up car turns up asking for a bunch of tyres, lots of drinks and various other things and Steve Martin, who is the service station attendant, loads them into the car and says to the fellow, 'Are you paying cash or card?' The fellow gives him the card and he looks at the card and says, 'Thank you very much, Mrs Nussbaum.' Anyway, I thought I would finish on that note.

Ms CHAPMAN: Very good. Better laugh, guys, you might be the one who loses his job.

The CHAIR: Was it *The Jerk*?

The Hon. J.R. RAU: Yes, it was.

The CHAIR: I recognised it. Thank you for that. I want to thank all members of the committee too. I want to thank the Attorney-General and his staff for all their time today and all the hard work they have put into answering, largely, the deputy leader's questions. There being no further questions, I declare the examination of the proposed payments for the Attorney-General's Department and administered items for the Attorney-General's Department and the Independent Gambling Authority be completed, and the examination of the proposed payments for the Department of Treasury and Finance and administered items for the Department of Treasury and Finance be adjourned until tomorrow.

At 17:17 the committee adjourned until Friday 29 July 2016 at 09:00.