

**LEGISLATIVE COUNCIL****Tuesday, 4 December 2018**

**The PRESIDENT (Hon. A.L. McLachlan)** took the chair at 14:15 and read prayers.

**The PRESIDENT:** We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to the land and community. We pay our respects to them and their cultures, and to the elders both past and present.

*Parliamentary Procedure*

**ANSWERS TABLED**

**The PRESIDENT:** I direct that the written answers to questions be distributed and printed in *Hansard*.

**PAPERS**

The following papers were laid on the table:

By the President—

Reports the of the Auditor-General—

Examination of the District Council of Coober Pedy, Report No. 10 of 2018.

New Royal Adelaide Hospital Operating Term Arrangements, Report No. 11 of 2018

By the Treasurer (Hon. R.I. Lucas)—

Regulations under Acts—

Authorised Betting Operations Act 2000—

Budget Measures

Fees

Casino Act 1997—Budget Measures

Fair Trading Act 1987—

Gift Cards—General

Mining and Resources Industry Land Access Dispute Resolution Code—

General

Gaming Machines Act 1992—

Budget Measures

Fees No. 2

Independent Gambling Authority Act 1995—Budget Measures

Public Corporations Act 1993—International Koala Centre of Excellence

By the Minister for Trade, Tourism and Investment (Hon. D.W. Ridgway)—

Stony Point Environmental Consultative Group—Report, 2017-18

By the Minister for Human Services (Hon. J.M.A. Lensink)—

Reports, 2017-18—

Murray-Darling Basin Authority

Royal Commission into Institutional Responses to Child Sexual Abuse 2018

Regulations under Acts—

Adoption Act 1988—

Fees No. 2

General

Children's Protection Act 1993—Fees No. 2

Disability Services Act 1993—Assessment of Relevant History— Fees No 2

By the Minister for Health and Wellbeing (Hon. S.G. Wade)—

Regulations under Acts—

Health Practitioner National Law (South Australia) Act 2010

Amendment of Law No. 3

Revocation of Provision

*Parliamentary Committees*

**SELECT COMMITTEE ON POVERTY IN SOUTH AUSTRALIA**

**The Hon. T.A. FRANKS (14:17):** I bring up the interim report of the committee.

Report received and ordered to be published.

*Question Time*

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:21):** My question is to the Minister for Health and Wellbeing. Firstly, what process was conducted for the selection of corporate liquidator KordaMentha staff appointed to CALHN, as required under the Public Sector Management Act, and in particular was it a merit-based appointment? Secondly, will the two KordaMentha liquidators, Mr Chris Martin and Mr Mark Mentha, appointed as administrators and Public Service executives for the Central Adelaide Local Health Network, be subject to all the requirements of the Public Service, including Treasurer's Instructions, minister's instructions and Public Service commission policies and procedures?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22):** My understanding is that the two business manager positions are not positions held by the two gentlemen referred to. My understanding is that the business manager positions were only engaged until 30 November 2018. In relation to the stage 3 involvement, the two gentlemen being referred to operate under a contract, they are not public servants.

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:22):** A supplementary to clarify: the two individuals who were the subject of the question, can the minister clarify that they are appointed only until 13 November, in what capacity are they appointed and is that the date they finish?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23):** In a relatively short answer, the Leader of the Opposition managed to misconstrue two points of fact. The contract that I was referring to was expiring on 30 November, not 13 November, and I was explicitly expressing my understanding that the two business manager positions involved are not held by the two gentlemen referred to, but if I am mistaken I will come back to the house.

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:23):** Supplementary in relation to the answer to the original question: who are the people who hold the two positions, then, that are the business manager positions?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23):** I am happy to take that on notice and bring back an answer for the member.

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:23):** Further supplementary: the two people who hold the two business manager positions, are they subject to all the requirements of the Public Service?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24):** The fact of the matter is that these people work for the CEO of CALHN. They are not public servants, they do not exercise control over public servants. They are a resource of the CALHN management.

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:24):** My further supplementary for clarification is: is the minister definitively advising this council that those two business manager positions do not in any way come under the auspices of the Public Sector Management Act?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24):** My understanding is that CALHN has temporarily engaged two experienced business managers from KordaMentha to work within the critical care and surgery directives to review the current roles of the business operation manager and the team structure, and to recommend changes to direct business management.

This engagement, as I said, is actually already completed. It was a contract with KordaMentha for a period of 10 weeks until 30 November. The two business manager positions became vacant during September, and they are critical to the success of CALHN as a business; so the vacancies created an opportunity to fully review the roles and their responsibilities.

The engagement of the KordaMentha employees in these roles is in line with KordaMentha's role in implementing the organisational and financial recovery. These positions report to a senior CALHN employee and hold no financial delegations.

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:25):** Supplementary to clarify: the positions that became vacant, were they Public Sector Management Act positions before the appointment of KordaMentha individuals to them?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26):** That is my understanding.

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:26):** A further supplementary: these were Public Sector Management Act positions when they became vacant. How did they turn into non-Public Sector Management Act positions when they were filled by these individuals?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26):** My understanding is that the KordaMentha staff were employed on a contractual basis to undertake the responsibilities of that role as contractors. If I need to add further to my answer, I will ask my department for advice in that regard.

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:26):** Supplementary to clarify: these two business manager positions have none of the responsibilities or obligations of public servants, including Treasurer's Instructions, minister's instructions or Public Service commissioner policies and procedures; is that what the minister is advising the house?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27):** That is a consequential issue in terms of the issue I have taken on notice. I will clarify their status under the public sector. As I said, my understanding is that they are regarded as contractors.

**KORDAMENTHA**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:27):** Final supplementary, Mr President: does the minister understand the discrepancy when he says that when these positions were vacant they were public sector positions, but as soon as they became filled by these individuals they magically turned into non-public sector positions?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27):** I would respond to that by way of analogy. A public sector nurse is not available for a shift. An agency nurse is brought in. The fundamental role does not change. One is discharged by an employee of CALHN, one is discharged by a contractor.

**WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:27):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding the Women's and Children's Hospital.

Leave granted.

**The Hon. C.M. SCRIVEN:** On 31 July 2018, the minister told this chamber that:

The commitment of the Liberal government is that we will deliver a best practice health service for women and children, developing a fully costed plan, with a view to achieving co-location by 2024.

My question to the minister is: does he stand by that commitment, and is he still committed to delivering the new Women's and Children's Hospital by 2024?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28):** I am really surprised that the Labor Party thought that it was a good idea to ask a question about the Women's and Children's Hospital. This is the failed government that promised in October 2013 that it would deliver a co-located Women's and Children's Hospital on the NRAH site; and the Treasurer would be pleased to know that, not only were they going to deliver that, they were also going to deliver a private hospital on the same site.

We were horrified by the opportunities they wanted to offer private hospitals and private operators on North Terrace. Anyway, in October 2013, going to the 2014 election, they promised a Women's and Children's Hospital co-located on the NRAH site. Then, in about February 2015, they told the people of South Australia that not only were they committed to that but that, under their Transforming Health budget cuts plan, they were going to fast-track it. We weren't just going to get a co-located Women's and Children's Hospital, we were going to get it quicker. Then, about two years later—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —they thought—

**The PRESIDENT:** Order! I cannot hear the minister.

**The Hon. S.G. WADE:** —'This isn't going to work. We can't afford this. We will have to put the women's hospital on the North Terrace site, and we will leave the children's in North Adelaide.' Can you imagine that? You have the most vulnerable South Australians—premature babies in their early weeks of life—being located at the North Adelaide site. This is the site that's been patched together over 140 years.

In their capitulation of their promise in October 2013, and their reiteration in February 2015, what did they do? They decided that they were going to relocate the women's hospital, only with no plan for the transfer of children. What would that have meant? That would have meant that for an indeterminate period and an indeterminate cost the children's services for South Australians would continue to be delivered at the North Adelaide site. What does that mean? What is the impact of that on children's care?

*Members interjecting:*

**The Hon. S.G. WADE:** The Hon. John Dawkins catches my eye—

**The Hon. K.J. MAHER:** Point of order, Mr President: I know you give very wide latitude in answering questions, but the minister has not touched on any aspect whatsoever about his plan and, as fond as he is of talking about other people's plans—

**The PRESIDENT:** Yes. The minister—

*Members interjecting:*

**The PRESIDENT:** Order! I haven't responded to the Leader of the Opposition's point of order, minister. You make a fair point of order, but the minister has latitude to answer the questions, and he is discussing hospitals. Minister.

**The Hon. S.G. WADE:** The very hospital that was asked about.

*Members interjecting:*

**The Hon. S.G. WADE:** The very hospital.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** The Hon. John Dawkins, by way of interjection by eyes—

*Members interjecting:*

**The Hon. S.G. WADE:** The Hon. John Dawkins disorderly interjects and says, 'Well, what about the children in the country?' That is a very good question because what Labor's plan would mean is that for decades to come, when children are being retrieved to the Women's and Children's Hospital—what is now the rump of a hospital at North Adelaide—they would have to be medically retrieved to the Royal Adelaide Hospital and transferred by ambulance to the North Adelaide site, significantly increasing the risk. Labor was happy to trash the Women's and Children's Hospital plan—

*Members interjecting:*

**The PRESIDENT:** I cannot hear the minister.

**The Hon. S.G. WADE:** —and separate the site with no plan for the redevelopment of the children's hospital. We were faced with that dilemma as we came into government, and so what did we do?

**The Hon. T.J. Stephens:** Thank goodness we came into government.

**The Hon. S.G. WADE:** Amen. So the honourable member very kindly highlights the action by the Marshall Liberal government, which is establishing a task force chaired by Jim Birch, which, to be frank, was markedly different to the strategy of the former Labor government. The former Labor government thought, 'Let's build a \$2.4 billion hospital and see if we can do it without talking to clinicians. Let's see if we can just have a go.' John Hill—I think Chris Picton was working for him for a while—all the Labor staffers and all the Labor politicians thought, 'Let's see if we can build a hospital without talking to clinicians.' It didn't seem to go that well, so we thought that we would try a different approach: we thought we would talk to the people who are actually going to run the hospital.

So the task force, headed by Jim Birch, had a majority of clinicians, my God—a majority of clinicians—and they have been involved in the last few months in developing a whole series of options, particularly looking at possible locations. What has been really interesting in the conversations that I have had with Jim Birch is that the issues they have been unpacking relate to not just the physical location because, as the Hon. John Dawkins rightly interjected, 'What about the children?' we are concerned about making sure that services are accessible but we also need to make sure that they are efficient. What Jim Birch found—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —is that you shouldn't only look at the capital costs, because the Treasurer will be interested in this even if the members opposite aren't. In broad terms, we would expect the capital cost of the three options—the three most preferred options—to be similar. What is dramatically different is the operating costs. By having the hospital co-located with the Royal Adelaide Hospital you would save significant operating inefficiencies. As one of my staffers asked me: what sort of inefficiencies? Well, let me give you an example—and perhaps it was in the terms that the Hon. John Dawkins gave by an interjection—

**The Hon. T.J. Stephens:** With his eyes again!

**The Hon. S.G. WADE:** With his eyes again. A very good example that John Dawkins was giving me earlier was the case if you had a women's and children's hospital up on Park 25 across the road, which is—

**The Hon. I.K. HUNTER:** Point of order: it has been an entertaining latitude that you have extended to the minister but, please, Mr President, we would like to hear an answer to the honourable member's question at some stage. It has been about 19 minutes so far on my count.

*Members interjecting:*

**The Hon. I.K. HUNTER:** Well, it feels like it. The point of order is obviously relevance. This minister hasn't even approached an answer to the question that was asked of him.

**The PRESIDENT:** I can't imagine where he learnt the bad habits from, the Hon. Mr Hunter; I can't imagine. Minister, please get to the point of your answer.

**The Hon. S.G. WADE:** Perhaps I can help the honourable member with a simple daisy chain of logic. The logic is that we established a task force with a majority of clinicians who have found that not only is it about how much it costs to build the hospital, it is a matter of how much it is to run the hospital.

What the task force has found is that a significant differentiating factor between the preferred locations is the operating costs of the locations, so a significant issue in the selection of the co-located site with the RAH was the operating costs. I am told that it is probably in the order of 10 to 15 per cent. Labor might not regard that as big—

**The Hon. K.J. MAHER:** Point of order: the fact of the matter is, Mr President, you've given ample latitude and the honourable member has been here long to enough to know that answers of over 10 minutes are probably not acceptable, given the simple question was: when is he going to do it?

**The PRESIDENT:** Minister, you have been on your feet a while. The Leader of the Opposition does have a point. You are in breach of your own leader's informal rules but, given it is an important issue, you have a quick opportunity to come to the point.

**The Hon. S.G. WADE:** I can assure honourable members that we will not only deliver a world-class hospital on the North Terrace site, contrary to the broken promises of Labor, but it will be fully costed and it will be very cost effective.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:36):** Supplementary: by when?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:36):** The Marshall Liberal government made a commitment that we would deliver a women's and children's co-located hospital by 2024. There has been a suggestion by Jim Birch that the task force's report might suggest that a date of 2025 is more feasible. If the honourable Labor members think that their option of a children's hospital sometime in the future at the North Adelaide site, sometime in terms of costing, was a better option than a one-year delay, I think they need to look again.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:37):** A further supplementary: given the minister has now said that they are backing away from their commitment—it will not be 2024—can he answer some questions: how many nurses will be able to park at the new women's and children's hospital and how many will have to park elsewhere?

*Members interjecting:*

**The Hon. C.M. SCRIVEN:** It's about hospitals, so therefore surely it's relevant.

**The Hon. T.J. STEPHENS:** Point of order: how is that arising out of the original answer?

**The PRESIDENT:** The original answer to the Hon. Ms Scriven was actually about the hospital.

*Members interjecting:*

**The PRESIDENT:** Yes, but the parking is relevant to the hospital. I am ruling it is an appropriate supplementary, minister. Minister, you went through the whole planning process.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Leader of the Opposition, the President is talking. That's when you remain silent—alright? Minister, your original answer went through the whole of the planning process of the hospital. Parking is integral to the hospital. Please respond to the supplementary.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:38):** You are an incredibly generous man.

**The PRESIDENT:** I know.

**The Hon. S.G. WADE:** I advise the honourable member that I have been given no advice in relation to nurses' car parks in particular. It has certainly been brought to my attention that it will be difficult to deliver the number of car parks required on the footprint of the new hospital, but I would say to the honourable member that the nurses at the Women's and Children's Hospital are delighted at this announcement. They were disdainful of being left at North Adelaide and particularly the proposal in relation to leaving the children's hospital stranded.

We will continue to work through with nurses in relation to car parking at every site. When we receive the report of the task force, that will include specifications, cost and time frame. The Department for Health will work through that task force report and prepare a cabinet submission for cabinet's decision.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:39):** Further supplementary: does the minister envisage there will be an off-site car park for the new women's and children's hospital?

**The Hon. J.S.L. Dawkins:** Ask the nurses where they park now!

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39):** The Hon. John Dawkins is becoming quite disorderly, but that is quite a good point. If you look at the Royal Adelaide site, for decades Royal Adelaide nurses have been parking further down Frome Road at the Wilson site. A lot of nurses would use other facilities, and that is certainly true of the North Adelaide site.

In relation to the car parking issues, we will continue to work with our nurses, our doctors and our patients to make sure they can have ready access. I am delighted to hear that the Labor party suddenly discovered the connection between car parking and access. It was the former Labor government that doubled the cost of weekly car parks for patients at the Royal Adelaide Hospital in terms of weekly passes—a very cruel imposition on long-staying patients and their carers.

**The PRESIDENT:** The Hon. Ms Scriven, I think this will be the last supplementary on this topic, but I will allow you a further supplementary.

**The Hon. C.M. SCRIVEN:** My supplementaries have been much shorter than anywhere near the answer.

**The PRESIDENT:** No, no. You are certainly in advance on the Leader of the Opposition.

**The Hon. C.M. SCRIVEN:** I accept your ruling, of course, Mr President, as always.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:40):** Will the proposed new women's and children's hospital have at least as many operating theatres and birthing suites as the current hospital, and will the proposed hospital have at least as much research space as the current hospital?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41):** The decision that has been communicated by the task force today is about location. They have considered a range of locations and they have decided that, both in terms of capital and in terms of operating costs, the best location is the co-located site. In broad terms, I have been told that one other decision that is likely to come in the full report is that they are not going to take another leaf out of the Labor Party's book and build a hospital completely of single rooms—completely culturally inappropriate. There are many cultural groups who would prefer not to have single room occupancy. This hospital at least will be—

*Members interjecting:*

**The Hon. S.G. WADE:** Just for the sake of the record, we have Labor Party members chortling at the prospect that culturally diverse groups might want a patient room which has more than one person in it. I would just like you to know that there are people of Aboriginal and Torres Strait Islander culturally diverse background who actually do have that preference.

*Members interjecting:*

**The PRESIDENT:** Order! I can't hear the minister.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** It hardly surprises me that the task force is thinking more creatively about how to deliver a hospital. It is really quite amazing what crazy ideas come up when you start talking to clinicians. But, no, the hospital built by politicians and bureaucrats, the new RAH, is going so well that we should have taken that approach, apparently.

**The PRESIDENT:** The Hon. Ms Bonaros, you have the call.

**The Hon. C.M. Scriven:** Mr President, I was seeking your indulgence for a further supplementary.

**The PRESIDENT:** No, the Hon. Ms Bonaros caught my eye on a further supplementary.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C. BONAROS (14:42):** Will the minister guarantee that a single operator is not awarded a contract, the likes of which Spotless was awarded at the new Royal Adelaide Hospital?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43):** I thought that was a scurrilous attack on the former Labor Party's approach to hotel services. My understanding is that about half our hotels are now serviced by private operators, in most cases a single operator. I am shocked that you have had this vicious attack on the Labor Party.

Let's put it this way: I expect that the services to the hospital will be provided by a single operator, as happens in every other hospital in the metropolitan area. In relation to the PPP option, which I was asked about on radio this morning, Jim Birch has indicated that they will not be recommending a PPP, for what it is worth.

**The PRESIDENT:** The Hon. Ms Scriven and then the Hon. Mr Ngo have the call for supplementaries, and then I think we are done with this issue.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:43):** Thank you, Mr President, for your generosity. Given that the minister was able to answer around single rooms or otherwise, can he please answer the question: will the hospital have as many operating theatres and birthing suites, and as much research space as the current hospital?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44):** No, because I haven't had the report yet.

**The PRESIDENT:** The Hon. Mr Ngo, a supplementary.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Leader of the Opposition, one of your own members has the call.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. T.T. NGO (14:44):** Could the minister tell the house which cultural groups that task force consulted in terms of them not wanting a single room?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44):** It is certainly the case that I was given advice by the chair of the task force that they saw value in access to more than



single rooms. In terms of reference groups, my recollection is that there was specifically an Aboriginal reference group. I would be surprised if that advice didn't come at least from that group, if not others. But I will take that on notice, and you'll look forward to reading the report when it's released, as will I.

**The PRESIDENT:** The Hon. Mr Pangallo, a supplementary?

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. F. PANGALLO (14:45):** Yes, I do. Does the minister have an idea of what will become of the old Women and Children's Hospital site?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:45):** It's a very interesting question, because the Labor Party thought it could be a good site for a children's hospital for an indeterminate period and an indeterminate cost, but I can assure you that we will be abandoning that site in terms of a children's hospital.

My understanding, in terms of government land, is that once the health department doesn't have any ongoing use for it, it will be put in the hands, I think, of Renewal SA for a whole-of-government approach. The task force is fundamentally about finding the best new location for the Women's and Children's Hospital, developing specifications and costings. As my recollection, it is not part of their remit to talk about future use. If I'm mistaken on that I will let you know.

**The PRESIDENT:** The Hon. Mr Pangallo, a further supplementary?

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. F. PANGALLO (14:46):** Yes: the impact that this will have on businesses in the North Adelaide area once the hospital is abandoned?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:46):** I think that's slightly getting ahead of ourselves. There will continue to be a health precinct. Memorial Hospital will still be there. There are other health facilities in the area. Across the road, for example, there is the Robinson institute and Yarrow Place is still there. So even without the Women's and Children's Hospital there, there is a health hub. That being the case, you would think that Renewal SA or whichever part of government plans and will be doing the future planning for the site—there may well be people interested in the site as a hospital precinct. It's not—

**The Hon. I.K. Hunter:** I.e. he's got no idea.

**The Hon. S.G. WADE:** Well, the Hon. Ian Hunter is correct: I don't have a clear plan in relation to the site because, to be frank, I'm the health minister, not the minister for Renewal SA.

#### **HOSPITAL BEDS**

**The Hon. E.S. BOURKE (14:47):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about bed numbers.

Leave granted.

**The Hon. E.S. BOURKE:** Last week, the minister talked about closing beds to create flex beds. My questions to the minister are:

1. Will doctors have the ability to open these flex beds based on clinical needs?
2. If not, what will be the process by which the flex beds will open?
3. In a year's time in the Central Adelaide Local Health Network will there be more or less beds in the RAH and The QEH?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48):** One of the most important elements that we need to address in terms of the hospital demand—managing surges—is making sure that when the ambulances present somebody in an acute state and the emergency departments assess somebody in an acute state, there is actually somewhere for them to go. It's very important that hospitals have breathing space. No hospital can operate efficiently if they are jam-packed.

The incoming CEO of the Central Adelaide Local Health Network made an interesting comment about this last week. A journalist asked her, 'What level of capacity should the Royal Adelaide Hospital be operating at?' Her response was:

I think that there's really good international evidence that once you start to get over about 92 and 94 per cent, it is very difficult to respond to surges in demand...That would be where international evidence...I think some years ago they used to pin it at 85 per cent but I don't think that is most health services' reality.

So considering that I don't run the hospitals, The Queen Elizabeth and the Royal Adelaide—Lesley Dwyer does; she is indicating in a public forum that she is looking at a working breathing space of 6 per cent to 8 per cent.

#### HOSPITAL BEDS

**The Hon. E.S. BOURKE (14:49):** Supplementary question: will the minister advise whether any ward at either The Queen Elizabeth Hospital or the Royal Adelaide Hospital will be closed?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49):** The answer I have just given has indicated that it is the CEO of the hospital, not me—I don't make decisions in relation to how beds are managed and which wards open and which wards close. But the chief executive of those two hospitals has said that to maintain a safe, efficient hospital she would be looking towards maintaining 6 per cent to 8 per cent of beds available. If every time a bed is empty the Labor Party wants to call it closed, they will have very little credibility in health.

#### HOSPITAL BEDS

**The Hon. E.S. BOURKE (14:50):** A supplementary: the minister is not denying that there may be wards closed at either The Queen Elizabeth Hospital or the Royal Adelaide Hospital?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50):** It might amaze the member but I can promise to this house that from time to time there won't be patients in beds.

#### ADELAIDE MOTORSPORT FESTIVAL

**The Hon. T.J. STEPHENS (14:50):** My question is to the Minister for Tourism, Trade and Investment. Can the minister please tell the chamber about South Australia's wonderful motorsport culture and history that was on display at Victoria Park and throughout the regions over the weekend?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:51):** I thank the honourable member for his ongoing interest and love of motorsport in South Australia. A few weeks ago, I was very pleased to be involved in the launch of the Adelaide Motorsport Festival, I think back in October. It was great to see the anticipation for that event and I then had the opportunity, after spending a couple of days on Kangaroo Island with some constituents and tourism operators, to come back on Sunday to attend the event.

It was the first time I had actually had a chance to have a good look around the event, and I was not disappointed. We don't have final numbers for last year's event but it attracted over 43,000 visitors and generated more than \$5 million to the state's economy. The event is now in its fifth year and by all accounts it just keeps getting better. We are yet to see the figures for this year but the crowd was out in force with spectacles for the whole family both on and off the track. There were many families there with lots of small children and mums and dads.

Victoria Park hosted two days of on-track competition, including the attraction of seven Adelaide era Formula One cars. Star drivers included crowd favourites Ivan Capelli, who raced here in 1989, seven-time Bathurst winner, Jim Richards, and this year's Bathurst King of the Mountain winner, Craig Lowndes. The Shannons Adelaide Rally and Victoria Park Sprint featured more action and an expanded schedule, due to both fan and competitor demand.

Porsche celebrated its 70<sup>th</sup> year anniversary at the event with three rare and valuable Le Mans Porsches on show. The Shannons Adelaide Rally again wound its way through many parts of the Adelaide Hills, the Fleurieu Peninsula and the Murray Mallee, providing an opportunity to showcase South Australia's stunning regions and its world-class food and wine, which is fantastic for our local regional businesses.

The festival was the place to be for premium manufacturers, including Ferrari, Audi, BMW, Mercedes and Porsche, and it was wonderful to see some of these manufacturers entered in the rally as well as having their own corporate areas on display trackside. It was also great to see the event gain an international reputation as a place for manufacturers to launch new cars in the Australian market.

The Brabham supercar is being built here about a kilometre from the former Holden plant, with the first of its cars sold for \$1.8 million. A highlight for me, although it was a fair bit of a squeeze, was that I was able to get into the passenger seat of the Brabham. It weighs about 900-odd kilos and has 750 horsepower. I would have pushed it over a tonne, and would have probably needed a few more of those horses to push me along; however, it was a highlight of mine to get into that particular vehicle.

Probably one of the biggest highlights was watching the Australian Red Bull Air Race pilot Matt Hall take on three drivers. He defeated David Brabham in the Adelaide-built Brabham BT62 and Porsche's Jim Richards, but came second best in his race against the Leyton House Formula One driver, Ivan Capelli. Then followed one of the best aerobatic displays I have seen, and the entire crowd was captivated.

The Adelaide Motorsport Festival was an action-packed weekend with many free community events, including the Gouger Street Party and Parade and the Stirling Street Party. South Australia has a reputation as the place to be for motorsport events and it hosts some of the best motorsport events in the country, including the historic Bay to Birdwood, the Superloop Adelaide 500 and the biennial Bridgestone World Solar Challenge.

The Adelaide 500 continues to grow as Australia's largest ticketed domestic motorsport event, while the new Bend Motorsport Park has just held the state's second supercar race. These events attract fans and competitors from across Australia and overseas and inject huge dollars into our local economy, putting us on track to achieve our goal of an \$8 billion visitor economy by 2020.

The Sporting Car Club of South Australia and all involved in the Adelaide Motorsport Festival have done a wonderful job. I am really looking forward to watching this event grow and see what's in store for next year.

#### **ADELAIDE MOTORSPORT FESTIVAL**

**The Hon. T.A. FRANKS (14:55):** Supplementary: were any contractors for these events awarded exclusivity of supply? If they were, what were their names and what were the amounts of those supplies, or were all contracts put out to tender?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:55):** I don't have those details in front of me. I think I heard correctly: it was suppliers for the event. I am sure I can check *Hansard*. I will take that question on notice and bring back a reply for the honourable member.

#### **ADELAIDE MOTORSPORT FESTIVAL**

**The Hon. T.A. FRANKS (14:55):** Supplementary: what were the numbers of tickets sold through Oztix and other ticket retailers, and what were the nature of these tickets, including whether they were adult, child, concession, etc., and the prices of them, and how many tickets were given away?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:55):** I have a good briefing note with me but not with that sort of level of detail for the honourable member, so I will take that question on notice and bring back a reply.

#### **WATER QUALITY**

**The Hon. T.A. FRANKS (14:56):** I seek leave to make a brief explanation before addressing a question to the Minister for Health and Wellbeing on the topic of the monitoring of our drinking water quality.

Leave granted.

**The Hon. T.A. FRANKS:** As any public health student knows, cryptosporidium is a parasite that causes gastro and respiratory infections, and testing for it is a procedure that requires significant skill. Furthermore, quality and safe drinking water is, of course, a key determinant of our public health outcomes. On 16 November, it was reported in *The Advertiser* that SA Water is planning to cut scientists who monitor our drinking water quality. This is ahead of what is set to be a hot summer and it has triggered concern from experts over our water safety.

Scientists themselves are saying that a perfect storm for water contamination and pathogens is brewing with the changes that are coming, not only because of the weather but also because of the government's plans to open reservoirs to public recreation this summer. Professionals Australia, who represent the relevant scientists, have stated that we are putting competitiveness above safety, particularly given there have recently been detections of cryptosporidium oocysts in the very water that feeds metropolitan Adelaide. My questions to the minister are:

1. Given that SA Health, as stated on its website, ensures that our drinking water is delivered to consumers according to the requirements of the Safe Drinking Water Act 2011 and the Safe Drinking Water Regulations 2012, what assurances has SA Water given the minister and his department that water quality and the subsequent public health outcomes will not be adversely affected by these changes and, moreover, by the government's plans to allow public recreation in reservoirs this summer?

2. Given the substantially reduced capacity of SA Water Quality Centre for monitoring, to ensure that we have healthy and safe drinking water, what other measures has the government taken to address this issue?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:57):** I thank the honourable member for her question. Both of those matters are matters for minister Speirs, one in his capacity as the minister responsible for SA Water and the other in his capacity as the environment minister. In relation to the management of reservoirs, I have certainly assured the minister that SA Health stands ready to work with the management of reservoirs in terms of water quality issues. In relation to both matters, I will seek further information that the minister in the other place might make available to you.

#### WATER QUALITY

**The Hon. T.A. FRANKS (14:58):** Does the minister not consider that our drinking water quality and safety is a public health issue?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:58):** What I do consider is that the best place for answers to questions is from the minister responsible, and the minister responsible for SA Water's quality is minister Speirs.

#### WATER QUALITY

**The Hon. T.A. FRANKS (14:59):** Supplementary: so is the minister saying that if health is impacted by a cut by another department it is not his responsibility?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:59):** I've already given an answer.

#### WATER QUALITY

**The Hon. I.K. HUNTER (14:59):** Supplementary: can the minister advise whether he understands he is responsible for his agency setting the health requirements?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:59):** Sorry?

**The Hon. I.K. HUNTER:** Can the minister advise whether he understands that it is his agency and his legislation that sets the health requirements that SA Water has to comply with?

**The Hon. S.G. WADE:** I am certainly happy to take the honourable member's question on notice in terms of whether they have any concerns in relation to water quality management. Considering that SA Health and SA Water have a longstanding cooperative relationship, I am sure that any concerns would have been communicated directly.

### KORDAMENTHA

**The Hon. I. PNEVMATIKOS (15:00):** My questions are to the Minister for Health and Wellbeing:

1. How does the minister intend to achieve medical equipment efficiencies as outlined in the KordaMentha financial plan?
2. Can the minister guarantee medical supplies will still be available to patients when they need them?
3. Will any doctors be forced to seek KordaMentha administrator's approval before purchasing medical implants, prosthetics and other medical supplies?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:00):** It seems as though I need to go blue in the face before the Labor Party will understand that all clinical decisions will continue to remain under the CEO of CALHN, and the clinicians that she works with. No clinical decisions will be made by KordaMentha.

### KORDAMENTHA

**The Hon. I. PNEVMATIKOS (15:00):** Supplementary question: what cuts will be made to the Central Sterile Services Department, as outlined in the second KordaMentha report; and can the minister guarantee sterilisation procedures will not be compromised?

**The PRESIDENT:** The Hon. Ms Pnevmatikos, that is actually a new question. I am going to have to rule that out of order. Another Labor member can ask that in a moment. The Hon. Ms Lee.

### DISABILITY TRANSITION PROGRAM

**The Hon. J.S. LEE (15:01):** My question is to the Minister for Human Services about a program that supports students living with a disability. Can the minister please provide an update to the council about the work of Barkuma's disability Transition Program in supporting South Australian students?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:01):** I thank the honourable member for her question. It was my great pleasure on Wednesday 14 November to represent my colleague the Minister for Education at the Barkuma Transition Program graduation at the Convention Centre, and can I acknowledge that the member for Port Adelaide, Ms Susan Close, was there representing the Labor Party, as was Mr Kevin Scarce, who is a Barkuma patron.

The disability Transition Program has been in operation for over 10 years and supports metropolitan Adelaide students from three schooling sectors to complete their SACE and make effective transitions from school to the workforce, a traineeship, apprenticeship or further education. Some 100 students accessed the program in 2018. The program is managed through the further education and pathways directorate within the Department for Education, System Performance division, which is currently contracted to Barkuma Incorporated.

The program enables eligible students, generally in their final year of schooling, to participate in the program for one day a week for the year in an adult learning environment outside of their school; participate in a semester of career development, including developing a transition plan which identifies their strengths, interests and goals; participate in small group work and individual career counselling; build their employability skills through a Certificate I in Access to Vocational Pathways; undertake a specific VET course related to their transition goals in semester 2; and participate in a two-week supported work placement that links with their pathway choice or register with a disability employment service while still at school to ensure a seamless transition to employment.

There were a number of outstanding students with their families, teachers and supporters at the event. It was a very vibrant evening. As one of the last speakers on the agenda, I felt like I was getting between them and receiving their awards. They also heard from somebody who had participated in *My Kitchen Rules*, which was clearly very entertaining for them. In 2018, the program particularly focused on building work readiness and life skills.

Students had undertaken a Certificate I in Access to Vocational Pathways in an adult learning environment, which helped them to build a career, learn about different types of jobs and industries, visit different workplaces, learn interview skills and résumé writing, know their rights at work and engage in career counselling. In the second semester, students selected a VET course of interest in areas including hospitality, construction, hair and beauty, creative industries, retail and animal studies.

They then selected a disability employment service to support their transition from school and undertake work experience, with support from their provider. We heard from a couple of the participating students, who had clearly grown a huge amount in their time and through their experience. It was a very heartening event to attend. The only thing for me of the night which was a disappointment was that my pair was rejected from the Labor Party grinch-in-chief, the Labor Party Whip, who—

**The Hon. I.K. Hunter:** You got there, though.

**The Hon. J.M.A. LENSINK:** Well, I got there late because the debate that evening in this place completed at about 6.15pm. I had negotiated with them to get there at a particular time and I was running a little bit late, so that was the disappointment. I hope that this is not a continuing practice of the Labor opposition to deny ministers—

*Members interjecting:*

**The PRESIDENT:** Members, feel free this afternoon to leave the chamber and have a discussion about pairs. Minister, this is going well off the track. I will pull you up for relevance.

**The Hon. J.M.A. LENSINK:** Certainly, Mr President, but I think it is important that the community understands what is taking place and why ministers are not being able to attend events, which are clearly within the purview of our community duties. I do wish the students well. I think it's a shame that the grinch-in-chief opposite believes that it is appropriate to deny people pairs to attend community events but, in any case, we will wish him a merry Christmas in due course.

#### FLINDERS MEDICAL CENTRE

**The Hon. F. PANGALLO (15:06):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding the quality of care at one of our major hospitals.

Leave granted.

**The Hon. F. PANGALLO:** Last week, I raised several recent cases of questionable care given to patients, both young and elderly, at the Women's and Children's Hospital, the Royal Adelaide Hospital and Flinders Medical Centre. These would not be isolated cases in a health system that is stressed and paranoid about government-contracted toe cutters and bean counters. Today, I highlight the case of 69-year-old widower Adrian Kenny, whose treatment at the Flinders Medical Centre was brought to my attention by his daughter Fern.

According to his daughter, last Monday Mr Kenny was fit enough to do his regular gym activity but, after suffering a fall at home, he was taken to the Flinders Medical Centre in agonising pain. The following day at 11am, Mr Kenny was told he had pneumonia, was given a bottle of antibiotics and discharged. By 2pm, a distressed Mr Kenny was in such pain that he couldn't breathe and could barely walk, and was returned to the hospital by his daughter.

The following day, doctors eventually discovered the cause of his discomfort: he had six broken ribs, a fractured vertebrae and a torn lung, resulting in blood having to be pumped from his chest. Lucky he didn't die. The misdiagnosis is adding to costs which could have been avoided. My questions to the minister are:

1. Will he now order an immediate investigation into how this could be allowed to happen to Mr Kenny and others I have raised?
2. Have stressed hospital staff at all our major hospitals been instructed to carry out KordaMentha's recommendation at the RAH that they must meet a deadline of 1.5 days in discharging patients, unless their condition is obvious they need to stay longer?

3. Is there a culture or practice within our hospital system where lower priority is given to aged patients?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08):** I will certainly take the details of Mr Kenny's case and seek information for the honourable member. I certainly would regret that the care Mr Kenny received didn't meet his expectations. I don't think Mr Kenny was an elderly gentleman: I think you said he was in his 50s but—

**The Hon. F. Pangallo:** Sixty-nine.

**The Hon. S.G. WADE:** In terms of the general question about the care given to older South Australians, older South Australians are entitled to health care like any other South Australian. The government expects, and SA Health values would reflect the fact, that they need to be given the care they need.

#### *Parliamentary Procedure*

#### **WATER QUALITY**

**The Hon. T.A. FRANKS (15:09):** Mr President, I rise on a point of order because I am concerned that the Minister for Health and Wellbeing was misleading this council on his duties. According to the *Government Gazette*, he is responsible for the Safe Drinking Water Act 2011, as well as the Public Health Act for that matter. I give him the opportunity now to make a personal explanation and explain why he misled the council.

**The PRESIDENT:** Minister.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:10):** I don't know how you want to handle this, Mr President, but I just make the point that, in response to the question by Mr Hunter, I indicated that I would seek clarification in terms of the interactions between SA Water and SA Health. I am sure that, in that response, the issue that the Hon. Tammy Franks raises will be addressed.

**The PRESIDENT:** The Hon. Ms Franks.

**The Hon. T.A. FRANKS:** A further point of order: in my question I actually outlined that the minister was responsible for the Safe Water Drinking Act. I brought that to his attention, and in his answer he said to me that he wasn't responsible. It had nothing do with the Hon. Ian Hunter's question whatsoever.

**The PRESIDENT:** The minister has given an undertaking that he is going to seek clarification and come back and report to the house.

*Members interjecting:*

**The PRESIDENT:** Can the honourable members on the opposition benches please not give a commentary while seated. The Hon. Mr Hanson.

#### *Question Time*

#### **KORDAMENTHA**

**The Hon. J.E. HANSON (15:11):** My question is to the Minister for Health and Wellbeing. Given that the minister has been warned about the risks to patient care and given that he says that no clinical decisions are to be made by administrator KordaMentha, will the minister accept responsibility for any adverse patient outcomes as a result of implementing administrator KordaMentha's cuts to our health system?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:11):** I would respond to the honourable member's question in this way: do I expect an improvement in patient outcomes as a result of the financial and organisational recovery that is going on in CALHN? The answer is, yes. I expect better patient outcomes.

The example of this I will actually take from a totally different network, and perhaps I might undertake to the house to come back with more details. It was my privilege to be involved in the SA Health awards last Friday night, and one of the projects that was praised was a project at NALHN,

in the northern area, which worked with patients with orthopaedic needs and engaged them in clinics that had physiotherapists looking at alternatives to surgery.

What it was finding was that it was very successful, because a lot of patients found that they could deal with their orthopaedic issues through therapy—but physiotherapy in particular—rather than through surgery. One of the consequences of that will be that an inpatient bed, which was otherwise going to be dedicated to an orthopaedic patient, will no longer be needed for surgical use. So developing better patient pathways and avoiding the need for unnecessary orthopaedic surgery is both good for the patient and it is good for the system.

#### KORDAMENTHA

**The Hon. J.E. HANSON (15:13):** A supplementary arising from that answer: given that the minister has outlined that he does expect improved patient outcomes out of KordaMentha's cuts to our health system, can he guarantee that the cuts will lead to more and not less outpatient appointments?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:13):** This is very much a Labor Party view of the world, that somehow patient outcomes are about the inputs. In other words, how many outpatient appointments do you issue, how much money do you put in? Patient outcomes are all affected by how you bring together those resources, whether it is financial or outpatient services, inpatient services, community services. It is not what you put in, it is what you get out. I am concerned about patient outcomes.

#### KORDAMENTHA

**The Hon. J.E. HANSON (15:14):** A further supplementary: given that the minister has outlined that he does expect improved patient outcomes from the administrator KordaMentha's cuts to our health system, can the minister now guarantee that those cuts to our health system will reduce ambulance ramping and not make it worse?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:14):** I am trying to show the member some respect by not correcting his polemics in every question. I go back to the answer that I gave earlier to one of his colleagues in relation to the CEO of CALHN and her objective to see the Royal Adelaide Hospital operating at 6 per cent to 8 per cent available capacity. The inevitable consequence of that is that there will be more beds from which emergency physicians can admit people from the EDs into the hospital, and therefore there will be more treatment bays in the ED available for ambulance officers to put people. So the expectation will be that, yes, there will be less ambulance ramping.

#### HCL TECHNOLOGIES

**The Hon. D.G.E. HOOD (15:15):** My question is to the Minister for Trade, Tourism and Investment. Will the minister update the chamber on the opening of HCL's offices in Adelaide, which I understand occurred today?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:15):** I do appreciate the question from the honourable member, who obviously has his finger on the pulse and is aware of things that were happening in the city today. It was a great opportunity, where I had the great pleasure of officially launching HCL Technologies' Adelaide office. Alongside many distinguished guests were Mr Swapan Johri, the Executive Vice President and Head of APAC Business at HCL Technologies; Mr Michael Horton, Senior Vice President and Country Manager, Australia and New Zealand, at HCL Technologies; Mr Serge Ambrose, the General Manager of HCL, Adelaide; and Mr Mark Allison, the Chief Executive of Elders.

HCL's office opening has been built on the back of their partnership with the iconic South Australian agribusiness company, Elders. This has provided the perfect leverage for HCL to finally call South Australia home. It was a beautiful event. There were about 100 people at the event and it was an opportunity to cut a ribbon and open the door of the new offices—a beautiful, bright, fresh office indeed, and I think the important thing is the relationship with Elders.

Elders is one of our iconic agribusinesses that has embraced technology and supported our farmers right across this great nation, not just South Australia, although it is home in South Australia.



It is a perfect partnership to see HCL providing the technological back-up as Elders enter the tech phase of agribusiness because, clearly, for our farmers and producers to remain competitive they need to embrace the latest technology.

Also, there is a new word that was given to me today, and the word is 'ideapreneur'—not an entrepreneur but an ideapreneur. The people from HCL are lobbying Webster's Dictionary to see if we can get the word 'ideapreneur' into next year's Webster's Dictionary. Of course, it has such a beautiful synergy with Lot Fourteen and our entrepreneur's visa. So it may well be we might have a pilot from the federal government of an ideapreneur visa as well. It is interesting to see the energy and enthusiasm that the international world is embracing Adelaide, with the idea of the entrepreneur and the ideapreneur. Sadly, members opposite are void of any ideas or of any 'preneurs' of any sort over there.

It is fantastic to see that, since establishing their office in May, 50 new positions have been created by HCL in Adelaide. I would like to thank Elders personally for being a key partner in getting HCL to our state, in working with a global leader in HCL to adopt innovative technology that will help Elders enhance its delivery and quality of service to its clients across Australia and internationally. Today's launch is a great reward for effort. The South Australian government has been engaging with the company since 2014 to encourage HCL to invest in South Australia by demonstrating the state's strong credentials in various sectors and opportunities that exist for these companies.

Of course, the fact that the Marshall Liberal government was elected sealed the final deal. They were somewhat apprehensive until they saw the business confidence and excitement that's in the South Australian economy following the election of the Marshall Liberal government. They know the Marshall Liberal government is committed to transforming South Australia's economy through export and growth and attracting inward investment.

Our government has a vision to transform the economy into the most dynamic in the country and a place that supports business growth. A strong economic future for South Australia depends on growing exports and making it easier for international partners to do business with us, and there has never been a better time to do business in South Australia than right now.

#### FOODBANK SOUTH AUSTRALIA

**The Hon. M.C. PARNELL (15:18):** I seek leave to make a brief explanation before asking a question of the Treasurer about Foodbank.

Leave granted.

**The Hon. M.C. PARNELL:** Prior to the last state budget, the charitable food distribution body, Foodbank, put in a modest bid for \$10 million over four years, which it needs to keep perfectly sound food out of dumpsters and to get it into the hands of charities where it can be distributed to those who need it.

For only \$2½ million per year, the organisation could maintain and expand its distribution outlets, vehicle fleet and various programs, including the school breakfast program. After four years, it would be self-funding. To date, the South Australian government contribution has been a modest \$250,000 per year, which does not compare well with the recent Victorian government announcement of \$58 million, up from \$14 million. Even the federal Liberal government has seen fit to reinstate its modest funding contribution of three-quarters of a million, after earlier deciding to cut funding.

Because the Foodbank organisation relies so heavily on volunteers and sponsors, public funding is leveraged hugely, up to 100 times, with the South Australian service providing \$25 million of value to South Australian families. My question of the Treasurer is: will the government help struggling South Australian families this Christmas by delivering an urgent contribution to Foodbank now, ahead of a longer term commitment to be considered as part of the next state budget?

**The Hon. R.I. LUCAS (Treasurer) (15:20):** I am sure all members in this chamber would support the wonderful work that Foodbank does in South Australia. We commend those associated with the organisation for the commendable work they do in South Australia. The answer to the question is that there will be no further decisions taken by the government in relation to further funding

other than what the appropriate agencies might already have funded or is within their contemplation. The appropriate funding bodies—and I am not sure which particular government department or agency—

**The Hon. J.M.A. Lensink:** Mine.

**The Hon. R.I. LUCAS:** Human Services?

**The Hon. J.M.A. Lensink:** Yes.

**The Hon. R.I. LUCAS:** Human Services, I am advised, funds Foodbank. The way the budget operates is that the budget allocates appropriation to various departments and agencies, and ministers in the departments do their very best with, as we said on 4 September, cleaning up the mess that we made—that we inherited, I should say, from the former government—and keeping all the promises that we made at the election.

From my recollection, there was no specific commitment given prior to the election in relation to increased funding to Foodbank, but I will certainly have that checked. Whatever commitments the government has made to Foodbank, we will continue to adhere to, but there is certainly no capacity within the current budget formula to be making ad hoc decisions between now and Christmas in relation to additional funding.

The issue in relation to commonwealth and other contributions from the other states, I have no direct knowledge of. If there is anything useful that I can add in addition to the answer that I have given to the honourable member, I will bring back a further reply, but I suspect there isn't anything useful that I can provide in addition. I have answered the question that there is nothing in contemplation.

In relation to next year's budget, the 2019-20 budget, bilaterals will commence early in the new year, and I would imagine submissions for additional funding for this particular worthy cause, and indeed many hundreds of others, will be channelled through departments to respective ministers and ultimately will be considered by the government as it formulates the 2019-20 budget, which will be brought down much earlier this year, at the normal time, sometime in June.

Any particular submissions for Foodbank will be considered by ministers and the government in the context of bilateral discussions, commencing in March and coming to a conclusion with the announcement of the budget in June of next year.

#### **CENTRAL ADELAIDE LOCAL HEALTH NETWORK**

**The Hon. R.P. WORTLEY (15:23):** My question is to the Minister for Health and Wellbeing. Was the minister briefed about, and did he approve, the CALHN interim strategy that is quoted in the KordaMentha report? If he was, when was he first briefed and did the minister approve the strategy that included increased fees for dental patients, cancer treatment and car parking?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:24):** I don't recall being briefed on such a strategy, and I certainly didn't approve the matters that the member refers to.

#### *Parliamentary Committees*

#### **BUDGET AND FINANCE COMMITTEE**

**The Hon. R.I. LUCAS (Treasurer) (15:24):** I move:

That the time for bringing up the committee's report be extended until Tuesday 2 July 2019.

Motion carried.

#### *Bills*

#### **SUMMARY OFFENCES (LIQUOR OFFENCES) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 15 November 2018.)

**The Hon. K.J. MAHER (Leader of the Opposition) (15:25):** I rise today to indicate Labor's support for this bill. The bill deals with a very serious issue, the unlawful distribution and sale of alcohol into prescribed areas and particularly into Aboriginal communities that are dry communities, a practice commonly known as grog running. The unlawful sale and supply of liquor into remote Aboriginal communities has significant side effects and often leads to serious alcohol-related harm, including violence, disorder, antisocial behaviour and medical problems for those dry communities.

This bill was introduced with largely similar provisions into the House of Assembly on 20 September 2017 and reached the Legislative Council on 14 November 2017. Unfortunately, it did not pass before the election. This bill is largely similar to the bill introduced by the Labor government, which did not pass.

There are a couple of key differences in terms of the distance from the designated dry area that this bill applies to and police power to stop and search vehicles. The opposition has consulted with both law enforcement agencies and Aboriginal groups about those changes, and both those constituencies are comfortable with the changes that have been made by the Liberal government to this bill. Therefore, we will be supporting them.

I have visited many remote Aboriginal communities in this state and have seen firsthand the damage it does to these dry communities. It is clear that the police currently have powers, but the current provisions in acts such as the Anangu Pitjantjatjara Yankunytjatjara act, the Maralinga Tjarutja act and the Aboriginal Lands Trust Act are not sufficient. This bill introduces new measures that should assist police and communities to deal with grog running. With those few words, I indicate Labor's support for the bill.

**The Hon. D.G.E. HOOD (15:27):** I rise to speak in support of this bill, which introduces some important measures to protect South Australia's most vulnerable communities from undue harm arising from unlawful and improper access to liquor, especially in dry areas. At present, there are numerous legislative restrictions in place to reduce the incidence of alcohol-related harm in these regions. These, of course, include conditions on high-risk liquor licences, which limit the amount of specific liquors that can be purchased per person per day and restricts the type of alcohol sold completely for off-premise consumption, as well as the prohibition of specific communities possessing and consuming liquor, albeit with some exemptions.

Following consultation with the relevant agencies, the Marshall Liberal government is aware that these initiatives have proven insufficient in mitigating what is commonly known as grog running, which is adversely affecting some of our Aboriginal communities in particular, and serves as the impetus for the introduction of these new provisions that are before us today.

This bill seeks to create new offences in the Summary Offences Act 1953 relating to possessing or transporting liquor for the purpose of sale, with the rebuttable presumption that possession above a prescribed quantity of liquor is for this intent. It will be an offence under this act for an individual who supplies liquor, or possesses or transports liquor with the intention to supply it, to a person in a dry community.

Designated areas are to be determined by the minister and, under this bill, not more than 20 kilometres from the boundary of a prescribed area. Under the Liquor Licensing Act 1997, it will be an offence for a holder of a licence who sells liquor to a person reasonably believed to be an unlicensed seller, intending to sell the liquor, where the unlicensed seller proceeds to do so. It will also be an offence under this act for an occupier or person in charge of premises who knowingly permits the unlicensed sale of liquor on those premises.

As many members would be aware, an iteration of this bill was introduced last year by the former state government, which did receive passage in the other place but lapsed on the dissolution of the parliament. This particular bill we are debating does differ in some ways, with revisions arising in response to more recent consultation with South Australia Police in particular. For instance, the designated area of land has been reduced quite substantially from 100 kilometres, as proposed in the previous bill, to 20 kilometres in this bill. The 100-kilometre limit was viewed as unnecessary by the government as it would encompass an extraordinarily vast geographical area.

My understanding is that SAPOL is supportive of this position—that is, the 20-kilometre position—indicating the 20-kilometre limit is entirely workable and will serve to achieve the intended effect. No doubt we would all appreciate the need to be realistic and reasonable, I guess, about what our police force can manage as regulators of these laws, given the vast responsibilities they are already tasked with performing throughout regional SA in particular.

As the Leader of the Opposition has mentioned, there are some other changes that present in this legislation. Those of particular note, given my previous voting on these issues, would be with respect to police powers, so-called stop and search powers. In consultation with the police force I understand the government has come to its current position, and I am pleased to be able to support that position because it is something on which the police ultimately should have a very strong view if they are seeking those sorts of powers from the parliament, and in this case I understand they are not. That being the case, I am happy to support the bill in its current form.

It is an unfortunate reality that our remote Indigenous communities face a number of unique challenges that are often exacerbated by the excessive consumption of alcohol in some of their lands. Alcohol abuse and dependency is, of course, known to cause many concerning problems, such as antisocial behaviour, increased crime, the onset of disease, potentially mental illness, family breakdowns, domestic violence, financial hardship and even premature death, all of which can be to the detriment of not only the individuals affected and their community but indeed the broader community.

The facts speak for themselves, with statistics revealing that the average life expectancy of Indigenous people is approximately ten years less than non-Indigenous Australians; that 20 per cent of Indigenous women would have experienced some form of physical violence in the last month, as opposed to approximately 7 per cent of non-Indigenous women; that Indigenous adults in remote areas are 1½ times more likely than non-Indigenous adults to have a disability or long-term health condition; and that the national imprisonment rate for Indigenous adults is 15 times higher than that of non-Indigenous adults. This bill will go a very small way towards improving some of those statistics.

The Marshall Liberal Government recognises a holistic approach should be taken to effectively assist our remote communities in improving their current predicament, which certainly includes the implementation of adequate laws to remove the threat of actions motivated by financial gain that are ultimately at the expense of some of the most vulnerable members of our community. I am confident the provisions proposed in this bill will prove to be in the best interests of not only the people to which it specifically applies but indeed to the wider South Australian community, with the potential to support and enhance the health and vitality of those throughout South Australia. I certainly commend the bill and support the legislation.

**The Hon. T.A. FRANKS (15:32):** I rise briefly on behalf of the Greens to indicate that we will also be supporting this bill. We welcome the changes that have been made by the new Marshall government with regard to the previous Labor incarnation of the same scheme. This, of course, seeks to support those communities who choose to be dry communities to ensure that those communities are safe.

We commend the government for taking on board particularly the concerns of the Law Society. We note that this bill has reduced the designated area of land from some 100 kilometres down to 20 kilometres, which is a far fairer number. We also note that this bill has reduced and removed those proposed police stop and search powers, which the Law Society and many other groups, including the Greens, would have thought to be used in a discriminatory fashion, particularly in terms of racial discrimination.

The Greens also welcome the government's amendments that they propose to move to this bill to ensure that it has the impact of creating safe communities and of allowing those communities who so choose the power, the autonomy and the self-determination that they should rightly have. With those few words, we commend the bill.

**The Hon. C. BONAROS (15:34):** For the record, I would like to indicate SA-Best's support also for this bill.

**The Hon. R.I. LUCAS (Treasurer) (15:34):** I thank honourable members for their second reading contributions and indications of support for the bill.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The Hon. T.A. FRANKS:** I am interested to know which groups the government consulted with in putting together this bill in between the former government having prepared their version.

**The Hon. R.I. LUCAS:** I am advised that there was further consultation with the Aboriginal Legal Rights Movement; Anangu Pitjantjatjara Yankunytjatjara; Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara Women's Council Aboriginal Corporation; the Aboriginal Lands Trust; Yalata Anangu Aboriginal Corporation; Umoona Community Council Incorporated; Far West Coast Aboriginal Corporation; Ceduna Aboriginal Corporation; Aboriginal Drug and Alcohol Council (SA) Incorporated; Commissioner for Aboriginal Engagement; South Australian Aboriginal Advisory Council; Maralinga Tjarutja Administration; the Law Society; and SAPOL.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

**The Hon. R.I. LUCAS:** I move:

Amendment No 1 [Treasurer-1]—

Page 4, line 10 [clause 4, inserted section 21OB(3)(a)]—Delete 'pecuniary' and substitute 'commercial'

I am advised that, broadly speaking, proposed section 21OB(1) in the bill would create an offence if a person possesses or transports liquor for the purpose of unlawful sale. Where that offence is committed, a separate offence would be committed under proposed section 21OB(3) by a second person if that second person would obtain a direct or indirect pecuniary benefit from the sale of the liquor and knew or ought reasonably to have known that the first person possessed or transported the liquor for the purposes of the sale but could not prove that they reasonably believed that the liquor was possessed or transported by the first person for the purpose of a lawful sale.

The proposed section 21OB(3) offence is intended to capture people who derive a commercial or quasi-commercial pecuniary benefit from the unlawful sale of liquor. However, the word 'pecuniary' has a broader meaning and may have unintended consequences. This amendment better reflects the policy intent of this provision.

**The Hon. K.J. MAHER:** I guess this is in relation to the amendment but applies more generally to the clause and I guess in relation to all the amendments. I know the Hon. Tammy Franks has asked about the consultation on the bill generally before its reintroduction. What was the consultation in relation to these amendments? In particular, were the Aboriginal Legal Rights Movement, SAPOL or the Australian Hotels Association consulted on the amendments that are being put forward now?

**The Hon. R.I. LUCAS:** I am advised that the amendments arose as a result of feedback from the ALRM, so that is why the amendments were being moved, and SAPOL were consulted. I think you asked about the AHA. I do not believe they were consulted.

**The Hon. K.J. MAHER:** Did SAPOL support them?

**The Hon. R.I. LUCAS:** Yes, SAPOL supported them.

**The Hon. F. PANGALLO:** Why were gaol terms not put in for a second or subsequent offence?

**The Hon. R.I. LUCAS:** I am advised that it is consistent with the existing penalties in the Liquor Licensing Act where there are fines but no gaol terms. It is consistent with existing similar provisions within the Liquor Licensing Act.

Amendment carried.

**The Hon. R.I. LUCAS:** I move:

Amendment No 2 [Treasurer-1]—

Page 5, line 9 [clause 4, inserted section 21OC(2)]—After 'transported' insert 'more than the prescribed amount of'

Proposed section 21OC(1) would create an offence of supplying liquor to another person or possessing or transporting liquor for the purpose of supplying it to the other person where the other person is in a prescribed area. Section 21OC(2) creates a rebuttable presumption that possession or transportation of liquor in a designated area is taken to be possession or transportation of the liquor intending to supply it to another person.

Currently, the presumption in section 21OC(2) would apply irrespective of the quantity of the liquor and would apply when a person is found with a relatively small quantity of liquor, raising the question of whether the liquor was for supply or personal use. The amendment inserts a provision that would set a threshold amount for the purposes of this presumption. This threshold is to be prescribed in the regulations.

The effect of the amendment would be that, below a certain threshold, the police would need to establish beyond reasonable doubt that the small quantity of liquor found on the accused was intended to be supplied to a person and that person was in a prescribed area. Above that threshold, the onus would shift to the accused to rebut the presumption that their intention was to supply the liquor to a person, but the police would still need to prove beyond reasonable doubt that this person was in a prescribed area. There is already a similar threshold for the section 21OB offences in this bill on which this and the next amendment in this set are modelled.

**The Hon. K.J. MAHER:** The minister talked about the amendments applying to a prescribed area. Are prescribed areas intended to be all dry areas within South Australia?

**The Hon. R.I. LUCAS:** Assuming I have understood the honourable member's question—if not, he can correct me—my advice is that it will apply to all dry areas in the state, bearing in mind that the definition in the legislation of a prescribed area does include some areas which are not dry areas. If the honourable member's question was, 'Will it apply to all dry areas in the state?' the answer to that question is yes.

**The Hon. K.J. MAHER:** There are some metropolitan foreshore areas where alcohol is prohibited so, in general, would the act apply to within 20 kilometres of those dry areas on metropolitan beaches, etc.?

**The Hon. R.I. LUCAS:** The answer to that question is yes.

**The Hon. K.J. MAHER:** I think the minister said areas other than dry areas could be prescribed areas. What has been contemplated in relation to that?

**The Hon. R.I. LUCAS:** No, only dry areas are being contemplated. I was advised that the definition of 'prescribed area' includes some areas which are not dry areas, but the intent of the policy is to apply these restrictions just to dry areas.

**The Hon. K.J. MAHER:** I wonder if the minister could elaborate. What are those areas that could be in there that the policy does not apply to that are not dry areas, but the policy is not being applied to?

**The Hon. R.I. LUCAS:** I can refer the honourable member to subclause (b) of the definition of 'prescribed area', which states, 'Trust Land within the meaning of the Aboriginal Lands Trust Act 2013'. The intention is to prescribe by regulation parts of that area, which are the dry areas, not the whole of the area. So there will be parts of that particular subclause (b), 'Trust Land within the meaning of the Aboriginal Lands Trust Act', which are not currently dry areas, therefore, the policy will not apply to those parts.

**The Hon. K.J. MAHER:** Just for complete clarification: anywhere that is currently a designated dry area—those places being gazetted under section 131 of the Liquor Licensing Act, metropolitan beach areas or other places—this absolutely will apply to those.

**The Hon. R.I. LUCAS:** I think that is the third time the member has asked the question. I can only give the same answer on advice the third time; that is, yes.

Amendment carried.

**The Hon. R.I. LUCAS:** I move:

Amendment No 3 [Treasurer-1]—

Page 5, after line 12 [clause 4, inserted section 21OC]—After subsection (2) insert:

- (3) A regulation for the purposes of subsection (2) may vary according to the area, circumstances or any other specified factor to which the regulation is expressed to apply

This is consequential on amendment No. 2. It just allows for different thresholds and different circumstances, but I am advised it is a consequential amendment on the one we have just passed.

Amendment carried; clause as amended passed.

Schedule 1.

**The Hon. K.J. MAHER:** Part 3 of schedule 1, section 29(3)(a), is similar to provisions that we have just amended under clause 21OB—Possession, transportation of liquor for sale, which introduced defences for those. Why were they introduced previously in that amendment but not in this particular section?

**The Hon. R.I. LUCAS:** My advice is they are different offences and therefore do not need the same defences.

Schedule passed.

Title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. R.I. LUCAS (Treasurer) (15:50):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

### **RESIDENTIAL PARKS (MISCELLANEOUS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 13 November 2018.)

**The Hon. K.J. MAHER (Leader of the Opposition) (15:51):** I rise today to indicate that Labor is generally supportive of the bill, but we have filed amendments, after consultation, which we believe will help improve the bill and provide additional protections for residents. The bill, largely as it was introduced by the Liberal Party, was introduced by the Labor government on 28 September 2017 and reached the Legislative Council on 1 November 2017. Unfortunately, time ran out before the election for the bill to pass this council.

The bill has had an extensive history of consultation with the community, including a discussion paper, several community forums and lengthy consultation with residential park owners and Consumer and Business Services. The bill sought to find some balances between the interests of park owners and residents, but ultimately the extra protections afforded to residents meant that the park owners were not completely satisfied with the bill, which often happens to be the way when there are competing groups with sometimes competing interests.

The bill is now back before us and there are a number of differences between the Labor bill and the bill the Attorney-General has introduced. I am advised, in particular, that clause 7, parts of clause 12, clause 13, parts of clause 18 and parts of clause 25 insert new sections that did not appear in the previous Labor bill or the amendments that were filed in the Legislative Council. As a result, as an opposition we have conducted further consultation with the sector and we have filed

amendments to help the Liberal government improve the bill and provide additional protections for residents.

I will briefly go through the amendments and their intended effect for the benefit of those who will be considering the committee stage of this in the coming days or weeks. Our first amendment inserts a definition of 'market value'. The definition appears on the ATO website and has been borrowed from the International Valuation Standards Council. This amendment is contingent on the success of amendment No. 7 [Maher-1]. It has come about after consultation with the Residential Parks Residents Association to address concerns in examples such as where a resident dies and their dwelling is put up for sale, to protect that estate from the potential of unscrupulous park owners taking advantage of families not knowing the true value of that residential site.

Amendments Nos 2, 3 and 4 clarify that resident committees must be elected by residents and not simply appointed by a park owner. The amendments also outline the term of appointment for a residents' committee, that is, one year, and there are also provisions for election of the function and procedures that may be made via regulation. The amendments came about as a result of consultation because there were concerns that, unless there was the provision for the committee to be elected by residents, it could be out of the residents' actual control.

Amendment No. 5 requires that a template agreement must be published on a website determined by the minister, and is again as a result of further consultation. Amendment No. 6 requires that a park owner must provide residents with details of how much the resident is being charged for the supply of electricity and how that amount was arrived at.

Amendment No. 7, as I said, is consequential on amendment No. 1. Amendment No. 8 introduces a provision that, where a park owner terminates a residential tenancy agreement due to change of use or redevelopment, the replacement residential park tenancy agreement offered must constitute a reasonable offer. This is to prevent the potential for unscrupulous park owners using this clause to remove residents.

Amendments Nos 9 and 10 require the commissioner for consumer affairs to keep a register for all residential parks, and outline what information must be kept on that register. Amendment No. 11 requires that a residents' committee is consulted on a safety evacuation plan for a park. Amendments Nos 12, 13 and 14 are consequential on the previous amendment.

Amendment No. 15 specifies that the safety evacuation plan must outline what equipment the park has installed as an emergency warning system. These amendments, again, were as a result of consultation which advised that it was felt that some parks do not have adequate emergency warning systems.

Mr President, with those words and outlining the amendments that Labor has filed sometime ago, I commend the bill to the chamber.

Debate adjourned on motion of Hon. T.J. Stephens.

#### *Motions*

### **RETIREMENT VILLAGES**

Adjourned debate on motion of Hon. R.I. Lucas:

1. That, in the opinion of this council, a joint committee be appointed to inquire into and report on—
  - (a) valuation policies of the Valuer-General and their impact on some residents of retirement villages; and
  - (b) options available to both state and local government to alleviate any impact on SA Water and local government charges of these policies.
2. That, in the event of a joint committee being appointed, the Legislative Council be represented thereon by three members, of whom two shall form a quorum of council members necessary to be present at all sittings of the committee.
3. That this council permits the joint committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council.



4. That standing order 396 be suspended as to enable strangers to be admitted when the joint committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.
5. That a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence thereto.

(Continued from 29 November 2018)

**The Hon. J.A. DARLEY (15:57):** I support the select committee because, hopefully, it may bring about a resolution to this issue which has been outstanding since 2015.

The issue was sparked by the Valuer-General's policy. Historically, the Valuer-General's policy was to create assessment numbers for each section, allotment or certificate of title from the Lands Titles Office. The exception to this rule was for retirement villages where the Valuer-General provided a separate assessment number for each housing unit within a retirement village. This was so that individuals who were eligible for the pensioner concession were able to receive their discount.

Prior to 2015, SA Water was responsible for approving concessions for sewerage and water rates and councils were responsible for attributing concessions for council rates. Both agencies attributed the concession against the assessment number where eligible pensioners lived. However, in 2015 the responsibility for pensioner concessions was transferred to the department for communities and social inclusion, now the Department of Human Services.

This agency did not need an assessment number to attribute the concession to. Instead, it attributed the concession to the person and maintained within pensioner file. Although separate assessment numbers for each unit within a retirement village were no longer needed, in 2015 the Valuer-General introduced a policy to assign an assessment number to each individual living unit, which was completely inconsistent with their practice and treatment of similar multiple occupation properties.

The justification behind this was that there is inconsistency in the manner retirement villages were valued. Approximately two-thirds of the villages in the state were valid separately, which meant that each unit had its own assessment number. One-third of the villages were valued as a whole with a single value and assessment number attributed to the entire village.

However, a consequence of this action was that villages that were only receiving one SA Water bill, and only charged one supply charge per village, suddenly started to receive a bill for each individual living unit in the village. For one village, this translated to a 660 per cent increase in SA Water rates. Any new retirement village constructed after 1 July 2015 is subject to the new assessment policy.

One argument put by the Valuer-General in support of separate assessments was that unit occupiers wanted to be assured that any difference in valuation between individual units was reflected in the rates payable. However, it is still possible to achieve this by having the Valuer-General assign a tenancy apportionment of value for each occupation when there is only one value for the entire complex. This is how other multiple occupancy properties, such as flats, offices within complexes and shops within shopping centres, are valued. It should be noted that SA Water has no discretion but to follow the lead of the Valuer-General when assessment numbers are created.

At present, supply charges are levied against all properties that have an assessment number. For some retirement villages and unit complexes, this results in each individual unit having to pay the supply charge notwithstanding the fact that SA Water does not supply anything to the unit. All infrastructure, from the meter to the unit, is the responsibility of the village owner. If there is a burst water main it is up to the owners of the village to fix it, rather than SA Water. I do not understand why these people would be charged a supply charge because there is nothing that is being supplied to them. It would make much more sense for SA Water to charge supply charge per meter, rather than per assessment.

Whilst a memorandum of understanding has been signed by all relevant stakeholders to suspend the issuing of separate rates to individual living units, this only affects those villages that were valued and assessed as one village prior to 1 July 2015. Other retirement villages, which were valued and assessed per independent living unit prior to 1 July 2015, continue to receive separate

rates per unit. This causes an issue because it results in vastly different rates and taxes being paid on properties that are very similar. I have been pushing for a solution on this matter since 2015, and look forward to the committee's final report in the hope of an equitable resolution.

**The Hon. R.I. LUCAS (Treasurer) (16:02):** I thank the Hon. Mr Darley for his contribution and also other members who, whilst they have not spoken, have indicated privately that they support the motion for the establishment of a joint select committee. As I indicated in my opening contribution to the debate, this was a commitment that we gave prior to the election, and we were intent on following it through.

The Hon. Mr Darley has been the most assiduous parliamentary pursuer of this particular issue, both in this chamber and in various Legislative Council committees, such as the Budget and Finance Committee. I, too, join with him and hope that the members of the committee, who will include the Hon. Mr Darley, will be able to find a satisfactory resolution to this particular issue. It is not a simple solution. I guess if it was, the former government may well have resolved it.

Nevertheless, it remains a challenge for the new government to resolve, and we look for either advice on an option or, indeed, perhaps a series of options that the government might be able to contemplate in relation to resolving the issue. Should this be supported by the House of Assembly, which I anticipate it will, I wish the members of the joint select committee success in resolving the issue.

Motion carried.

#### *Bills*

### **STATUTES AMENDMENT (CHILD EXPLOITATION AND ENCRYPTED MATERIAL) BILL**

#### *Introduction and First Reading*

Received from the House of Assembly and read a first time.

*Sitting suspended from 16:09 to 16:18.*

### **ROAD TRAFFIC (EVIDENTIARY PROVISIONS) AMENDMENT BILL**

#### *Introduction and First Reading*

Received from the House of Assembly and read a first time.

#### *Second Reading*

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:23):** I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The *Road Traffic (Evidentiary Provisions) Amendment Bill 2018* will amend the *Road Traffic Act 1961* to insert a new evidentiary provision to address issues arising from court outcomes involving the use of a Lidar traffic speed analyser by the South Australia Police (SAPOL) to detect speeding offences.

#### **EVIDENCE**

Measuring and scientific devices are caught by a common law presumption of accuracy over time. Among the measuring or scientific devices that come within the common law presumption are things like clocks, stop watches, tape measures and vehicle speedometers. The acceptance comes about by the courts' diminishing demand for strict proof over time, until accuracy is just accepted unless contradicted. Courts have not reached this point with most complex electronic devices, such as traffic speed analysers.

The essential legal test to meet is a test at common law to establish that a device is a scientific instrument of accuracy. This test contains two limbs:

- (1) proof that the instrument in general is trustworthy; and
- (2) the correctness of the particular instrument (for example the instrument was calibrated and used correctly).

In order to prove the second limb, section 175(3)(ba) of the Road Traffic Act contains an evidentiary provision that enables the prosecution to tender a document (certificate) to certify that a specified traffic speed analyser had

been tested on a specified day and was accurate to the extent indicated on the document, in the absence of proof to the contrary.

This evidentiary provision removes the obligation that would otherwise be placed on the prosecution to call multiple witnesses to present evidence to a court regarding the accuracy of the traffic speed analyser.

#### JUDGMENTS

On 19 July 2018, Justice Peek, in the South Australian Supreme Court, handed down three judgments *Police v Hanton* [2018] SASC 96, *Police v Miller* [2018] SASC 97 and *Police v Henderson* [2018] SASC 98.

The three judgments all related to speeding offences detected by SAPOL operational police using a hand-held traffic speed analyser known as the '*Lidar device*'. In each case, the matter proceeded to trial.

At trial, prosecution called the police officer who was operating the hand-held traffic speed analyser to give evidence in regards to a '*five step test*' that was conducted on the day of detection to confirm that the device was operating correctly.

The prosecution tendered a certificate (signed by an officer of police) pursuant to section 175(3)(ba) (Evidence) of the Road Traffic Act to certify that the device had been tested on a specified day and was shown by the test to be accurate within the asserted range (+2 to -3 km/h).

Justice Peek made the following comment in the judgment of *Police v Hanton*:

'A problem that has arisen, perhaps incrementally, is that SAPOL have (in purported compliance with the statutory test), erected a system whereby the result of the last 'calibration test' of a TSA unit (if it occurred within the previous 12 months) will be taken to be the current extent of accuracy of that unit, provided that the rudimentary test (which may be referred to as the 'five step test plus calibration check' procedure) is 'passed'. What has been lost sight of is that RTA s 175(3)(ba) requires that first, the statutory test be performed proximate to the measurement of the speed the subject of a charge and second, that the statutory test must itself show that the TSA unit is then accurate to a particular stated extent.'

Justice Peek held that the South Australia Police (SAPOL) '*on-the-day testing*' of the traffic speed analyser does not in itself produce a result that demonstrates that the extent of the accuracy of the device is within the asserted range (+2 to -3 km/h).

Justice Peek held that in the absence of other evidence adduced in each trial regarding the accuracy of the traffic speed analyser, there was no evidence that '*on-the-day testing*' proved that the traffic speed analyser was accurate to the extent recorded in the evidentiary certificate (which was derived from the annual calibration). His key conclusion was that SAPOL's testing regime was not consistent with the requirements of s 175(3)(ba).

Justice Peek noted that s 175(3)(ba) was first introduced in 1964, at a time when all traffic speed analysers were tested on a daily basis by reference to a police car with a calibrated speedometer.

Technology has advanced since 1964. The amendments are modelled on similar provisions in Queensland, New South Wales and Victoria that provide for a presumption of accuracy if traffic speed analysers have been calibrated annually in a laboratory in accordance with the Australian Standards.

The information on the certificate that read +2 to -3 km/h originated from Australian Standard 4691.1—2003 Laser-based speed detection devices Part 1: Definitions and device requirements.

The Australian Standard 4691.2—2003 Laser-based speed detection devices Part 2: Operational procedures states that the traffic speed analyser shall not be used unless it has been tested and certified by a testing authority within the past 12 months. This involves testing the device to ensure the speed measurements are accurate within a range of +2/-3 km/h and range measurements are accurate within a range of +0.3, -0.4 metres.

#### AMENDMENTS

In order for the prosecutor to tender a certificate which is consistent with the Australian Standard or if there was no appropriate Australian Standard—the manufacturer's specifications, an amendment to section 175 of the Road Traffic Act is required to insert a provision that enables the prosecution to tender a certificate that certifies that the specified traffic speed analyser was accurate for a period of 1 year immediately following the day on which the traffic speed analyser was tested (the '*calibration test*'). The facts certified in the certificate will constitute proof, in the absence of proof to the contrary.

Calling expert evidence for every prosecution to prove that the traffic speed analyser results are accurate in each prosecution would be a significant financial cost to the prosecuting authority. The certificate enables the prosecuting authority to avoid calling expert evidence to establish the accuracy of a traffic speed analyser.

I commend this Bill to the House.

Explanation of Clauses

Part 1—Preliminary

## 1—Short title

## 2—Amendment provisions

These clauses are formal. The measure comes into operation on the day on which it is assented to by the Governor.

Part 2—Amendment of *Road Traffic Act 1961*

## 3—Amendment of section 175—Evidence

Clause 3 of the measure makes several amendments to section 175 of the Act. Clauses 3(1) and (2) of the measure limit the current evidentiary provision in section 175(3) of the Act to traffic speed analysers that are also photographic detection devices. These subclauses are consequential on the amendment to section 175(3) proposed by clause 3(3) of the measure.

Clause 3(3) of the measure inserts new paragraph (baa) into section 175(3) of the Act.

New paragraph (baa) is an evidentiary provision that relates to traffic speed analysers that are not photographic detection devices. It provides that if the prosecution produces a certificate by the Commissioner of Police (or a police officer of or above the rank of inspector) certifying that such an analyser was tested on a specified day in accordance with an appropriate Australian Standard (or if there was no Australian Standard in force on the day of testing, the manufacturer's specifications) and was found to be accurate to the extent indicated, then the certificate is proof, in the absence of proof to the contrary, of the accuracy of the analyser to that extent not just on the day of testing but also during the period of 1 year following that day (and is proof of that accuracy whether or not the analyser is used during that year in relation to vehicles of different speeds from those involved when the test was carried out or is used in different circumstances from those that applied when the test was carried out).

Debate adjourned on motion of Hon. R.P. Wortley.

At 16:24 the council adjourned until Wednesday 5 December 2018 at 14:15.

*Answers to Questions***COURTS ADMINISTRATION AUTHORITY**

**62**      **The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1.          What areas in the Courts Administration Authority are the 81 FTEs cuts to staff coming from?

2.          What functions do these staff currently perform?

3.          What level are these staff?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The 81 FTEs is an estimate based on the assumption that savings are achieved from staff reductions. However, it may be the case that savings are found through other means.

The savings are required by 2021-22, with the strategy for achieving these to be developed and considered by the State Courts Administration Council over the coming year.

**COURTS ADMINISTRATION AUTHORITY**

**63**      **The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1.          What areas in the Courts Administration Authority are the \$8 million savings coming from?

2.          What process is being undertaken to identify those savings?

3.          When will this process be complete?

4.          Whether the Attorney-General will guarantee that additional delays in access to justice will not be experienced as a result of these savings?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1.          The next two judicial vacancies which are proposed to be replaced by judicial registrars are 20 March 2020 and 9 February 2021.

2.          Two.

3.          A magistrates salary is set by the Remuneration Tribunal and are therefore publicly available.

4.          The cost of supporting a magistrate is approximately \$194,000 p.a. The costs of supporting a judicial registrar are similar.

5.          This is yet to be determined as no judicial registrars have been appointed to date. The act requires that their remuneration be determined by the Governor with the concurrence of the chief magistrate.

6.          Refer to 4.

7.          Refer to the Magistrates Act 1983.

8.          The appointment process is yet to be determined.

9.          Subject to the regulations, judicial registrars may exercise such jurisdiction of the court as assigned by the chief magistrate or the rules. It is anticipated that judicial registrars will be used to preside over uncomplicated matters and interlocutory proceedings.

10.        The use of judicial registrars will free up magistrates' time to focus on more complex matters. It is unlikely to have any noticeable impact on the time to finalise cases.

**JUDICIAL VACANCIES**

**64**      **The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1.          When are magisterial vacancies likely to occur that will be replaced with judicial registrars?

2.          How many judicial registrars will replace the two magistrates?

3.          What remuneration does a magistrate receive?

4.          What is the total cost of supporting a magistrate, including staffing costs and all related on-costs?

5.          What remuneration does a judicial registrar receive?

6.          What is the total cost of supporting a judicial registrar, including staffing costs and all related on-costs?

7. What qualifications and experience does a magistrate need, and what is the appointment process?
8. What qualifications and experience does a judicial registrar need, and what is the appointment process?
9. What sort of cases will the judicial registrars hear?
10. Will this measure speed up the finalisation of court cases?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

Refer response to previous question.

#### **COURTS ADMINISTRATION AUTHORITY**

**65 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why is there a 30 FTE increase in the Courts Administration Authority above the 2017-18 estimated result?
2. What areas of the Court Administration Authority are gaining additional staff and at what level and undertaking what function?
3. Does the Attorney-General expect that each FTE position will be filled?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The 2018-19 budget is 31 FTEs higher than the 2017-18 estimated result mainly due to adjustments to the timing of funding for the implementation of the Electronic Court Management System. This is partly offset by savings announced prior to the 2018-19 budget.

A correction will be made to FTE's associated with the Electronic Court Management System during 2018-19 which will reduce the overall increase in 2018-19 to 21 FTEs.

The funding provided for 2018-19 will be utilised as a mix of staffing and supplies and services expenditure dependant on requirements.

#### **COURTS ADMINISTRATION AUTHORITY**

**66 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why is there a \$6.2 million increase in the Courts Administration Authority budget above the 2017-18 estimated result?
2. What areas of the Court Administration Authority are receiving additional funding and for what purpose?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The \$6.2 million increase is primarily due to roll out the Electronic Court Management System, indexation on supplies and services and enterprise bargaining increases and additional funding in 2018-19 for coronial inquests.

#### **COURT AND TRIBUNAL RESOLUTION SERVICES**

**67 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why is there a 31.4 FTE increase above the 2017-18 estimated result in the Court and Tribunal Resolution Services?
2. What areas are gaining staff—at what level and undertaking what function?
3. Whether the Attorney-General expects that each FTE position will be filled?
4. Why is there a \$6.1 million increase to the cost of providing services for the Court and Tribunal Resolution Services above the 2017-18 estimated result?
5. What areas are receiving additional funding and for what purpose?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

Refer responses to questions on notice Nos 65 and 66.

#### **ELECTRONIC COURT MANAGEMENT SYSTEM**

**68 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What is the cost to establish the Electronic Court Management System (ECMS)?

2. Is the rollout of the ECMS running on time?
3. Is the rollout of the ECMS running to budget? What was the initial budget?
4. What is the ongoing cost of managing the system?
5. What current functions and staff will be replaced?
6. What savings will be made and how many FTEs will be replaced?
7. Whether the Attorney-General agrees that more staff will be needed to manage the transfer, not less, particularly in regard to the probate registry?
8. Which government and non-government agencies will have access to the system and what privacy measures are in place?
9. Was it the intention for the Crown Solicitor's Office, SAPOL and the DPP or any other third party to access the system? Can they?
10. Is this off-the-shelf software, or custom built and why is that the case?
11. Is a South Australian company delivering the Electronic Court Management System?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. \$23.2 million which was allocated in the 2015-16 budget.
2. The project is currently running on schedule and expects to be deployed in the probate jurisdiction on 26 November 2018.
3. The project is on budget.
4. The 2015-16 budget provided recurrent costs of \$1.8 million p.a. upon completion.
5. The Electronic Court Management System will replace the functions of multiple legacy core business systems across five courts (Supreme, District, ERD, Magistrates and Youth).
6. & 7. Savings associated with the Electronic Court Management System have been aligned to the savings measures outlined in the 2018-19 budget and commence primarily from 2021-22.
8. Court outcomes have always been provided to a number of agencies and other parties via data interchange and this will continue.
9. Parties to cases have always had access to those cases and that will continue. The new system will provide 24/7 online access to all parties via the CourtSA portal to case information. Non-parties may make an application for access to case information which will be considered on a case by case basis using the same considerations as exist today.
10. The CAA has selected a highly configurable off-the-shelf product which was determined to be the best fit for the CAA.
11. No South Australian companies responded to the request for proposal. However, the majority of work effort in delivering this product will take place in South Australia.

#### **ELECTRONIC COURT MANAGEMENT SYSTEM**

**69 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What has caused the additional expense and FTE requirement for the Electronic Court Management System (ECMS)?
2. What work are the additional 15 FTEs doing on the ECMS?
3. The salary and job title for each of those FTEs?
4. How the additional funding is being spent?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

This question appears to relate to the explanation of significant movements commentary for the Sub-Program 1.1 Criminal Jurisdiction. A similar commentary refers to Sub-Program 1.3 Civil Jurisdiction, therefore these two sub-programs should be combined in reference to the impact of ECMS.

This impact has been outlined in previous responses.

#### **DRUG TREATMENTS**

**70 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Is the projection of drug treatment assessments increasing by 50 over 2017-18 levels, while the program remains limited to 170, included in the impact of the measures contained within the Liberal election commitment 'Drug Treatment Orders'—and within the Controlled Substances (Youth Treatment Orders) Amendment Bill 2018—where a magistrate can issue drug treatment orders for a person under the age of 18?

2. What impact does the Attorney-General think this will have on numbers? Will they go up or down, and by how much?

3. Are any additional places being funded? If so, why wasn't that impact included in the figures?

4. Do these figures include the impact of measures contained within the Statutes Amendment (Drug Offences) Amendment Bill 2018 which limits the number of drug diversions to two in four years?

What impact does the Attorney-General think this will have on numbers? Will they go up or down, and by how much?

5. Why wasn't that impact included in the figures?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. to 3. These questions should be referred to the Minister for Health.

4. Drug diversions under the *Controlled Substances Act* are not related to drug treatment orders or assessments being created under the *Controlled Substances (Youth Treatment Orders) Amendment Bill 2018*.

The *Statutes Amendment (Drug Offences) Amendment Bill 2018* will reduce the numbers of drug diversions by limiting them to two diversions in a four-year period. It is estimated this could result in a reduction of approximately 1,400 diversions per year, as detailed during committee stage of the bill in the Legislative Council.

5. See answer above.

#### CORONIAL INQUESTS

**71 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Which coronial inquests have been provided with additional funding as outlined in the budget papers?

2. Which coronial inquests were delayed as outlined in the budget papers?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The special inquests which were provided additional funding were:

- Morrison
- Dailler-Muir
- Kuskov
- Castillo-Riffo

2. The 'delay in commencement' comment in the budget papers is in reference to the timing of the provision of funding provided in 2017-18, rather than a delay in the inquests themselves.

#### COURTS ADMINISTRATION AUTHORITY

**72 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise—on the Courts Administration Authority statement of comprehensive income, what is the \$34,000 of other income outlined in the 2017-18 estimated result?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The 2017-18 estimated result reports \$345,000 in other income, which is related to wage supplementation funding.

#### COURTS ADMINISTRATION AUTHORITY

**73 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why has the value of assets attributed to the Courts Administration Authority declined by approximately \$18 million compared to 2017-18 budgeted levels?

2. Why has there been an increase of around \$5 million in intangible assets from the 2017-18 estimated result?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:



The decrease in assets mainly relates to a drawdown in cash to fund major investing projects, namely the Higher Courts Redevelopment Project and the Electronic Court Management System.

#### COURTS ADMINISTRATION AUTHORITY

**74 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What was the once-off reclassification of expenditure from investing capital to operating in 2017-18 in the Courts Administration Authority budget and was Treasury approval required and sought for?
2. What was the \$200,000 of increased savings for 2017-18?
3. What is the explanation for the higher expenditure for the Electronic Court Management System in 2017-18 of \$400,000?
4. What major investing projects were funded through the \$17.3 million drawdown?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. This reclassification relates to a change in accounting treatment for different asset classes of the CAA's library collection. The reclassification was approved by Treasury.
2. This relates to annual efficiency dividends allocated in 2017-18.
3. This relates to carryover adjustments.
4. The Higher Courts Redevelopment Project and the Electronic Court Management System.

#### CRIME PREVENTION GRANTS PROGRAM

**75 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What feedback has the department received about the success of the discontinued Crime Prevention Grants program?
2. Has the program ever been evaluated? What were the results?
3. How many applications were received for the 2018-19 program?
4. What applications were approved for funding for 2018-19 and which of those are no longer being funded?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The department has not received any formal feedback about the success of the program.
2. No.
3. A grant round did not occur in 2018-19.
4. Refer to 3.

#### SAFE CITY GRANT

**76 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What locations did the Safe City Grant support the maintenance of?
2. Whether the Attorney-General will guarantee that all existing CCTV cameras continue to operate?
3. How many cases used evidence from CCTV cameras for the last three financial years?
4. What representations have been received from SAPOL about the discontinuation of the Safe City Grants?
5. What representations have been received from the Adelaide city council about the discontinuation of the Safe City Grants?
6. How much does the Adelaide city council spend per annum on maintenance of CCTV cameras?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The exact locations of CCTV cameras in the City of Adelaide cannot be disclosed due to the impact on the operations of South Australia Police. However, the Safe City Grant supported the maintenance of 115 cameras within the City of Adelaide City Safe CCTV Network. A CCTV coverage map can be accessed at: <https://www.cityofadelaide.com.au/assets/image-maps/MAP-CCTV-Schematic-View-Coverage-July-2018.pdf>.
2. This is a matter for the City of Adelaide as it owns and operates all CCTV cameras in the City Safe CCTV network.

3. This is a matter for the Minister for Police, Emergency Services and Correctional Services.
4. Nil.
5. No formal representations from the Adelaide city council regarding the discontinuation of the Safe City Grant have been received.
6. The Adelaide city council expects to spend \$92,000 in 2018-19 for the maintenance of the CCTV cameras.

#### TAXI CONCIERGE SERVICES

**77 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Have the concierge services at managed taxi ranks ceased, if not, when will they cease?
2. When were the concierge services introduced?
3. Of the breakdown of violent incidents at each of the managed taxi ranks for the three years before the concierge services were introduced until now?
4. Whether the Attorney-General can guarantee that there will not be an increase in violent incidents at the taxi ranks once the concierge services are removed?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The Taxi Council South Australia indicated in September that some ranks were expected to cease operating within the coming weeks, whilst the busiest ranks are to remain being serviced until 31 December 2018.

I understand further discussions are occurring between the Taxi Council South Australia and the Liquor and Gambling Commissioner currently.

2. The first managed taxi rank was established by the Taxi Council South Australia in 2002. Additional ranks were introduced in 2008 and 2012.

3. This is a matter for the Minister for Police, Emergency Services and Correctional Services.

4. These taxi ranks will remain appropriately secure with signage, lighting and CCTV surveillance.

#### COMMUNICATION PARTNER GRANT PROGRAM

**78 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. How many children or adults with complex communication needs access the Communication Partner Grant program each year?
2. What consultation occurred with Uniting Communities before cutting this program?
3. Who will now assist children or adults with complex communication needs in the justice system?
4. Whether the Attorney-General is concerned that children or adults with complex communication needs will have poorer outcomes in the justice system as a result of this cut?
5. Whether the Attorney-General can guarantee that children or adults with complex communication needs will still be able to give evidence and that evidence will be admissible?
6. Whether the Attorney-General can guarantee that cases involving children or adults with complex communication needs will not experience additional delays?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The program began in 2016. In 2016-17, 41 children or adults were provided assistance. In 2017-18, this number totalled 72.

2. The state budget is considered cabinet in confidence until budget day. Accordingly, this measure was not the subject of consultation with external stakeholders.

3. The Communication Partner Service is funded until February 2020. Until this time, the service will continue to operate and be managed by Uniting Communities and volunteers will continue to provide communication assistance.

4. Children and adults with complex communication needs will still have access to communication assistance, which includes emotional support by family, carers or friends, and the use of a communication device in both forensic interviews and in court.

5. Children and adults with complex communication needs will still be able to give evidence in both forensic interviews and in court, and can access communication assistance to help facilitate the giving of evidence.

6. The decision to cease this program is not anticipated to impact the time frames for court cases.

**DISABILITY JUSTICE SPECIALIST TRAINING PROGRAM**

**79 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What is the definition of a vulnerable witness in the Disability Justice Specialist Training Grant program?
2. How many witnesses required specialist interviewing skills in the period June 2015 to July 2018?
3. How many people left the pool of specialist interviewers in the period June 2015 to July 2018 and how were they replaced?
4. Where the current 150 specialist interviewers are employed now?
5. What consultation occurred before cutting this program?
6. Whether the Attorney-General is concerned that vulnerable witnesses will have poorer outcomes in the justice system as a result of this cut?
7. Whether the Attorney-General can guarantee that vulnerable witnesses will still be able to give evidence and that evidence will be admissible?
8. Whether the Attorney-General can guarantee that cases involving vulnerable witnesses will not experience additional delays?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. Refer section 4 of the *Evidence Act 1929*.
2. Data is not available on the number of witnesses who have required specialist interviewing since 2015.
3. Data is not available on the movement of specialist interviewers since 2015. However, specialist interviewer training is undertaken by five agencies, being South Australia Police, the Department of Human Services, the Department of Education, SA Health and the Department for Child Protection. Between 2015 and 2018, 180 staff from these agencies completed the course.
4. There are currently 180 government employees who have completed the training. Of the current specialist interviewers: 103 are from SAPOL; four from the Department of Human Services; seven from the Department of Education; 43 from SA Health – Child Protection Services; and 23 from the Department for Child Protection.
5. The state budget is considered cabinet in confidence until budget day. Accordingly, this measure was not the subject of consultation with external stakeholders.
6. The five agencies approved now have sufficient capacity within their pool of trained staff to support forensic interviewing.
7. Vulnerable witnesses will still have access to specialist interviewers.
8. No delays are anticipated.

**DIRECTOR OF PUBLIC PROSECUTIONS**

**80 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What are the complex cases the DPP is prosecuting that require the uplift in funding outlined in the budget papers?
2. Whether the Attorney-General is confident that all of these cases will be completed in this financial year?
3. What resources will this funding provide? Does this include additional FTEs and if so, how many, in what positions, and what is the salary of each position?
4. Whether the Attorney-General believes there will be no similar complex cases in the next financial year?
5. Whether the Attorney-General has had any conversations about the requirement for a similar amount of funding next year or on an ongoing basis?

**The Hon. R.I. LUCAS (Treasurer):**

The Attorney-General has provided the following advice:

1. Details of the complex cases the DPP is prosecuting is a matter for the DPP.
2. The complex matters being prosecuted are all at various stages and ongoing.
3. The funding provides for a range of resources including:

- Additional ODPF resources: complex cases require the application of significant legal and some administrative resources in a dedicated capacity for considerable periods (including trial preparation).
  - External resource costs: Including where work is briefed to external counsel;
  - Ancillary costs
4. This is a matter for the DPP.
5. Discussions will continue with the DPP and Department of Treasury and Finance with regard to funding needs for complex matters in 2019-20.

#### CROWN SOLICITOR'S OFFICE

**81 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Of the breakdown of the \$1.8 million saving to the Crown Solicitor's Office? Are the ongoing savings only attributable to staff, or are there other cuts included?
2. What is the justification for cutting 51 staff?
3. What sections are these staff in?
4. What level are they and what are their job titles?
5. What is the nature of the work they undertake?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. Efficiency savings may come from staff reductions, and other areas.
2. 2018-19 Budget Paper 5 sets out that the expected full-time equivalent reduction will be 15.
3. Savings relevant to staffing will likely impact on all areas of the Crown Solicitor's Office.
4. This detail is yet to be finalised.
5. This detail is yet to be finalised.

#### FORENSIC SCIENCE CORONIAL SERVICES

**82 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Is the breakdown of the additional funding to the Forensic Science Coronial Services all attributable to new FTEs?
2. What level will these staff be and what is the nature of the work they will undertake?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. Most of the new funding is attributable to new staff.
2. The additional staff will be technical officers working in the mortuary and the histo-pathology laboratory as well as administrative officers undertaking various duties including audio-medical typing and data entry tasks.

#### RIVERLAND COMMUNITY LEGAL SERVICES PROGRAM

**83 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. How is the \$150,000 provided for the Riverland Community Legal Services program being allocated?
2. How much is being provided for staffing and how much is being provided for office accommodation and administration?
3. Who is the Attorney-General partnering with to deliver the service?
4. Are they receiving the full amount of funding?
5. Where will the office be located?
6. Where was the funding for this initiative reallocated from?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The funding for a full-time community legal service in the Riverland has been allocated as part of a direct negotiation process with an existing provider in the region.

2. Approximately 50% of funds will be allocated to staffing in the region. The remainder of the funding will be allocated towards office accommodation and administration.
3. Refer to 1.
4. This detail will be made public in due course.
5. The Riverland Community Justice Centre will be located in Berri.
6. \$150,000 was provided for as part of the setting of the AGD budget for 2018-19.

#### SENTENCING COUNCIL

**84 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. How many times has the Attorney-General met with the Sentencing Council since coming into government?
2. What advice has the Attorney-General received from the Sentencing Council since coming into government?
3. What has the Attorney-General done with that advice?
4. Who in the Attorney-General's department will be providing the advice that the Sentencing Council would otherwise have provided?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The Attorney has taken part in one Sentencing Council meeting since 17 March 2018.

The Sentencing Advisory Council of South Australia was established by the previous government to undertake specific tasks at the direction of the Attorney-General and to provide advice to the Attorney-General.

The government is committed to engaging broadly with the justice sector and the public on sentencing laws and will continue to do so in the absence of the council.

Legal officers within the Attorney-General's Department are also available to provide advice on sentencing matters.

#### PUBLIC SAFETY MANAGEMENT

**85 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Which exact areas of public safety management are the FTE reductions and funding cuts attributed against?
2. Whether the Attorney-General can guarantee that the public will not see a reduction in service?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

These are matters for the Minister for Police, Emergency Services and Correctional Services.

#### NATIONAL REDRESS SCHEME

**86 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why was it necessary to allocate the funding for the National Redress Scheme for survivors of institutional child sexual abuse against the 2017-18 budget?
2. Did any abuse survivor receive a payment in 2017-18?
3. What is the current balance of the Victims of Crime Fund?
4. Once the funding for the National Redress Scheme has been removed, what balance is left?
5. How much will be raised by the Victims of Crime levy this financial year?
6. How much is paid out each year, not including the funding for the National Redress Scheme?
7. Is using the Victims of Crime Fund for the National Redress Scheme an appropriate use of the fund under the relevant legislation and/or guidelines?
8. Can the Attorney-General confirm that there does not need to be a perpetrator or criminal who has a conviction recorded against them for a victim to be paid?
9. What legal advice has the Attorney-General sought and received about this use of funds?
10. What is happening to the interest accruing on the funding set aside for the National Redress Scheme?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

Soon after forming government the Premier, the Hon Steven Marshall MP, made a commitment to victims and survivors of institutional and child sexual abuse to opt in to the National Redress Scheme. In order to ensure funding was allocated for the full ten-year life of the scheme, a decision to quarantine and lock away funds safely within SAicorp was made.

Actions are currently being taken to make the scheme fully operational by early 2019. Until this time, no survivors are able to receive a payment under this scheme, however are still able to access ex gratia payments granted by the Attorney-General.

These details, and many others, have been explicitly detailed in the numerous briefings provided to the member and other members of the opposition during the course of debate on the National Redress Scheme Bill.

As at the end of June 2018, the balance of the VOC Fund was \$152.1 million.

For 2018-19, budgeted revenue for the Victims of Crime levy is \$43.2 million. For 2018-19, budgeted expenditure from the Victims of Crime Fund is \$31 million.

Interest will continue to accrue whilst the funding is held with SAicorp.

#### INDEPENDENT COMMISSION AGAINST CORRUPTION

**87 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What portion of additional resources allocated to the Independent Commissioner Against Corruption is attributed to public hearings?
2. How many public hearings will that funding allow?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The 2018-19 state budget provided an additional \$14.5 million to the Independent Commissioner Against Corruption across the forward estimates, including \$3.9 million to establish and maintain additional accommodation which includes the provision of a dual purpose public hearing and education facility.

2. The primary purpose for the dual purpose facility will be for hearings and will be available as and when the commissioner determines to conduct a public inquiry.

#### ROYAL COMMISSIONER ON THE MURRAY-DARLING BASIN

**88 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Has the Attorney-General apologised to the royal commissioner on the Murray-Darling Basin as he requested?
2. Has the Attorney-General corrected the record after the royal commissioner on the Murray-Darling Basin wrote to her describing her public statements as 'wrong'?
3. Why did the Attorney-General not allow an extension for the Royal Commission on the Murray-Darling Basin?
4. Does the Attorney-General accept the view of the royal commissioner for the Murray-Darling Basin that he required an extension in order to pursue the summons issued to commonwealth officials?
5. Did the Attorney-General receive any requests from the commonwealth government ministers or their staff—to not support an extension for the royal commission on the Murray-Darling Basin?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

Matters raised in this question have been answered in the thorough debate of the Royal Commissions (Extraterritorial Application) Amendment Bill 2018 in the House of Assembly.

Further, correspondence between the Attorney-General and Commissioner Walker is publicly available here: <https://mdbcrcsa.govcms.gov.au/newsroom/media-statement-murray-darling-basin-royal-commission-0>

No requests from the commonwealth government, ministers or their staff were received to not support an extension for the commission.

#### ATTORNEY-GENERAL'S DEPARTMENT

**89 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What sections of the Attorney-General's Department are the planned 300 FTE cuts coming from, what level are the officers who are being cut, and what role or function do they fulfil?
2. Whether the Attorney-General expects to fill all budgeted FTE positions?

3. What is the actual FTE count currently?
4. If these decisions are yet to be made, what is the process for deciding on the FTE cuts and when will that decision be made?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The 300 FTE reduction would appear to reference Budget Paper 4, Volume 1 Page 14.

As shown on this page, the majority of the FTE reduction from the 2017-18 estimated result to the 2018-19 budget relates to the transfer of SafeWork SA from the Attorney-General's Department to the Department of Treasury and Finance from 1 July 2018.

#### ATTORNEY-GENERAL'S DEPARTMENT

**90 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Which sections of the Attorney-General's Department budget are the \$10 million cuts coming from?
2. How much of the budget cuts are attributed to FTE cuts?
3. If these decisions are yet to be made, what is the process for deciding on the budget cuts and when will that decision be made?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. to 3. The budget savings announced in the 2018-19 budget, including estimated FTE reductions, for the Attorney-General's Department are outlined in Budget Paper 5.

#### ATTORNEY-GENERAL'S DEPARTMENT

**91 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise—what legislation the Attorney-General's Department is drafting that is yet to be introduced into the parliament?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

Legislation for all government departments and members of parliament is drafted by parliamentary counsel, a business unit of the Attorney-General's Department. Any legislation being drafted by parliamentary counsel is the subject of legal professional privilege.

In addition, any legislative reform being developed by the Attorney-General's Department is the subject of legal professional privilege and is cabinet in confidence.

#### FINES ENFORCEMENT AND RECOVERY UNIT

**93 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why the delivery of the Fines Enforcement and Recovery ICT System has blown out by a year. What has caused the delays? Is the Attorney-General confident it will be completed by the end of the new competition date?
2. Why the delivery of the GPO tower fit-out has blown out by around eight months? What has caused the delays? Is the Attorney-General confident it will be completed by the end of the new competition date?
3. Why the delivery of the Laboratory Information Management System has blown out by two years? What has caused the delays? Is the Attorney-General confident it will be completed by the end of the new competition date?
4. Why the delivery of the SA Employment Tribunal case management has blown out by a year? What has caused the delays? Is the Attorney-General confident it will be completed by the end of the new competition date?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The Fines Enforcement and Recovery Unit's Recovery Management System was implemented on 18 June 2018 and replaced a legacy, bespoke system provided by the Courts Administration Authority. The implementation was delayed due to the challenges of aligning interface testing windows with multiple large stakeholders, as well as resolving complex migration challenges to ensure the integrity of the data was preserved.

2. The practical completion date of the GPO Tower remains unchanged at September 2019. However, it is expected that payments in relation to the project will be incurred to the end of the 2019-20 financial year.

3. Forensic Science SA is a highly complex organisation with numerous business needs related to analytical processes, quality assurance and judicial and legislative requirements. Forensic Science SA cannot compromise on the quality assurance of the Laboratory Information Management System, given its critical involvement in the criminal justice sector. The project has been slowed by the complexity of underlying business rules required to be written into the code and the extensive testing and validation required before release.

4. The detailed design of the SAET case management system was completed and agreed with the provider in February 2018. However, during phase 1 of the system's development, it became evident the provider needed to commit significantly more time and effort to develop and test the CMS in a way that would ensure SAET's requirements would be met. It is anticipated the system will be operational by June 2019.

#### CROWN SOLICITOR'S OFFICE

**94 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Of a detailed breakdown of the reduction in budget of around \$700,000 for the Crown Solicitor's Office?
2. What sections the 17 FTEs are being cut from? What level they are and what role or function do they fulfil?
3. How many FTEs are currently engaged?
4. Whether the Attorney-General expects to fill all FTE positions?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The budget reduction of around \$700,000 is mainly due to the savings measures outlined in Budget Paper 5, together with savings allocated prior to the 2018-19 budget.
2. The reduction in FTEs is partly attributable to the savings measures outlined in Budget Paper 5 as well as changes in funding arrangements with other agencies for the provision of dedicated legal services.
3. As at 18 October 2018, the CSO had 246.5 FTEs.
4. It is not clear what this question means.

#### CROWN SOLICITOR'S OFFICE

**95 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why does the 2018-19 budget project around 50,000 fewer in-house lawyer hours for the Crown Solicitor's Office?
2. Why does the 2018-19 budget project 5,000 fewer out-posted lawyer hours? Are any agencies losing out-posted lawyers, and if so, which ones?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. & 2. The activity indicators published in the budget papers represents two issues;
  - The figures represent the current policy for legal staff to achieve a productivity target of 70% of all available hours to be spent on client legal services (noting however that actual productivity is well over 80%).
  - The reduction in hours also reflects the expected reduction in FTE's as a result of savings allocated prior to, and as part of, the 2018-19 budget.

#### EBRIEF PROJECT

**96 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Were there any problems in the implementation of the eBrief Project?
2. Has the eBrief Project been found to be compatible with all participating agency electronic environments?
3. Is the pilot of the eBrief Project complete and is the system being rolled out to all participating agencies?
4. What is the cost of the eBrief Project and when will the project be completed?
5. When did the pilot program for prosecution of violent offending against indigenous victims start?
6. When will it finish?
7. What outcome will be considered a success?
8. How much does the pilot cost?
9. If successful, will the Attorney-General commit to rolling the program out more broadly?



**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. There were no material problems leading up to the practical completion and implementation of the current stage of the eBrief system.
2. Briefs entered into the system are in commonly used electronic formats (such as PDFs) that can be imported into, and accessed through, agency information management systems.
3. The planned pilot was completed in January 2018 and accepted as successful by all participating agencies and a representative sample of private defence lawyers. A separate pilot will be initiated when the new major indictable reform stabilises.
4. To date, \$1.5 million of the expected total of \$2.5 million has been spent on the eBrief Project.
5. The pilot was established as a result of an MOU in July 2017.
6. There is no proposed end date for the pilot.
7. The pilot aims to increase the engagement of Aboriginal victims and witnesses within the criminal justice sector and improve the experience of those witnesses involved in the prosecution of serious offences. The pilot also aims to increase the number of relevant serious offences reported by Aboriginal complainants being resolved by a plea or trial.
8. To date, the pilot has been fully funded by the agencies involved within existing resources.
9. This is subject to further consideration of the outcomes of the pilot.

#### **DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**97 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. How the increase in the 2018-19 budget for the Director of Public Prosecutions Office is broken down and advise what is the increase of \$21,000 in 'other expenses'?
2. Where are the additional 14 FTEs going to be working, what level will they be, what role or function will they fulfil, how many FTEs are currently engaged, and does the Attorney-General expect to fill all FTE positions budgeted for?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The increase in the budget, as per the budget papers, for the Office of the Director of Public Prosecutions (ODPP) includes direct increases relating to additional funding of \$750,000 for complex criminal cases, additional funding in the 2017-18 Mid-Year Budget Review of \$1.2 million, annual indexation of approximately \$425,000 and an increase in depreciation of \$173,000 attributable mainly to the new Prosecution Management System.

This is offset by additional savings allocated to the Attorney-General's Department as part of, or prior to, the 2017-18 Mid-Year Budget Review and an increase in indirect costs, mainly due to the transfer of SafeWork SA and South Australian Employment Tribunal. The increase in 'other expenses' in the 2018-19 budget is due to a once-off reclassification of this budget in 2017-18.

2. The increase is mainly due to an increase in resourcing for the confiscations section and additional resources provided in the 2017-18 Mid-Year Budget Review. However, it is expected that these increases will be mostly offset by savings that were also allocated to the Attorney-General's Department as part of, or prior to, the 2017-18 Mid-Year Budget Review.

#### **FUNDING METHODS**

**98 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

Does the additional \$1.3 million in funding from the commonwealth, and corresponding reduction in intragovernment transfers, relate to funding for community legal centres, and if so, how and why has the funding method changed?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The commonwealth revenue reported against Program 7 Legislative and Policy Services relates to funding for community legal centres. The funding method for community legal centres has not changed. The budget is now correctly classified as commonwealth revenue.

#### **LEGISLATIVE AND POLICY SERVICES**

**99 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What sections the \$2.5 million cuts to the legislative and policy services are coming from?

2. How much of the budget cuts are attributed to FTE cuts?
3. If these decisions are yet to be made, what is the process for deciding on the budget cuts and when will that decision be made?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. There is a \$2.3 million reduction in expenses for this program in 2018-19. This reduction is due to savings of \$1.4 million and carryovers into 2017-18 of \$0.9 million. The budget savings announced in the 2018-19 budget are outlined in Budget Paper 5.
2. \$254,000 relates to savings allocated to the Attorney-General's Department as part of, or prior to, the 2017-18 Mid-Year Budget Review.
3. Refer above.

#### SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

**100 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

What sections are the additional 8 FTEs for SACAT going into? What level will they be, what role or function will they fulfil, how many FTEs are currently engaged and, does the Attorney-General expect to fill all FTE positions?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

SACAT has been provided further resources for additional jurisdictions that are expected to transition into SACAT, together with resources for accommodation changes. There has also been an increase in indirect costs nominally allocated to this program due to machinery of government changes in 2018-19.

#### SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

**101 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

Which additional jurisdictions are proposed for transfer into SACAT this financial year?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

In addition to a raft of predominantly administrative review functions that transferred to SACAT on 4 October 2018, the additional jurisdiction of reviews of decisions regarding property managers.

Work is currently progressing on finalising the next jurisdictions to transfer to SACAT.

#### OFFICE OF THE PUBLIC ADVOCATE

**102 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What is the breakdown of the increased funding of \$1 million to the Office of the Public Advocate?
2. What sections, levels, roles and functions will the staff filling the additional 4 FTEs in the Office of the Public Advocate be assigned?
3. How does the Attorney-General expect to fill these additional 4 FTEs?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The main reason for this increase is due to additional funding (\$621,000) to assist with implementing the NDIS.
2. The increase in FTEs in 2018-19 is also mainly due to the additional funding provided to support the implementation of the NDIS.
3. The direct service delivery/customer service and advocate/guardian roles have been filled, with a part-time policy role currently being filled.

#### JUSTICE TECHNOLOGY SERVICE

**103 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

How the reduction by \$1 million of the net cost of providing services by the Justice Technology Service will be achieved?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The decrease includes savings of around \$200,000 which relates to savings allocated to the Attorney-General's Department as part of, or prior to, the 2017-18 Mid-Year Budget Review. The balance is mainly due changes to indirect costs nominally allocated to this program as a result of machinery of government changes in 2018-19.

**LEGISLATION REVIEWS**

**104 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What measures are currently under consideration for the reform of the Ombudsman Act 1972? When will this process commence? When will it conclude? How much will it cost?

2. What measures are currently under consideration for the review of the Freedom of Information Act 1991? When will this process commence? When will it conclude? Who is overseeing the review? How much will the review cost?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

As detailed in parliament, a review of the Freedom of Information Act 1991 has been commenced by the Attorney-General's Department.

No review of the Ombudsman Act 1972 is currently occurring.

**FINES ENFORCEMENT AND RECOVERY UNIT**

**105 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Which sections of the Fines Enforcement and Recovery Unit are the \$1.3 million cuts coming from?

2. How much of the budget cuts are attributed to FTE cuts?

3. If these decisions are yet to be made, what is the process for deciding on the budget cuts and when will that decision be made?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

This decrease is mainly due to a carryover of funding in 2017-18 for the Business Improvement Program and new savings announced as part of, or prior to, the 2017-18 Mid-Year Budget Review.

The new savings will be achieved through both staff and other operating costs.

**COMMISSIONER FOR VICTIMS' RIGHTS**

**106 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What are the terms of reference or priorities given to the new Commissioner for Victims' Rights?

2. How is the Attorney-General tracking those? What time lines has the Attorney-General set? When and how does the Attorney-General expect the commissioner to report to her?

3. How regularly does the Attorney-General meet with the commissioner?

4. What is the total remuneration package for the commissioner?

5. By how much does this differ to the previous commissioner?

6. What is the total cost of supporting the commissioner's office?

7. By how much does this differ to the previous commissioner?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The Commissioner of Victims' Rights is tasked with complying with her legislative obligations and regularly reports to the Attorney-General.

The terms and conditions of the commissioner's instrument of appointment are confidential consistent with PC012—Information Privacy Principles Instruction.

The commissioner is, however, employed on the same remuneration as her predecessor.

The cost of supporting the commissioner's office is \$945,000 and covers salaries, supplies and services and internal expenses. Again, this is consistent with arrangements under the former commissioner.

**GDS 20**

**107 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What changes have been made in GDS 20 regarding the disposal and destruction of local government records?

2. What training is being provided to local government on the new regime?

3. How will the new regime be monitored? What reporting requirements are there?

4. What is the cost to the local government to implement these changes?

5. If the Attorney-General is confident that, under her watch, local government authorities will comply with the new regime and that no document will be inadvertently destroyed or disposed of?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The current version of GDS20 is due to expire on 30 June 2019. Work has commenced to update the disposal schedule.

2. Once the revised disposal schedule is implemented State Records will host information sessions for local government staff.

3. Implementation of GDS20 and compliance with the disposal schedule is the responsibility of local government authorities and there are no monitoring or reporting requirements unless inadequate practices are identified.

4. A revised GDS20 may require local government authorities to update their practices to ensure official records are retained accordingly, however, it is expected that overall many records will need to be retained for shorter periods, thereby reducing costs associated with the storage of official records.

5. Refer to 3.

#### STATE RECORDS OF SOUTH AUSTRALIA

**108 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why do the budget papers predict a decrease of 200 visitors to State Records research centres and which research centres are included in this prediction?

2. Why is the Attorney-General predicting a decrease of 200 new public registered users?

3. Why did State Records fail to meet their target of 2017-18 target of 6,400 items loaned to government agencies?

4. Why do the budget papers predict a decrease of 300 items loaned to government agencies?

5. What kind of items are loaned to government agencies?

6. Why do the budget papers predict a reduction of 700 items retrieved by members of the public, and what kind of items are retrieved?

7. Why do the budget papers predict 5,000 fewer items being digitised, and what kind of items are being digitised?

8. Why do the budget papers predict an increase of 500 records and archive inquiries? How many of these additional inquiries are likely to come from ministerial offices?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The decrease in visitor numbers reflects records becoming accessible online.

2. Refer to question 1.

3. & 4. Loans to government agencies are based on demand from those agencies.

5. Agencies are able to loan records that they have created and transferred to the state archive, under certain conditions.

6. Refer to question 1.

7. The predicted decrease in the number of items digitised is based on the expected availability of volunteers.

8. The level of inquiries is dependent on the need of agencies and the predicted increase is based on recent trends. It is unlikely that there will be a marked increase in the number of inquiries from ministerial offices.

#### ELECTORAL COMMISSION

**109 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

What functions are performed by and what level are the staff targeted in the two FTE cut to the Electoral Commission?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The reduction relates to two temporary FTEs to audit public funding payments.

**ELECTORAL COMMISSION**

**110 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What is the cause of the \$7 million reduction in employee benefit expenses from the 2017-18 estimated result to the 2018-19 budget for the Electoral Commission? What is the breakdown of this reduction?
2. What is the cause of the \$5 million reduction in supplies and services from the 2017-18 estimated result to the 2018-19 budget for the Electoral Commission? What is the breakdown of this reduction?
3. What is the cause of the \$4.8 million increase in sales of goods and services from the 2017-18 estimated result to the 2018-19 budget for the Electoral Commission? What is the breakdown of this reduction?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

These variations are outlined in Budget Paper 4, Volume 2, page 54.

**ELECTORAL COMMISSION**

**111 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Who is conducting the Electoral Commission's operational review? How much will it cost? When will it commence? When will it report? Will the report be made public? What are the terms of reference?
2. Who is conducting the Electoral Commission's state election evaluation report? How much will it cost? When will it commence? When will it report? Will the report be made public? What are the terms of reference?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The Electoral Commission conducts the review and prepares the report. The report is expected to be completed before the end of 2018.

**ELECTORAL COMMISSION**

**112 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What education activities are the Electoral Commission planning in 2018-19?
2. What research projects are the Electoral Commission planning in 2018-19?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1.
  - Launch a new education initiative with resources for young people and teachers
  - Convene ongoing sector reference groups to help drive targeted education and engagement strategies (disability, CALD, youth)
  - Targeted education activities with Aboriginal electors, CALD, vision-impaired, and people living with disability
  - Youth Parliament
2.
  - Contributions to state election evaluation
  - Analysis of all informal ballot papers
  - Non-voter research
  - Electoral roll quality and integrity study.

**ELECTORAL SERVICES**

**113 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

Why the target for the number of commercial services provided for client organisations by Electoral Services is reducing by one as outlined in the budget papers?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

In 2017-18, commercial services were provided for the election of board members for SHINE SA and for the Festival Theatre enterprise bargaining ballot.

In 2018-19, commercial services are expected to be provided only to SHINE SA for the election of board members.

#### ELECTORAL SERVICES

**114 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What is the explanation for the more than \$900,000 increase in land and improvements for Electoral Services?
2. What is the explanation for the \$420,000 increase in other non-current liabilities for Electoral Services?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The first variation is outlined in Budget Paper 4, Volume 2, page 54.

The increase in 'Other non-current liabilities' relates to the lease incentive associated with the new lease for head office accommodation for the Electoral Commission.

#### INDEPENDENT GAMBLING AUTHORITY

**115 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What functions does the Independent Gambling Authority (IGA) carry out?
2. Is the Attorney-General confident that Consumer and Business Services can carry out those functions?
3. Will any existing IGA staff be transferred to Consumer and Business Services? If so, how many and at what level?
4. Is any legislative or regulative change required?
5. What is the total budget for the IGA at the moment?
6. What is the total FTE allocation for the IGA at the moment? How many of those positions are currently filled?
7. Are the savings made by cutting the IGA offset against an additional spend in Consumer and Business Services?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The functions of the IGA are set out under section 11 of the *Independent Gambling Authority Act 1995*.
2. Yes. This proposal is consistent with the findings of the Hon. Timothy Anderson QC from his review.
3. It is proposed that a total of eight positions, comprising 5.8 FTE, will be transitioning from the IGA to CBS.
4. Yes, as per the Statutes Amendment and Repeal (Budget Measures) Bill 2018.
5. The 2018-19 budget for the IGA is \$1.66 million.
6. Refer to question 3.
7. No.

#### CONSUMER AND BUSINESS SERVICES

**116 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What are the occupations, industries, organisations and significant life events Consumer and Business Services licence or register? How many registrations in total and how many new requests does Consumer and Business Services usually receive each year?
2. What are the services that Consumer and Business Services provide, including how many ongoing dispute resolution hearings are held each year, how many new hearings are held each year? How many hearings are completed each year?
3. What education or advising campaigns Consumer and Business Services ran in 2017-18 and what education or advising campaigns does Consumer and Business Services intend to run in 2018-19?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. Consumer and Business Services (CBS) regulates certain occupations, industries and sectors, which may include licensing and registration, under the following legislation:

- i. Building Work Contractors Act 1995
- ii. Second-hand Vehicle Dealers Act 1995
- iii. Plumbers, Gas Fitters and Electricians Act 1995
- iv. Security and Investigation Industry Act 1995
- v. Land Agents Act 1994
- vi. Conveyancers 1994
- vii. Land Valuers Act 1995
- viii. Tattooing Industry Control Act 2015
- ix. Labour Hire Licensing Act 2017
- x. Liquor Licensing Act 1997
- xi. Gaming Machines Act 1992
- xii. Lottery and Gaming Act 1936
- xiii. Associations Incorporation Act 1985
- xiv. Cooperative National Law (SA) Act 2013
- xv. Collections for Charitable Purposes Act 1939
- xvi. Casino Act 1997
- xvii. Authorised Betting Operations Act 2000

CBS is also responsible for recording significant life events under the Birth, Deaths and Marriages Act 1996 and related legislation, such as the Justices of the Peace Act 2005, Adoption Act 1988, Sexual Reassignment Act 1988, Partnership Act 1891, Marriage Act 1961 and Burial and Cremation Act 2013.

The total number of licences and registrations and the number of applications is reported in the Attorney-General's Department Annual Report.

2. CBS carries out a diverse range of services, including licencing and registration, dispute resolution and education and awareness campaigns.

With respect to dispute resolution, CBS provides a fair trading and tenancy advisory service.

3. CBS education and engagement campaigns in 2017-18 included:

- Education about the sharing economy
- A campaign to inform car buyers of the important protections
- A campaign to inform members of the public about romance scams and staying safe online.
- Raising awareness of exemptions from fees to receive paper bills in the post.
- Informing consumers of the free services available to assist them in dealing with money worries
- Product safety campaigns
- Raising awareness of consumer rights in relation to:
  - Tenancy rights
  - Recognising and avoiding scams
  - Buying goods or services
  - Buying tickets to festivals and events
  - Signing up for a gym membership.
  - Promoting the new relationship register for South Australia
  - Education about phase 1 of the liquor reforms
  - Informing the property sector about more stringent guidelines for agents

Digital licences and passes

- Licences for builders, plumbers, gasfitters, electricians and the security industry were added to the list of digitally available licences via the mySA GOV app.
- Digital registrations for land agents and land sales representatives which became available during the previous financial year.

#### Education and engagement campaigns in 2018/19

- CBS is supporting the 'Ask for Angela' campaign, to promote patron safety in and around licensed venues.
- Raising awareness of consumer rights in relation to:
  - Tenancy rights
  - Residential parks
  - Consumer directed aged care
  - Country of origin labelling
  - Toppling furniture
  - Services supplied by the fitness industry
  - Education about phase 2 and 3 of the liquor reforms
  - Product safety campaigns as issues arise
  - A campaign regarding property managers
  - A campaign regarding strata and community title properties.

#### CONSUMER AND BUSINESS SERVICES

**117 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

What digital licences were launched in 2017-18 by Consumer Business and Services?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

In May 2017, digital licences became available for land agents and sales representatives. Following this, digital licences became available for building work contractors, building work supervisors, plumbers, gas fitters, electricians and security and investigation agents on 23 April 2018. Barcode scanners have also been implemented to allow Consumer and Business Services' staff to validate digital passes and licences.

#### CONSUMER AND BUSINESS SERVICES

**118 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why are employee expenses up by around \$2.7 million for Consumer and Business Services compared to 2017-18 levels?
2. Why have other expenses increased by \$700,000 in 2018-19?
3. Are the more than 10 additional FTEs budgeted for in 2018-19 transfers from the Independent Gaming Authority? If so, what roles and functions will these FTEs undertake and what is the total remuneration of these FTEs?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The main reason for the increase is due to an increase in indirect costs attributed to the CBS program in 2018-19. Indirect costs are allocated to all programs and relate to costs such as finance, procurement, human resources, ICT, FOI resources, facilities and security management, and executive support. The CBS program has received a greater allocation of these costs in 2018-19, mainly due to SafeWork SA and the South Australian Employment Tribunal being transferred out of the department in 2018-19.

In addition to this, there were also direct increases in funding to implement revised liquor licensing fees (\$400,000), to implement property management reforms (\$400,000) and annual indexation (\$300,000) which are partly offset by an increase in savings (\$700,000), the majority of which were allocated to the Attorney-General's Department as part of, or prior to, the 2017-18 Mid-Year Budget Review.

2. The increase in other expenses in the 2018-19 budget is due to adjustments associated with indirect costs allocated to this program (refer above).
3. No.



**CONSUMER AND BUSINESS SERVICES**

**119 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why is there a reduction in the percentage of investigations resulting in enforcement forecast for Consumer and Business Services?
2. Of a breakdown of data about investigations resulting in enforcement including what areas, what is the maximum and minimum amounts, what is the average payment time and are there outstanding payments from previous financial years?
3. Why didn't Consumer and Business Services meet their target of issuing 80 per cent of birth, death and marriage certificates within five days?
4. Why have Consumer and Business Services reduced their target for the number of birth, death and marriage certificates applied for online from 74 per cent in 2017-18 to 60 per cent in 2018-19?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. The compliance and enforcement branch has improved workflows and developed a triage assessment and escalation process. This has resulted in an improvement in the percentage of investigations resulting in enforcement outcomes.

2. CBS prosecutions /disciplinary action, assurances, undertakings and inspections are outlined in detail in the Attorney-General's Department Annual Report. In 2017-18, CBS has reported 19 prosecutions, 38 assurances and undertakings, 28 expiations and 24 licence cancellations /suspensions.

There is one current court order requiring payment of costs to CBS as a result of the Commissioner for Consumer Affairs v LukeLeo Pty Ltd and Farrell. The court ordered payment of \$10,000 within 28 days, followed by \$2,000 per month over 25 months. CBS continues to receive these payments. There are no further outstanding payments.

CBS does not keep data on average payment times for penalties imposed by the courts.

3. The births, deaths and marriages section experienced a high turnover of staff in 2017-18 which necessitated a greater focus on training. Measures are now in place to improve this, as evidenced by 2018-19 first quarter statistics (81%).

4. At the time of preparing the 2016-17 budget papers, the target figure was inadvertently published as 75%. This figure should have been 55%. In 2017-18 the target figure was 75% but should have been 60%.

**CONSUMER AND BUSINESS SERVICES**

**120 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. Why did Consumer and Business Services (CBS) not achieve their target for fair trading and related inspections?
2. Why are CBS increasing their number of new occupational licence applications by 3,000 and why will the new property manager registration increase this number by 3,000?
3. Why are CBS predicting a doubling of liquor licencing applications?
4. Why are CBS predicting an increase of 250 gaming, casino and wagering applications from the 2017-18 projected result to the 2018-19 projected result and can the Attorney-General provide an explanation and a breakdown of projected applications?
5. Why are CBS predicting a decrease of 1,500 charity and lottery licence applications from the 2017-18 projected result to the 2018-19 projected result and can the Attorney-General provide an explanation and a breakdown of projected applications that will not occur?
6. Why are CBS predicting a decrease of 4,000 of residential tenancy funds refunded from the 2017-18 projected result to the 2018-19 projected result and can the Attorney-General provide an explanation and a breakdown of tenancy funds refunded?
7. Why are CBS predicting a decrease of 3,000 of requests for residential tenancy advice finalised from the 2017-18 projected result to the 2018-19 projected result and can the Attorney-General provide an explanation and a breakdown of the nature of residential tenancy advice provided?
8. Why are CBS predicting a decrease of 2,000 of requests for fair trading advice finalised from the 2017-18 projected result to the 2018-19 projected result and can the Attorney-General provide an explanation and a breakdown of fair trading advice provided?
9. Why are CBS predicting a decrease of 350 of consumer disputes conciliated from the 2017-18 projected result to the 2018-19 projected result and can the Attorney-General provide an explanation and more details on what disputes are undergoing conciliation?

10. Why are CBS predicting a decrease of 60 to consumer disputes referred to compulsory conciliation from the 2017-18 projected result to the 2018-19 projected result and can the Attorney-General provide an explanation and more details on what disputes are being referred for conciliation?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

1. CBS came within 4% (1,439) to achieving its target of 1,500 fair trading and related inspections. The intelligence, compliance and strategy team (ICS team) had a number of new staff to train during the reporting period which initially reduced output.

2. Occupational licence applications are expected to increase by 3,000 in 2018-19 as a result of the amendments to the *Land Agents Act 1994* which require property managers to become registered by 28 September 2019. It is anticipated that there are around 3,000 residential property managers requiring registration under these amendments.

3. Liquor Licence applications have been estimated to be 5,000 in 2018-19 in line with recent year's activity.

4. In 2017-18, the number of gaming, casino and wagering applications were projected to be 750, however, the estimated result was 1,200. The 2018-19 projection of 1,000 is a reduction of 200 and is informed by the 2017-18 estimated result.

The breakdown of these applications, as noted in the 2018-19 budget papers, includes new, transfer and variation licence applications, gaming machine entitlements and related applications, such as procedures, systems and equipment.

5. Charity applications are expected to decline in 2018-19 due to many charities now only being required to register with the national Australian Charities and Not-for-profits Commission (ACNC) to operate across Australia. Only charities operating in South Australia alone are required to apply through Consumer and Business Services.

6. The projection is based on 2017-18 actual figures and is considered more reliable than the projection for last financial year.

7. Inquiry numbers fluctuate from year to year within a gradual downward trend over the longer term, which is reflected in the decreased number for the 2018-19 projection compared to the 2017-18 projection. Improved online resources and an increased focus by CBS on providing tenancy information to vulnerable clients in recent years may explain this downward trend in advice requests received.

The six largest topic areas were:

- 5,940—Repairs and maintenance
- 2,943—Help with forms
- 2,832—Breaking a lease
- 2,494—Bond refund
- 1,804—SACAT hearings and organisation
- 1,138—Entry and inspection of properties

8. It is expected that more consumers will access and utilise online advice and online resources (CBS online publications, PDFs, educational resources, etc) as CBS continues to improve its digital channels, enabling greater access to quality information and helpful online tools for consumers and business.

Consumers contact CBS for fair trading advice about hundreds of different goods and services. The top five types of inquiries received are:

- 1,725 in relation to new home construction
- 1,650 in relation to second hand vehicle purchases
- 1,058 in relation to solar panel installation
- 969 in relation to motor vehicle repairs
- 708 in relation to new car sales

9. Matters subject to conciliation are consumer transactions and may relate to consumer guarantees, building work or any other dispute where a consumer purchases a good and/or service in trade or commerce. The number of disputes conciliated can vary from year to year, with the 2018-19 projected result an approximate average of recent years' activity.

The top industries for conciliation are:

- 121 new home construction

- 120 solar panel installation
- 60 second hand vehicle purchases
- 52 home additions and renovations
- 39 motor vehicle repairs

These matters are outlined in further detail in the Attorney-General's Department Annual Report.

10. The 2018-19 projection has been reduced given the development of a trader engagement strategy whereby problem traders will be engaged with at a high level (ie. directly with the commissioner in some cases). It is anticipated that this strategy should result in a gradual decrease in compulsory conciliations required, particularly given that some problem traders can have multiple compulsory conciliations in a year.

The top industries where compulsory conciliation is used are:

- 76 solar panel installation
- 59 new home construction
- 13 home additions and renovation
- 9 fencing including gates
- 9 beds and mattresses
- 8 motor vehicle repairs
- 8 second hand vehicle purchases

#### **ATTORNEY-GENERAL ELECTION COMMITMENTS**

**121 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

What is the current status of all election commitments for each department and agency reporting to the Attorney-General?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

The Attorney-General has delivered all 100-day commitments and is on track for delivering all others, many of which have already been introduced or passed through the parliament, as the member would be aware.

#### **DOCUMENT BRIEFINGS**

**122 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What is title and document number of all briefings returned unsigned from the ministers office since 18 March 2018 for all departments and agencies reporting to the Attorney-General?

2. What is the title and document number of all briefings not returned from the ministers office since 18 March 2018 for all departments and agencies reporting to the Attorney-General?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

This would require a significant diversion of resources as records would need to be manually checked, as data does not capture what is asked. File management is a priority for the Attorney-General.

#### **DIGITAL ARCHIVE STRATEGY**

**123 The Hon. K.J. MAHER (Leader of the Opposition)** (25 October 2018). Can the Attorney-General advise:

1. What is the Digital Archive Strategy (DAS)?
2. What resources are being allocated to develop DAS?
3. Has development commenced on DAS?
4. When is the strategy due to be launched?
5. What consultation has occurred to implement DAS?
6. Is legislation required to implement DAS?
7. What are the implementation costs of DAS?

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has provided the following advice:

State Records is investigating how the digital records of government can be captured, preserved and made accessible over the long term, this includes consideration of a digital archive.

A business case is currently being developed by State Records, which will take into consideration experiences from other jurisdictions, including Victoria, the commonwealth and New Zealand. State Records has commenced consultation with key partner agencies and will consult more widely as part of developing the business case. The business case will determine options and associated costs. No legislative change is required to implement a digital archive.

#### TEACHERS

In reply to **the Hon. F. PANGALLO** (23 October 2018).

**The Hon. R.I. LUCAS (Treasurer):** I have been advised of the following:

Suitability to teach in South Australia is assessed by the Teachers Registration Board as part of teacher registration.

The National Review of Teacher Registration report *One Teaching Profession: Teacher Registration in Australia 2018* includes the themes of improving and reinforcing teacher quality, strengthening children's safety and streamlining teacher registration processes across Australia. The Department for Education has participated in the review and will consider the recommendations, including any potential budget impacts.

To be registered as a teacher, the applicant must have recognised qualifications and experience, have completed a mandatory notification training course relating to child abuse and neglect, consent to a nationally coordinated criminal history check, undertaken by the board, and be a fit and proper person to be a teacher.

#### LANDSCAPE SOUTH AUSTRALIA BILL

In reply to **the Hon. J.A. DARLEY** (24 October 2018).

**The Hon. J.M.A. LENSINK (Minister for Human Services):** The Department for Environment and Water has advised that:

1. As at 2 November 2018, a total of \$216,191 has been spent on the consultants undertaking the community engagement process for Landscape South Australia.
2. Over 1,000 people were engaged in consultation meetings, including 817 who registered to attend one of the 25 public forums.
3. Multiple options were provided for people to identify themselves at registration, with 469 registrations identifying participants as primary producer, landowner or part of the industry sector.

#### ENVIRONMENT PROTECTION AUTHORITY

In reply to **the Hon. M.C. PARNELL** (7 November 2018).

**The Hon. J.M.A. LENSINK (Minister for Human Services):** The Department for Environment and Water has advised that:

1. No. The Minister for Environment and Water was not aware of the content of the notification placed by the EPA in *The Advertiser* and *Portside Messenger* on 7 November 2018. The EPA has since advised that it made an administrative error and in no way attempted to mislead the community in regard to the nature of the EPA's consultation on this important proposal.
2. The EPA published an amended notification in both *The Advertiser* and *Portside Messenger* on 14 November 2018. The EPA is committed to engaging with the community for the entirety of the project. Submissions on all aspects of the proposal and the licence application close on 30 November 2018. If a licence is subsequently drafted, the EPA will seek further public comment.
3. The EPA has updated the information published on its website, consistent with the amended notifications.

#### ASK FOR ANGELA SCHEME

In reply to **the Hon. C.M. SCRIVEN** (7 November 2018).

**The Hon. J.M.A. LENSINK (Minister for Human Services):** The Department for Human Services has advised that:

The Ask for Angela initiative utilised existing materials and government resources through the Office for Women and the Attorney General's Department. No government funding has been provided to support the initiative.