



Speech by

Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Hansard Thursday, 14 February 2013

CLASSIFICATION OF COMPUTER GAMES AND IMAGES AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (4.01 pm), continuing in reply: Colleagues will recall that just prior to our lunch break I had thanked all honourable members for their great contributions to this debate. If I may, I offer an apology to the parliament. As all good gamers in this House know, we have some office staff who enjoy games. I have a media adviser who is a little trigger happy and in the lunch period sent out a press release saying that this bill has, in fact, passed—congratulations, the classification bill has passed through the parliament—and the *Courier-Mail* has published a story online. I assure the House that it has not passed through the parliament. I do apologise—

Ms Palaszczuk interjected.

Mr BLEIJIE: I thank the opposition leader. It was an administrative error by a trigger-happy media staffer downstairs. I know the Minister for Health has had this happen to him as well. I do apologise. Of course, it was not the intention to send out the press release until such time as honourable members had had a chance to fully debate and vote on this bill. Hopefully, that will not impact on the vote going through this afternoon.

I will address some of the comments made, particularly by the Leader of the Opposition, with respect to the elements of the bill relating to the State Reporting Bureau, which will be outsourced. The opposition leader referred to a letter from Spark & Cannon, which she was good enough to give me a copy of. The letter is addressed to me and dated 4 January. I told the opposition leader that I had not, in fact, seen the letter. I was not aware that Spark & Cannon had not put in a tender. I suspect what has happened is that it has gone through Corporate Services, but because it was in the procurement process it has never made it to my desk. I think that is the right thing to do, because I did not know until the opposition leader mentioned it in her speech that Spark & Cannon did not put in a tender. Knowing them as one of the companies that do outsourcing, I suspected that they would have. I assure the opposition leader that I am advised by my department that the letter went to Corporate Services. I suspect, because of the procurement process, the letter was not drawn to my attention because we were in the midst of a tender process.

I do not know the winner of the tender process. Obviously, it is not going to be Spark & Cannon, because they did not put in a tender. I am advised that a probity officer has been appointed from the outset. When the DG announces the successful tender, we will know where we go. We did have a rigorous process in place, which my office and I remained completely out of. I am very confident in the procurement process for this tender, because we are talking about a big tender. It is a saving to government of about \$6 million a year, so we wanted to ensure that the procurement processes around it were solid. I think this is a good example of how solid it was, as that letter did not get to my desk.

The Leader of the Opposition raised other issues. She asked why we are doing this. We are outsourcing, firstly, because it is an efficiency measure for government and we save approximately \$6 million a year. Secondly, nearly every other state and territory in Australia outsourced many years ago. Western Australia outsources the recording and transcription of all court proceedings and they have been

doing that for many years. In Victoria, the transcription of civil proceedings in the Supreme and County courts is undertaken by the private sector. All magistrates courts and Victorian Civil and Administrative Tribunal proceedings are outsourced. The recording and transcription of all proceedings in the Federal Court, the Family Court and the Federal Magistrates Court have been outsourced for a number of years. New South Wales has an ad hoc outsourcing of transcript production, and an outsourced model has also been implemented in the Northern Territory and the Australian Capital Territory. I think at the moment the only ones missing are Queensland and South Australia. Every other jurisdiction in Australia, including our Commonwealth courts, has been outsourced. Western Australia has been outsourced for many years and more recently the federal courts have done so.

The member for Gladstone raised the issues of privacy and confidentiality and asked how we retain those because we are moving to a system where we will not have in-house people in our courts transcribing or recording proceedings any more. It will be done out of house. I assure the member for Gladstone that confidentiality and privacy with respect to records and transcriptions are of paramount concern to the government. Under the outsourcing arrangements, the Department of Justice and Attorney-General will ensure that confidentiality and privacy are dealt with through the tender documents that have been issued. As I said to the member for Gladstone, I have kept completely out of the tender process, but it was a part of the approval process. Before anyone could apply for the tender, they had to provide those in the contracts.

All employees and subcontractors of the contracted service provider will be required to sign a deed of confidentiality and a deed of privacy. Members will be aware that part 4 of chapter 2 of the Information Privacy Act 2009 requires the Department of Justice and Attorney-General to take all reasonable steps to ensure that a contracted service provider is required to comply with parts 1 and 3 of the act. Those are the parts that apply to information privacy principles. The department will bring the privacy principles to the contracted service provider's attention and ensure that the entity understands that it is bound by those exact principles. Contractual requirements with respect to confidentiality and privacy were detailed in sections 19 and 20 of the conditions of contract contained in the tender documents. I am completely satisfied that the confidentiality and privacy of individuals will be maintained.

The other issue raised externally is with respect to the length of time of trials. I offer the House the reassurance that some stakeholders, particularly in submissions, have raised concerns that outsourcing will lead to trial delays. I assure members of the House that it is quite the contrary. One of the key reasons and aims of the government's decision to outsource these services is to improve the timeliness of availability of transcriptions and to improve the delivery of justice. Contractual provisions will specifically provide for the government's expectations as to time frames for transcriptions. For example, the tender documents specified a mandatory requirement for 95 per cent of transcripts to be delivered in accordance with time frames specified by the orderer.

We have worked with the judiciary, the Chief Justice and the Chief Judge. We have consulted with them with respect to these documents. In fact, the Chief Justice had—and I may be corrected on this but if my recollection serves me correctly—Justice Byrne look at the documentation on behalf of the Chief Justice. We have had communication with the courts, because we want a system that, yes, saves us money and also, like other jurisdictions in Australia, has a more efficient service. I refer to the technology currently in the State Reporting Bureau. At one of the first meetings I had, the state manager of the State Reporting Bureau was present. He told me that either the software or the hardware—I think it was the software—was on its last legs and had not worked since its implementation. I note that, from my colleague the honourable minister who sits beside me, I have learned a lot about IT in the past two days, as a result of the questions directed at her.

Ms Palaszczuk: Seriously?

Mr BLEIJIE: Yes, I have, and I thank you for asking those particular questions because I have had the chance to understand one of my colleague's portfolios in great detail over the last couple of days. The honourable minister will understand that when we have an IT system or software system that is on its last legs it is a good opportunity to refresh it and it will not come at the government's cost. It will cost the corporate who wins the tender. We deal with the private sector to make sure that the savings, efficiencies and better services can be realised with respect to this.

The opposition leader has on a number of occasions in parliament talked about the number of complaints with respect to the State Reporting Bureau. I know in estimates I talked about written complaints. The opposition leader found three written complaints. In fact, I think I gave copies of three written complaints to her after estimates.

The opposition leader then went and did an RTI. The opposition leader or her staff did an RTI application on my ministerial office. When my ministerial office sent back in relation to the RTI that we held no documentation, we did not. The department holds documentation. The opposition leader's staff should have done an RTI application on not only the minister's office but also the department. As I understand it—

Ms Palaszczuk interjected.

Mr BLEIJIE: I could not provide it because we did not have it in my office. If you go by the letter of the law with the RTI Act and apply to the minister's office, that is where it goes. As a former minister, the member would appreciate that the department is separate from the minister's office. If letters are required then I suggest to the honourable opposition leader's staff members that perhaps they fill out the form correctly and do an RTI on my department not just my ministerial office. I would be more than happy to oblige the independent RTI officers we have.

I have talked about the probity adviser. We did have a probity adviser in place right from the outset. I hope that reassures the opposition leader. I did not have anything to do with that. I did not meet with any people putting in tenders. I do not know who put in tenders. I do not think there are many organisations that provide this service around Australia, though. I think Spark & Cannon do either the Carmody commission of inquiry or the royal commission into the Health payroll bungle. I think they are doing the transcription of one of those. It may be for QCAT. Some of these things we already outsourced. For instance, the transcripts for QCAT, which was set up by the Labor Party, are outsourced and not done in-house by the State Reporting Bureau.

The issue of confidentiality I have dealt with. I have been advised that in the next couple of weeks we will hopefully announce the successful tenderer in the procurement process. They can then get on with the job. I have been advised—and the honourable minister for IT will be happy with this—that we are not just going to throw the old system out, we are going to run the systems in conjunction with each other to ensure that we have got it right before we turn off the old system.

I thank all other honourable members for their contributions today. I will deal with a couple of other issues. The member for Ipswich, Mr Ian Berry, made a great contribution. The member for Mount Coot-tha talked about a number of her colleagues who are gamers. Unfortunately, we did not hear from the member for Brisbane Central because he had leave and missed the debate. I am glad to see he is in the chamber now. I will give a bit of a contribution for the member in a minute.

The member for Gladstone talked about confidentiality. She also talked about classification issues with respect to her constituent named Nik. Those are the sorts of emails that we have asking why Queensland has not yet passed such legislation. As I have indicated to people, it was a national agenda. It was not the incoming government's priority to get on with classification, but I am glad that one of the first bills we are debating in the new year is this. To all the people who were attacking me on Twitter yesterday asking why we had not done this, to all the young gamers who sent hate mail, I say that we are here debating it. We will hopefully have this passed with the opposition leader's help later this afternoon—

Ms Palaszczuk interjected.

Mr BLEIJIE: Twitter. I cannot decipher it, though. Minister Emerson would know what they call it on Twitter when you do not use proper words.

Mr Emerson: Emoticom.

Mr BLEIJIE: Emoticom and those sorts of things. I was reading a few of those. The member for Bulimba talked about 1984 when he had his first computer or game. I was still in nappies in 1984. I think my first game was the Sega or whatever it used to be called back then. I thank the member for Bulimba for his contribution.

The member for Toowoomba North talked about games and that he cannot play games. I think he was the only member who mentioned the amendment to the name of the Neighbourhood Disputes Resolution Act, which was good.

I dealt with the member for Lytton's contribution before lunch. He said that he was scared of the *Resident Evil* game. He said that he had sleepovers with his mates on rainy nights and he got quite scared by these computer games. He has been through that now.

I think the overall issue with games is parental responsibility. This bill will allow the opportunity for gamers to have more access and more choice with respect to R18+ games. At the moment the difficulty is that some of the games which probably should not even be MA15+ are being classified as M15 and are being sold as that when they should be R18+. That is going to be better for children and young people because there will be a clear distinction between MA15+ and R18+. It will be better for parents.

I always say in these sorts of things that nothing is better than parental responsibility. As a child is growing up, if they ought not be playing these games and parents do not want them to then they should make sure, as best they can, that they do not have access to these games. Parents have to retain a level of responsibility over these things.

Bearing in mind that the Leader of the House is keen to proceed as planned to other legislation, I will finish by using a contribution from the member for Brisbane Central. Ordinarily this is not how I would end a contribution in this great place. The member for Brisbane Central has a long history with games and has been involved in technology around games. He does not go as far as wanting to set up an Xbox room at

Parliament House for honourable members because we do not have time. He is a big supporter of the legislation. This is a contribution from the member for Brisbane Central—I hope it makes sense to everyone; it certainly does not make sense to me—

So to all you leet gamers, claner's, haxor's and lets not forget the NOOb's, who've been p'wning for that epic win, drop your aimbots, there will be no T'king or lagging on this bill, because this one is for the win.

Good luck to Hansard for that one! I have a copy of that for Hansard. I am reliably informed by the member for Brisbane Central that I have covered all the names of the games and the game speak. I hope I did it justice, member for Brisbane Central. I do not think I did.

This bill is about getting this right for R18+ classification. It is about making sure that there is choice for consumers in Australia. I know on my Facebook site last night that some people were saying that this means more regulation and red tape. It is not about regulation and red tape. It is about choice and making sure there are safety mechanisms there. Businesses that want to sell R18+ games can sell them right across Australia with the same classification.

It is about making sure the Neighbourhood Dispute Resolution Act is called what it is meant to be by the inclusion of the words 'dividing fences and trees'. It gives the legislative authority for the government's intention to outsource the State Reporting Bureau to make sure that we retain some efficiencies in our system. As we go forward we will also work with the judiciary, tribunals and so forth to make sure that we have a system that gives them a great service that they will be proud of, as with every other jurisdiction. On that note, I commend the bill to the House.