

Legislative Council

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SENIOR SECONDARY ASSESSMENT BOARD OF SOUTH AUSTRALIA (REVIEW) AMENDMENT BILL

The Hon. A. BRESSINGTON (12:09): This bill was introduced in the upper house last month and is somewhat more controversial than the other bill introduced during the same period, the Education (Compulsory Education Age) Amendment Bill, for which I have indicated my support. In essence, this bill seeks to establish a board, as well as to enhance systems, within a legislative framework, to reinvigorate the South Australian Certificate of Education.

The board will have the responsibility of overseeing the accreditation of the Future SACE and ensuring its credibility both interstate and abroad. As both the minister concerned and the Hon. Paul Holloway have stated, the reform stems from research and consultation, as part of the review of the SACE, and an independent examination of the current act. The independent review of the act considered issues raised by the SACE review report and examined similar legislation in other states.

The government is seeking the swift passage of this legislation so that it has time to appoint the board and allow it to make important decisions about the requirements of the Future SACE, which the government is aiming to introduce at the start of 2009. However, legislation that will affect the future of many thousands of our students should not be rushed.

I stress from the outset that I do not want my contribution today to be interpreted as overly negative. I note that the Rann government has committed \$54.5 million to the introduction of the Future SACE. Obviously, initiatives that seek to strengthen the opportunities, skills, knowledge and values of South Australian children are to be commended. This money is welcome, but in its present form the bill does not guarantee that a large number of constituents will have guaranteed representation of their views and interests.

Opposition members and key stakeholders are also concerned about the prospect of a very significant assertion of political control by an education minister over the board and the South Australian Certificate of Education. I again express my disappointment in the consultation process conducted by this government. The government had the opportunity to include in this legislation many of the suggestions proposed by key stakeholders but chose not to do so. Even though the government met with stakeholders, I have the feeling that it never intended to take their concerns on board. Indeed, my office has frequently been contacted by parents and teachers, as well as the Association of Independent Schools of South Australia, all of whom have concerns with the bill. They are concerned that there is a hidden agenda here. A common question has been: why the sudden lunge for power?

The Hon. Rob Lucas, of the Liberal opposition, indicated in the council last week that he was suspicious about what the government has planned. Whether the minister and her colleagues are willing to compromise and support at least some of the amendments proposed by the Hon. Rob Lucas will no doubt shed some light on that. The government has said that we need a firm legislative base which is relevant for today and which is flexible enough to provide for the future needs of South Australia's young people.

I strongly support the consolidation of the partnership between the board that oversees SACE, the education sectors that deliver it, and the education minister; these entities working

together for the benefit of our high school students is certainly a positive thing. However, we need to cut through the government rhetoric and get to the nitty-gritty of this bill to ensure that the students and their future are, in fact, the priority, rather than the consolidation of political power by the minister and her government.

It is important to note that the SSABSA controls all year 11 and 12 students not only in government schools but also in independent and Catholic schools. A major concern is that there is no guarantee that a very large percentage of students, their parents and teachers, and those from the independent and Catholic sector, will have representation on the board.

Members would be familiar with the material provided on this matter by the Association of Independent Schools of South Australia and, no doubt, many have had briefings with Gary LeDuff, who has lobbied hard for guaranteed representation of the Catholic and independent schools on the new, trimmed-down board. There is certainly a compelling case.

In 2006, there were 22,020 year 11 and year 12 students attending state schools in South Australia; 7,051 students at independent schools; and 6,729 in the Catholic sector. Independent students in this age bracket represent 19.7 per cent of the total enrolments for South Australia, whilst the Catholic sector enrolment proportion is 18.7 per cent.

Together, the total non-government sector enrolments are approximately 38.5 per cent of total year 11 and year 12 enrolments. Such a large percentage of students deserve guaranteed representation in any legislation proposing such an important change in the SACE. At present, the independent sector alone has 49 schools which currently educate year 11 and year 12 students.

I do not intend to go into the private versus public school debate here. However, we should also acknowledge the trend of increased movement to the private sector and the number of students who attend these schools. They represent a very significant percentage of the high school population—and a growing population at that.

It is true that Labor members will say that they received input into this bill from the Catholic and independent school sectors. However, this seems to be another example of why this government has a poor reputation in relation to consulting and meeting community members, stakeholders and organisations with what appears to be no intention of taking their suggestions on board.

Indeed, both bodies representing these sectors have contacted my office saying that this was one of the key amendments they want for this bill. I note that the Hon. Rob Lucas has proposed an amendment that would guarantee representation for both the Catholic and independent sectors on the board. Also, as the Hon. Rob Lucas noted, there is a history at both state and federal level of Labor education ministers with a very strong ideological slant on non-government schooling. This has not been as common in recent years, but this snub could be interpreted as a return to that.

With very few potential dissenting voices, I find the bill fails to ensure the independence of the board and, as the honourable member noted, it is impossible that a minister with an ideological slant against non-government schools could take decisions and require them of the board which would disadvantage them. By implementing something and requiring the board to do it, the honourable member noted that it would place the Catholic and independent schools at a very significant disadvantage and potentially have significant resource implications for those schooling sectors.

I do support the reduction of the numbers on the board as, at present, it is somewhat cumbersome, but there should be some guaranteed representation for the non-government sector. The Liberal Party (which is regarded as being the party of choice for the majority of parents of non-government children) is no doubt concerned about a return to Latham-style policies in the future and wants to safeguard against this. A suitable amendment could go a long way to putting the opposition's fears at ease, and we can get on with establishing a South Australian Certificate of Education that will provide the best opportunities for all young South Australians who intend on studying year 12.

As I said earlier, legislation that seeks to achieve positive outcomes for our young people through our education system should be supported. The second point I will address is concern over the reintroduction of ministerial and political control over the SACE and the SSABSA, which this minister and this government are seeking. Last week in the council, the Hon. Rob Lucas raised concern over the independence of the board. The shadow minister (Hon. Iain Evans) has done the same in the lower house. He pointed out that, at present, we are one of only two states in the country where the education minister does not have formal control over curriculum within schools under the education act.

The CEO of the department is formally in control of the curriculum within the schools, whereas, in the other states, the education minister is in control. In South Australia, the tradition has been that politicians do not control the curriculum. Under the bill, if the government and the minister decide that there should be a particular course, they would have the power to direct the board to provide that course for a secondary school. As well as the examples already pointed out in this council, there is also the potential for controversial areas such as drug and sex courses to be directed.

There is nothing to stop this, according to the Hon. Rob Lucas, and I will be looking into this further. This would represent a drastic change in the operation of the SACE and the SSABSA. Does the government need the power to have political control over the SSABSA? Maybe this is why it wants to silence the independent and Catholic schools, as has been alleged. I certainly hope not. Will the minister reassure us that that is not the case?

I am not convinced that clause 16 (as well as other clauses in the bill) provides an adequate safeguard against the minister from directing that, if she wants to have a course on an issue or project in which the government has invested, she needs the power to direct the SSABSA to have a course on it—for example, the biotech innovation investment fund, as the minister indicated. This provision would prevent the minister from dictating the content or the accreditation of that subject, but the minister would be able to direct the board to say that it shall have a certain subject, or whatever ideological viewpoint a future education minister might have. Clause 14, (which amends section 15) outlines the functions of the board and states 'and to perform other functions assigned to the board under this act or any other act or by the minister'.

I am hesitant to approve certain functions of SSABSA and any other function the minister thinks should be a function of the board. It is the minister's decision alone as to what additional functions the board might have. It is my understanding that that is what could happen if this bill is passed in its present form. The Hon. Rob Lucas has already indicated that he will be asking questions about this clause during the committee stage of the debate, and I will be interested to hear the government's response. In conclusion, potentially some very big changes are being introduced in the future SACE which are being underpinned by this legislation.

I will be interested to see how the government addresses our concern that this legislation raises the prospect of a very significant assertion of political control by the education minister over the board. I will also be interested to see whether it will support the amendments of the Hon. Rob Lucas for guaranteed representation on the board for Catholic and independent schools for which they have heavily lobbied. As I stated, this is a very important piece of legislation and I am hoping that the major parties will put their political differences aside to work for a board and a system that will provide the best outcome for all senior secondary students, regardless of their background.