

HOUSE OF ASSEMBLY
Wednesday, 18 November 2020
ESTIMATES COMMITTEE A

Chair:

Mr P.A. Treloar

Members:

Hon. A. Piccolo
Mr D.R. Cregan
Dr R.M. Harvey
Ms P.M. Luethen
Mr P.B. Malinauskas
Mr J.K. Szakacs

The committee met at 09:00

Estimates Vote

LEGISLATIVE COUNCIL, \$5,684,000

HOUSE OF ASSEMBLY, \$7,930,000

JOINT PARLIAMENTARY SERVICES, \$13,031,000

ADMINISTERED ITEMS FOR JOINT PARLIAMENTARY SERVICES, \$3,064,000

Membership:

Hon. A. Koutsantonis substituted for Hon. A. Piccolo.

Minister:

Hon. S.S. Marshall, Premier.

Departmental Advisers:

Mr A. Richardson, Auditor-General, Auditor-General's Department.

Mr I. McGlen, Deputy Auditor-General, Auditor-General's Department.

Ms M. Stint, Manager, Finance, Auditor-General's Department.

Mr R. Crump, Clerk, House of Assembly and Secretary, Joint Parliamentary Services.

The CHAIR: As the duly elected Chairman of Estimates Committee A, I welcome everybody to the first of the estimates committees sittings for 2020. I have some opening remarks I need to make. The estimates committees are a relatively informal procedure and, as such, there is no need to stand to ask or answer questions.

I understand that the minister and the lead speaker for the opposition, in this case the Premier and the Leader of the Opposition, have agreed an approximate time for the consideration of proposed payments which will facilitate a change of departmental advisers. Can the Premier and Leader of the Opposition confirm that the timetable for today's proceedings previously distributed is accurate?

The Hon. S.S. MARSHALL: Yes, sir.

Mr MALINAUSKAS: To the best of my knowledge, yes.

The CHAIR: I might just add one qualifier. I understand the Premier has a press conference at 11 this morning; is that correct, Premier?

The Hon. S.S. MARSHALL: Yes, but that has been agreed prior.

The CHAIR: With that in mind, at this stage we are scheduled to reconvene at 11.15; we will just keep that in mind.

Mr MALINAUSKAS: I understood we had moved it to 11.30, but whatever works.

The CHAIR: We will take it as it goes. I am just flagging it, given all that is going on. Changes to the committee membership will be notified as they occur. Members should ensure the Chair is provided with a completed request to be discharged form. If the Premier undertakes to supply information at a later date, it must be submitted to the Clerk Assistant via the answers to questions mailbox no later than Friday 5 February 2021.

I propose to allow both the Premier and the leader to make opening statements of about 10 minutes each should they wish. There will be a flexible approach to giving the call for asking questions based on about three questions per member, alternating each side. Supplementary questions will be the exception rather than the rule. A member not on the committee may ask a question at the discretion of the Chair. Questions must be based on lines of expenditure in the budget papers and must be identifiable and referenced. I repeat that questions must be based on lines of expenditure in the budget papers.

Members unable to complete their questions during the proceedings may submit them as questions on notice for inclusion in the House of Assembly *Notice Paper*. There is no formal facility for the tabling of documents before the committee; however, documents can be supplied to the Chair for distribution to the committee. The incorporation of material in *Hansard* is permitted on the same basis as applies in the house; that is, it is purely statistical and limited to one page in length. All questions are to be directed to the Premier, not the Premier's advisers. The Premier may refer questions to advisers for a response.

The committee's examinations will be broadcast in the same manner as sittings of the house are broadcast, through the IPTV system within Parliament House via the webstream link to the internet and the Parliament of South Australia and video-on-demand broadcast system. I declare the proposed payments open for examination. Premier, do you wish to make an opening statement?

The Hon. S.S. MARSHALL: No statement from me, sir.

The CHAIR: Leader of the Opposition, do you wish to make a statement?

Mr MALINAUSKAS: Just a very brief one, thank you, Mr Chairman, and thank you to the Premier and his officials for being here today. As the committee may be aware, I wrote to the Premier on Monday, post the news that started to disseminate on Sunday afternoon regarding a number of cases of COVID-19. I think we all collectively wish that those circumstances were not currently with us in South Australia, but they are nonetheless here.

On the back of that information, I wrote to the Premier offering the opposition's total support for any move to delay estimates or postpone estimates if that would better suit the government, it being able to focus on the crisis at hand, particularly the Premier and his officials. I understand the Premier has decided to maintain the current schedule, which is entirely the Premier's and the government's prerogative, which is of course appropriate. Having said that, it would be remiss of me not to acknowledge the difficult circumstances that many South Australians now find themselves in, and that is naturally top of mind for the opposition.

It would not ordinarily be our preference to be asking questions beyond the immediate concerns of the South Australian public, but we nonetheless find ourselves in the position today where estimates has been scheduled and represents the only time, or one of the principal occasions, that the opposition is able to scrutinise expenditure of the state government and ask questions of the Premier while accompanied by his officials and can readily access more detail than might otherwise

be able to be afforded to the Premier in a period like question time. Naturally, we will continue to pursue those questions today, albeit under circumstances that are regrettable or indeed unfortunate.

The CHAIR: Premier, do you wish to respond to that?

The Hon. S.S. MARSHALL: No, sir.

The CHAIR: I call on members for questions to the Premier.

The Hon. A. KOUTSANTONIS: I refer the Premier to Budget Paper 3, Appendix C, table C.2 on page 162. There is a series of members of parliament who claimed the country members' accommodation allowance and who made reimbursements. Those reimbursements were made public. Subsequent to those public reimbursements, were there any other reimbursements made to the parliament?

The Hon. S.S. MARSHALL: I am advised that all the details in regard to country member claims are now made clear on the parliamentary website with the dates and the person making the claims. There are a very small number of claims that go back to prior years, over and above those that the member for West Torrens referred to earlier. My understanding is these relate to four members and are very small amounts and they move in both directions, so some are up and some are down. We do not have those details with us here at the moment, but they are all very small variations, where maybe one day over the last 10 years was claimed incorrectly or underclaimed.

The Hon. A. KOUTSANTONIS: If I can refer the Premier to the same reference, Budget Paper 3, Appendix C, table C.2, page 162, I overheard the Clerk telling you that four members had made payments. You said that they were up or down. Are you saying that some members were reimbursed?

The Hon. S.S. MARSHALL: That is my understanding.

The Hon. A. KOUTSANTONIS: I also overheard the Clerk telling you the details of those claims. Could you detail them to the parliament?

Mr CREGAN: Point of order: there is speculation before the chamber as to what somebody else may or may not have said. It is clearly hearsay and the question should be confined to those matters that are in the index, not the supposed exchange provided on a private basis by way of advice.

The CHAIR: Actually, I uphold that point of order, member for Kavel. Premier.

The Hon. S.S. MARSHALL: I can assure the parliament that they are very minor alterations that relate back to prior periods and that going forward we are making it very clear that we need to have very transparent arrangements, the most transparent anywhere in the country, and they will be dealt with via the parliamentary website.

The Hon. A. KOUTSANTONIS: The same reference again. Was the amount in the hundreds of dollars or the thousands of dollars?

The Hon. S.S. MARSHALL: No, hundreds.

The CHAIR: Gentlemen, I ask you both to speak up a little bit, please. Premier, if you could pull your microphone a little bit closer, thank you. Member for West Torrens, could you repeat the question?

The Hon. A. KOUTSANTONIS: Yes, sir. Was the amount reimbursed in the hundreds or thousands?

The Hon. S.S. MARSHALL: Hundreds.

The Hon. A. KOUTSANTONIS: Can you name the members?

The Hon. S.S. MARSHALL: No, because we do not have the full detail of that, but what I can assure you is what I have been provided, that it was four members and it looks to me like it could potentially be just one night for each of those or in one case it could be two nights, over an extended period of time.

The Hon. A. KOUTSANTONIS: I overheard that former Minister Whetstone reimbursed money. That would take his indiscretions to over 90.

Mr CREGAN: Point of order: I raise the same point of order that I earlier raised. The examination is in relation to the budget papers, not what may or may not have been said by way of advice—supposedly overheard.

The CHAIR: I will allow the member for West Torrens to ask that question. Perhaps, member for West Torrens, desist from mentioning conversations. Ask specific questions.

The Hon. A. KOUTSANTONIS: I could not but help it, sir.

Mr CREGAN: It is not a fact. If you want to introduce facts, the way to introduce facts is clear in the standing orders.

The CHAIR: Member for West Torrens, could you repeat the question?

The Hon. A. KOUTSANTONIS: Yes. I overheard—

The CHAIR: No.

The Hon. A. KOUTSANTONIS: I am sorry. I apologise, sir. Did Mr Whetstone reimburse another claim that he made inappropriately?

The Hon. S.S. MARSHALL: Sorry?

The Hon. A. KOUTSANTONIS: Did Mr Whetstone, your former Minister for Primary Industries, make another reimbursement to the parliament?

The Hon. S.S. MARSHALL: No, that is not my understanding.

The Hon. A. KOUTSANTONIS: He was reimbursed?

The Hon. S.S. MARSHALL: I have provided my answer to the house. I do not have any further details to provide today.

The Hon. A. KOUTSANTONIS: On the same budget reference, did the member for Hammond make any further reimbursements in August?

The Hon. S.S. MARSHALL: I do not have any information to suggest that.

The Hon. A. KOUTSANTONIS: You have no information to suggest that?

The Hon. S.S. MARSHALL: We might try to find out further details and come back later in the estimates examination.

Mr MALINAUSKAS: On that same budget reference referred to by the member for West Torrens, will the Premier commit to publicly disclosing all details of each member, amount and date of any reimbursements made following a country members' allowance claim?

The Hon. S.S. MARSHALL: I think I just provided that we will try to find out some further information and come back before the end of estimates.

Mr MALINAUSKAS: Just to be clear, though, is the Premier able to undertake a public disclosure of every reimbursement that has been made following a country members' allowance claim?

The Hon. S.S. MARSHALL: As I said, I am seeking some advice on that and I hope to have that answer before we conclude the estimates on this item.

Mr MALINAUSKAS: An answer about whether or not you will be able to make that release, or an answer providing selected information?

The Hon. S.S. MARSHALL: I am just trying to get that information. If we move to another line, I am more than happy to come back to this.

The CHAIR: The Premier is happy to come back to that.

The Hon. S.S. MARSHALL: Yes.

The Hon. A. KOUTSANTONIS: On the same reference, were all documents requested by the ICAC delivered to the ICAC?

The Hon. S.S. MARSHALL: I do not have any oversight of that whatsoever.

The Hon. A. KOUTSANTONIS: Well, you have the Clerk next to you.

The CHAIR: Member for West Torrens, rather than just have a conversation with the Premier, could you speak up and direct—

The Hon. A. KOUTSANTONIS: I apologise. The Premier said he did not have that information. I asked if all information sought by the ICAC in its corruption investigation into Liberal MPs claiming the country members' allowance inappropriately was delivered. The Premier said he did not have that information, and I asked if he could please ask the Clerk, who is sitting alongside him.

The Hon. S.S. MARSHALL: I think it would be completely inappropriate for me to know about the provision of any documents to the ICAC, and I think that the member would appreciate that.

The CHAIR: And I am not sure, member for West Torrens, that either the Premier or the Clerk would necessarily know that information.

The Hon. A. KOUTSANTONIS: Well, there is only one way to find out, sir, and that is by asking. On the same budget reference, did any documents sought by the ICAC have privilege asserted over them?

The Hon. S.S. MARSHALL: I refer you to my previous answer.

The Hon. A. KOUTSANTONIS: Could I ask the Premier to please ask the Clerk if the parliament asserted any privilege over any document sought by the ICAC.

Mr CREGAN: Point of order, Mr Chairman. The witness before the chamber will take what advice that witness needs to provide an answer, but we are now traversing ground that the witness has in fact answered.

Mr MALINAUSKAS: Witness? Witness to what?

Mr CREGAN: The point, too, Mr Chairman, is that you have clearly directed the member to reflect on the nature of the questions. You have provided that guidance, and the member persists in a line of questioning that does not reflect your guidance.

The CHAIR: Let's refer to the Premier as the Premier, in the first instance, member for Kavel.

Mr CREGAN: Well, my training, of course, is in the law.

The CHAIR: Your training, of course. As I said earlier, member for West Torrens, I do not know that either the Premier or the Clerk would have answers to the question that you are asking, so just bear that in mind.

The Hon. A. KOUTSANTONIS: With due respect, Mr Chairman, this is the only opportunity the parliament has to have any oversight of the money expended in the parliament. One of the largest expenditures of the parliament to parliamentarians is the country members' allowance. There is a line in the budget paper about that. There is a very public corruption investigation underway into parliamentarians who have incorrectly claimed from that.

I think it is entirely appropriate that the people of South Australia have some transparency in those transactions. Because of the nature of parliament, if a body outside of parliament wishes to investigate it, privilege can be asserted over those documents that could incriminate or clear those parliamentarians. All I am simply asking of the Clerk of the House of Assembly, through the Premier, is: has privilege been asserted? It is a very simple question.

The Hon. S.S. MARSHALL: This is an estimates hearing to examine the budget. This is not a budget question whatsoever; this is a question that could be and would be more appropriately directed to the Speaker.

The CHAIR: I wholeheartedly agree, Premier. My thought is that the Speaker has the determination over the question you are asking, member for West Torrens. I will bring you back to the budget papers.

The Hon. A. KOUTSANTONIS: I think it is telling that the Premier will not answer these questions. Again, on the same budget reference, what was the last month in which a member claimed from the country members' allowance or made a reimbursement to the country members' allowance?

The Hon. S.S. MARSHALL: Which was the last month? I think they would be claimed on a monthly basis, wouldn't they? I am advised that the most recent claims are on the website.

The Hon. A. KOUTSANTONIS: And the reimbursements?

The Hon. S.S. MARSHALL: I am advised that all the payments that relate to the current period are on there. I do not have advice as to which month they are, but they are the most recent ones that have been processed. With regard to the earlier assertion by the member for West Torrens that he thought—I do not want to paraphrase him—this was an opportunity for me to answer these questions with regard to the ICAC, I think it would be extraordinary if a Premier did have insight into precisely what the Speaker was doing with regard to document provision to the ICAC. I think it would be completely inappropriate and I think it reflects more on the member for West Torrens than it does on our government.

Mr MALINAUSKAS: On the same budget line and the same line of questioning, I appreciate the issue around payments of the country members' allowance. Presumably, when you mention the word 'payments', you are talking about the reimbursement from the parliament to the member. When was the last month that a member reimbursed the parliament for a claim or an incorrect claim?

The Hon. S.S. MARSHALL: Earlier, I said that I would take that on notice. If I could answer it today during estimates, I would, otherwise I will just take that question on notice.

The Hon. A. KOUTSANTONIS: On the same budget reference, the Premier said earlier that all the reporting for the period had been made. What was the definition of that period?

The Hon. S.S. MARSHALL: I am not sure. That is all on the website. Do you want me to check the website for you?

The Hon. A. KOUTSANTONIS: No, but you asserted to the estimates committee that all the reporting had been done for the period. What is the period you referenced?

The Hon. S.S. MARSHALL: What I am advised is the most recent has been put onto the website.

The Hon. A. KOUTSANTONIS: Yes, but what is that period? For what period? Is that for August, is it for June, is it for the last financial year? What is the period we are talking about?

The Hon. S.S. MARSHALL: I do not know. It is on the website. I could check for you, if you like.

The Hon. A. KOUTSANTONIS: Could you ask the Clerk?

The Hon. S.S. MARSHALL: I did, actually.

The CHAIR: Member for West Torrens, it is best that you do not direct the Premier to his advisers. He can choose to do that. Premier.

The Hon. S.S. MARSHALL: I have nothing to add, sir.

The Hon. A. KOUTSANTONIS: On the same budget reference, Budget Paper 3, Appendix C, table C.2 on page 162, former Speaker Tarzia announced an investigation launched into the member for Waite. What was the cost of that investigation?

Mr CREGAN: Point of order: is the member seeking to introduce facts? In that case, he knows the procedure to do that.

The CHAIR: No, I do not uphold that. The member for West Torrens has referenced a budget line and it relates to cost, so I will accept the question.

The Hon. S.S. MARSHALL: Again, that would be a matter for the Speaker, not for me. There is a budget which is provided to the house, to the Legislative Council and to the Joint Parliamentary Service Committee. That is a generous budget but, operating within that budget, the Speaker is authorised to make payments and any details like that should be directed to the Speaker.

The Hon. A. KOUTSANTONIS: Mr Chairman, with all due respect, this is an estimates committee of the budget. The parliament has been procured money through the budget and it has expended it, and I am asking about a piece of its expenditure. I would like the Premier to detail to the committee—or at least take on notice that question and give an assurance that he will come back to the committee—the cost of that investigation. Nothing could be more relevant.

The CHAIR: Remember also, member for West Torrens—and you would be well aware—that the Premier or any minister is entitled to answer the question in whichever way he or she wishes. Premier.

The Hon. S.S. MARSHALL: I have nothing to add to my further answer, sir.

Mr MALINAUSKAS: Why is the Premier refusing to take on notice a question regarding an expenditure of the House of Assembly—

Mr CREGAN: Point of order, Mr Chairman: that is an argument, 'Why is person X doing Y?' What is the question?

Mr MALINAUSKAS: I was just trying to ask it. Why is the Premier unable to take on notice a question regarding an expenditure of the House of Assembly regarding an investigation?

Mr CREGAN: Well, that is an assumption and it is an argument.

The Hon. S.S. MARSHALL: I am happy to take that question on notice.

The CHAIR: Before you go, leader, I am just going to ask the Premier to repeat his answer please.

The Hon. S.S. MARSHALL: I am happy to take that question on notice. We do not have that detail here, but I understand it is a very small number.

The CHAIR: Okay, so the Premier has taken that on notice.

Mr MALINAUSKAS: I do not want to be unreasonably particular, but I just want to understand what is being taken on notice. Is the Premier taking on notice the question of the cost of that investigation?

The Hon. S.S. MARSHALL: Sorry?

Mr MALINAUSKAS: Are you taking on notice the cost of that investigation?

The Hon. S.S. MARSHALL: Yes, I have provided information to the committee that there is a budget line for the House of Assembly. The Speaker is authorised to incur costs and make payment within that budget. There is certainly nothing to suggest that this payment for this activity goes above and beyond the authorisation. We are happy to take that question on notice.

The Hon. A. KOUTSANTONIS: On the same budget reference, was that investigation into the member for Waite made available to his legal team as he requested?

The Hon. S.S. MARSHALL: I do not have that information.

The Hon. A. KOUTSANTONIS: Could the Premier take that on notice and get back to the House of Assembly?

The Hon. S.S. MARSHALL: Again, I just think this is not a budget question; this is a question you can direct to the Speaker.

The Hon. A. KOUTSANTONIS: Again, sir, it is the equivalent of a budget measure. The parliament procured money; it spent it on an investigation. What they do with that document once they receive it is the purview of this committee; it is obvious. The Clerk is alongside him—

The CHAIR: Really, member for West Torrens, they are questions best put to the Speaker, in my opinion.

The Hon. A. KOUTSANTONIS: Sir, the Clerk of the House of Assembly is here to answer questions and advise the Premier. It is, I think, quite frankly staggering that the Premier is not even bothering to ask.

The CHAIR: Well, he has taken questions on notice.

The Hon. S.S. MARSHALL: I have one answer already, and that is that the country members' allowance payments that are on the website are for the month of October.

The Hon. A. KOUTSANTONIS: Does that include reimbursements?

The Hon. S.S. MARSHALL: I do not have that information.

The Hon. A. KOUTSANTONIS: Could you get back to the committee on that as well?

The Hon. S.S. MARSHALL: As I have said previously, they are the disclosure of payments made to country members. It is the most transparent system—the most prompt system—in the country. Previously, it was only done here in South Australia on an annual basis. Some other jurisdictions have quarterly reporting; we have monthly reporting. When we came to government after 16 years of Labor there was just one report per year with a total sum. We are now making it clear the person who is making the claim and the time when they are making that claim. We think this is the best system in the country.

Mr MALINAUSKAS: Yes, we welcome the Premier's transparency around the country members' allowance, given the unprecedented reporting of it. The question that I want to ask on the back of that is: given the Premier's commitment to transparency and disclosure around the payment of the country members' allowance, is he willing to apply that same standard to the reimbursement of the country members' allowance?

The Hon. S.S. MARSHALL: I have already said that I would take that question on notice.

Mr MALINAUSKAS: Okay.

The Hon. S.S. MARSHALL: I could say it again and again.

The Hon. A. KOUTSANTONIS: I refer the Premier to Budget Paper 4, Volume 4, page 17, program 1. Premier, are any of the Liberal MPs who were investigated by ICAC, or are currently under investigation by ICAC, indemnified for their legal expenses?

The Hon. S.S. MARSHALL: Not that I am aware of.

The Hon. A. KOUTSANTONIS: Not that you are aware of?

The CHAIR: Member for West Torrens, I do not believe we are at that budget line in our program.

The Hon. A. KOUTSANTONIS: I apologise, sir. I apologise profusely. I do not know why I did that.

The CHAIR: Nor do I, member for West Torrens.

The Hon. A. KOUTSANTONIS: Perhaps we should go back to the House of Assembly.

The Hon. S.S. MARSHALL: Why not?

The Hon. A. KOUTSANTONIS: Why not? That is where all the action is. I refer you, Premier, to Budget Paper 3, Appendix C, table C.2 on page 162. There were a series of inquiries made to the House of Assembly by media and they were not responded to. Was that your decision or the Speaker's decision?

The CHAIR: Member for West Torrens, that is not a question about expenditure.

The Hon. A. KOUTSANTONIS: I disagree, sir.

The CHAIR: You asked about a response.

The Hon. A. KOUTSANTONIS: If I can explain, there were a number of media outlets that had done a very, very good piece of investigative work into the corrupt handling of the country members' allowance. They made inquiries of that expenditure to the parliament and those inquiries went unanswered. My question is: was that the Premier's decision or the Speaker's decision? That is my question, sir, and I am referencing the expenditure from the country members' allowance.

The CHAIR: It is tenuous, member for West Torrens.

The Hon. A. KOUTSANTONIS: Thank you, sir. Do you want me to repeat it?

The Hon. S.S. MARSHALL: Yes, please.

The Hon. A. KOUTSANTONIS: Media outlets had done an investigation about the way members of parliament had been claiming the country members' allowance through the expenditure of the budget reference that I had. Those inquiries were made to the House of Assembly and the Legislative Council, but this is from the House of Assembly. Whose decision was it for them not to respond to those media inquiries? Was it the government's or was it the Speaker's?

The Hon. S.S. MARSHALL: I have just been advised that those requests have been responded to.

The Hon. A. KOUTSANTONIS: Ultimately, yes, but when they were initially made, Premier, is my question.

The Hon. S.S. MARSHALL: I am just advised that it was a matter of resources and that when those resources were available to compile that information that information was provided.

The Hon. A. KOUTSANTONIS: A supplementary question: were extra resources required for the parliament to deal with the country member allowance?

The Hon. S.S. MARSHALL: Not to my knowledge.

The Hon. A. KOUTSANTONIS: So, if the resources were not available, was it a financial issue or was it a manpower issue?

The Hon. S.S. MARSHALL: What I am advised is that that information has all been provided to the media, but it did take some time to compile. When that was done, that information was provided to the media.

The Hon. A. KOUTSANTONIS: On the same budget reference: Premier, did you ever claim, as Leader of the Opposition, an accommodation allowance from the parliament?

The Hon. S.S. MARSHALL: Did I ever claim an accommodation allowance?

The CHAIR: Member for West Torrens, that is not related, in my mind, to the current budget.

The Hon. A. KOUTSANTONIS: But I am sure the Premier, in the interests of transparency, is prepared to answer, sir.

Mr CREGAN: The committee is interested in current budget items.

The CHAIR: We are discussing the current budget, Premier.

The Hon. S.S. MARSHALL: We are, but in the spirit of being open and transparent, I am sure in the early days of coming to parliament—I was elected in 2010—there was a country travel allowance for city members who travelled to the country, but I could not be sure of what was claimed in 2010 or 2011. I think that might have continued right through to 2013. There were allowances that were made for intrastate travel, interstate travel and overseas travel, and I made my submissions on that in accordance with the rules.

The Hon. A. KOUTSANTONIS: That is true, but there is also a separate budget line for the Leader of the Opposition, and the Leader of the Opposition can make claims for allowance from the parliament. Did you use that allowance?

Mr CREGAN: Mr Chairman, there has been considerable indulgence in relation to the previous budget. This is 2020-21.

The CHAIR: Thank you, member for Kavel. I uphold the point of order. Of course, we are delving into history here, member for West Torrens. In fact, for some of the period the current Premier was not the Leader of the Opposition, so I need to bring you back once again to the current budget.

The Hon. A. KOUTSANTONIS: Thank you, sir. I refer to something that might be of interest to all of us in the House of Assembly, and again I refer to the same budget reference, expenditure, and the report of the reviewer of the operations of the Independent Commissioner Against Corruption and the Office for Public Integrity for the period of 1 July 2019 to 30 June 2020 by the Hon. John Sulan QC. On page 19, he says, 'One matter of an installation of a listening device in a government meeting room by the ICAC.'

Mr CREGAN: This is clearly fact.

The CHAIR: Yes, and again, member for Kavel, I am going to uphold your point of order. Member for West Torrens, you are introducing another reference outside of the budget.

The Hon. A. KOUTSANTONIS: The reason I ask this question, sir, is that I am about to ask the Premier whether that listening device was installed in the parliament.

The CHAIR: If what, sorry?

The Hon. A. KOUTSANTONIS: This is a document that was tabled in the parliament by the Attorney-General on behalf of the Hon. John Sulan QC, who is the ICAC reviewer. Sir, it is a document that belongs to the parliament. It says on page 19 that the ICAC inappropriately installed a listening device in a government meeting room, and my question to the Premier is going to be, through the Clerk of the House of Assembly, whether or not that listening device was installed in the parliament.

Mr CREGAN: Point of order.

The CHAIR: Yes, thank you, member for Kavel. I uphold the point of order. Unfortunately, member for West Torrens, I am going to have to rule that question out of order.

The Hon. A. KOUTSANTONIS: That is very disappointing.

The CHAIR: That is because it does not relate to the budget under examination. The member for West Torrens.

The Hon. A. KOUTSANTONIS: Thank you very much, Mr Chairman. I refer the Premier, again, to Budget Paper 3, Appendix C, table C.2, page 162. Are the documents that are used to apply for the country members' allowance stored here in the parliament, or are they stored remotely?

The Hon. S.S. MARSHALL: I am advised that they are stored here in the parliament.

The Hon. A. KOUTSANTONIS: Again, I refer to the same reference. Who ultimately authorises the payment of the country members' allowance to the members?

The Hon. S.S. MARSHALL: The Clerks of the relevant houses.

The Hon. A. KOUTSANTONIS: Have the forms that the parliamentarians signed changed since the ICAC inquiry or the Remuneration Tribunal's new determination.

The Hon. S.S. MARSHALL: I am advised that, yes, they have changed to pick up the changes in the Remuneration Tribunal determination.

The Hon. A. KOUTSANTONIS: The forms that were before the changes of the Rem Tribunal, that is the most recent change which the government made a submission to, were those signatures by the parliamentarians claiming the allowance a legal declaration?

The Hon. S.S. MARSHALL: So your question is with regard to the previous—

The Hon. A. KOUTSANTONIS: The previous form. If, for example, a member of parliament takes a trip, claims that they were in a city or town somewhere, or in Adelaide on parliamentary business, is that a legal declaration?

The Hon. S.S. MARSHALL: I am not sure that this is a budget-related question—how the legal interpretation—

The Hon. A. KOUTSANTONIS: I will explain how I think it is.

The Hon. S.S. MARSHALL: Okay.

The Hon. A. KOUTSANTONIS: Because they are expending government money, I would have thought that to get access to that money you would need to make a declaration. I am just asking if it is a legal declaration or not. If you cannot answer, you can take it on notice.

The Hon. S.S. MARSHALL: I will take that question on notice.

The CHAIR: I do not know that the Premier is in a position necessarily to offer a legal opinion on that.

The Hon. A. KOUTSANTONIS: Thank you, sir.

The CHAIR: No, his job is to answer questions on the budget today, leader. Any further questions?

Mr SZAKACS: I continue with Budget Paper 3, Appendix C, table C.2, page 162. I refer to the subject matter that the member for West Torrens touched on a moment ago regarding Justice Sulan's report that noted the improper installation of a listening device in a government—

Mr CREGAN: Point of order, Chair: I cannot find anything in the budget line here that relates to the question that is being formulated, and you have previously made a ruling in relation to the subject matter that has so far been disclosed.

Mr SZAKACS: Mr Chair, for the member for Kavel's benefit, I would be very happy to finish my question before you make a ruling.

The CHAIR: Yes, I am going to allow you to do that, but it is going to relate specifically to a budget line.

Mr SZAKACS: Again, I would be happy to ask my question and leave it to your ruling.

The CHAIR: Yes, go ahead.

Mr SZAKACS: The improper installation of a listening device in a government building—

Mr CREGAN: Where is the budget item?

Mr SZAKACS: Can I finish my question?

The CHAIR: Please do. You have laid the foundation.

Mr SZAKACS: For the Premier's benefit, not the member for Kavel's, Budget Paper 3, Appendix C, table C.2, page 162. Did the parliament expend any funds to remedy or remediate any of parliament's facilities as a result of the improper installation of listening devices?

The Hon. S.S. MARSHALL: I have no knowledge of that and—

Mr SZAKACS: Will you take that on notice, Premier?

The Hon. S.S. MARSHALL: —as the Chairperson has already ruled, there is no budget that relates to this. If you have questions on this, I suggest you direct them to the Attorney-General.

Mr SZAKACS: With respect, Chair, I am not sure that you have made a ruling that that question was out of order.

The CHAIR: Ask the question one more time, member for Cheltenham. We will take the Premier's response, keeping in mind of course, as I said earlier, the Premier can answer questions as he sees fit. This is a very tenuous link to the budget, member for Cheltenham, and I might bring it to an end soon, but ask your question.

Mr SZAKACS: The expenditure of funds by the parliament—

The CHAIR: Yes, I understand that.

Mr SZAKACS: —is the sole purpose we are here today examining that budget. I re-put my question to the Premier: have funds been expended by the parliament to remediate or remedy any of parliament's facilities as a result of the improper installation of listening devices?

The Hon. S.S. MARSHALL: I am advised that there has been no such expenditure.

Mr MALINAUSKAS: In that case, Mr Chairman, we might move on to the Auditor-General's Department.

The CHAIR: There being no further questions, I declare the examination of the proposed payments for the Legislative Council, House of Assembly, Joint Parliamentary Services and Administered Items for Joint Parliamentary Services complete.

STATE GOVERNOR'S ESTABLISHMENT, \$5,790,000

Minister:

Hon. S.S. Marshall, Premier.

Departmental Advisers:

Mr A. Richardson, Auditor-General, Auditor-General's Department.

Mr I. McGlen, Deputy Auditor-General, Auditor-General's Department.

Ms M. Stint, Manager, Finance, Auditor-General's Department.

Mr R. Crump, Clerk, House of Assembly and Secretary, Joint Parliamentary Services.

The CHAIR: In relation to process, the next item for examination is the State Governor's Establishment. I declare the proposed payments open for examination Do you have any questions on that, leader?

Mr MALINAUSKAS: No.

The CHAIR: There being no questions, I declare the examination of the proposed payments for the State Governor's Establishment complete.

AUDITOR-GENERAL'S DEPARTMENT, \$18,445,000

Minister:

Hon. S.S. Marshall, Premier.

Departmental Advisers:

Mr A. Richardson, Auditor-General, Auditor-General's Department.

Mr I. McGlen, Deputy Auditor-General, Auditor-General's Department.

Ms M. Stint, Manager, Finance, Auditor-General's Department.

The CHAIR: We move now to the Auditor-General. For the Auditor-General's Department, the minister appearing is the Premier and I declare the proposed payments open for examination. I will give the Premier or leader the opportunity once again to make a statement, if they wish.

The Hon. S.S. MARSHALL: I will just introduce the people who will be supporting me during this committee. They are, of course, Andrew Richardson, Auditor-General; Ian McGlen,

Deputy Auditor-General; and Megan Stint, Finance Manager, in the Auditor-General's Department. I should have pointed out in the previous examination, with regard to the Legislative Council, House of Assembly and Joint Parliamentary Services, that I was supported by Rick Crump from Parliament House.

The CHAIR: Yes, it was my omission too, Premier. I should have invited you to introduce your advisers, but thank you for that. Questions, leader.

Mr MALINAUSKAS: I refer to Budget Paper 4, Volume 1, page 74. Why would there be a reduction in FTEs from 128.9 in the financial year 2019-20 to 124.2 in 2020-21?

The Hon. S.S. MARSHALL: I am advised that the current headcount is above the determined headcount for that area, and the Auditor-General advises me they will return to their nominated headcount during this financial year.

Mr MALINAUSKAS: Has the Auditor-General made any request for any additional resources or FTEs?

The Hon. S.S. MARSHALL: The Auditor-General made a request for additional funds for special investigations and that was provided: \$189,000 in the 2019-20 year and \$195,000 in the current financial year.

Mr MALINAUSKAS: Moving on to a different line, Budget Paper 4, Volume 1, page 76, Sub-program 1.1: Prescribed Audits and Examinations. Does the office of the Auditor-General monitor the requirements for proactivity of disclosure by agencies and ministerial offices?

The Hon. S.S. MARSHALL: I am advised no.

Mr MALINAUSKAS: Who does?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: On the same budget line, has there been occasion in the 2019-20 financial year, or this financial year, to advise officers of their noncompliance with proactivity of disclosure, as outlined in the Premier and Cabinet Circular 35?

The Hon. S.S. MARSHALL: I am advised no.

Mr MALINAUSKAS: I refer to Budget Paper 4, Volume 1, page 77, Sub-program 1.2: Special Investigations. What criteria does the Auditor-General use to select issues that require special investigations?

The Hon. S.S. MARSHALL: I am advised by the Auditor-General that these special investigations are done for regular investigations that are required under statute.

Mr MALINAUSKAS: Very well. I refer to the same budget line. One of the highlights 2020-21, under Special Investigations, states that the Auditor-General's Department will report on the probity process in relation to the service contracts awarded for the bus and light rail services and also the heavy rail service—that would be the trains. Has the work in relation to the bus and light rail services been completed?

The Hon. S.S. MARSHALL: Yes, I am advised that that report has been tabled. That is the type of special investigation that we referred to, so something that is irregular. Those contracts do not come up very often. They might be a 10-year or a 15-year contract, but they are required under statute.

Mr MALINAUSKAS: Indeed irregular: it has never happened before. Was the report tabled in the parliament, which I assume you were just referring to, on 7 August, entitled Passenger transport service contracts: Bus and light rail, the final report or is there any other investigation underway with regard to that contract?

The Hon. S.S. MARSHALL: I am advised that there is no other investigation under that contract.

Mr MALINAUSKAS: Will there be a supplementary report or is that literally the final report?

The Hon. S.S. MARSHALL: As I have just stated, there is no ongoing investigation into that. If there is a requirement under the statute to do any further special investigation, that would be the subject of a separate report.

Mr MALINAUSKAS: Sorry, just say that again.

The Hon. S.S. MARSHALL: If there is further investigation required for a subsequent contract that is required under statute, that would be the subject of a separate investigation and a separate report.

Mr MALINAUSKAS: On the same page and the same sub-program, being Budget Paper 4, Volume 1, page 77, sub-program 1.2, has the investigation into the probity and process relating to the contracts awarded for the heavy rail services commenced?

The Hon. S.S. MARSHALL: Yes.

Mr MALINAUSKAS: How long will this investigation take?

The Hon. S.S. MARSHALL: I am advised that statute dictates that this should be provided by 15 February next year.

Mr MALINAUSKAS: Is there a mechanism for an extension of time if the Auditor-General sees fit?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: As it currently stands, does the Auditor-General believe he will be able to comply with that time line previously foreshadowed by the Premier?

The Hon. S.S. MARSHALL: I am advised that this is a very tight time frame.

Mr MALINAUSKAS: Why is it a tight time frame?

The Hon. S.S. MARSHALL: I am advised that it is because this investigation is taking place over Christmas and we really do not know the full extent of what any COVID restrictions might be in regard to access to people for this investigation.

Mr MALINAUSKAS: Will the investigation include speaking with unsuccessful bidders and external parties?

The Hon. S.S. MARSHALL: That may be considered.

Mr MALINAUSKAS: Will the investigation include looking into if the contract signed delivers a benefit for South Australian taxpayers? To be more specific, the cost of currently operating the services versus the amount being paid to the private operators?

The Hon. S.S. MARSHALL: The scope of the investigation is dictated by the statute, which focuses on the probity of the contract and that will be the priority of the investigation.

Mr MALINAUSKAS: Does the scope of the investigation preclude the Auditor-General from forming a view about the value to taxpayers?

The Hon. S.S. MARSHALL: I am advised that the statute is clear on this and that the priority is to examine the probity and the contract itself. That will be the priority between now and 15 February.

Mr MALINAUSKAS: Continuing on the same budget line, has the Department for Infrastructure and Transport provided the Auditor-General with a copy of the Ernst and Young report, who prepared pro forma financial statements used by bidders during the tender process?

The Hon. S.S. MARSHALL: We will take that question on notice.

Mr MALINAUSKAS: Is the Auditor-General aware of an Ernst and Young report regarding the cost of operating the heavy rail service in South Australian hands?

The Hon. S.S. MARSHALL: I am advised that he is aware of that report.

Mr MALINAUSKAS: So the report exists?

The Hon. S.S. MARSHALL: If the Auditor-General says that he is aware of it, then it exists.

Mr MALINAUSKAS: Will the Auditor-General release a copy of the Ernst and Young report being used during the course of his investigation?

The Hon. S.S. MARSHALL: I am advised if it was relevant to the investigation and it was available, then it may be used by the Auditor-General.

The CHAIR: Leader, could I interrupt. It sounded to me very much like you were addressing that question to the Auditor-General. Please choose your words carefully.

Mr MALINAUSKAS: I will rephrase it. My question being to the Premier on the same item, given the Auditor-General is aware of the Ernst and Young report and will use the Ernst and Young report—

The Hon. S.S. MARSHALL: May.

Mr MALINAUSKAS: May—well, let's start there then. Has the Auditor-General furnished himself with the information in the Ernst and Young report?

The Hon. S.S. MARSHALL: Not at this point.

Mr MALINAUSKAS: Will the Auditor-General furnish himself with the information in the Ernst and Young report?

The Hon. S.S. MARSHALL: The reality is we have every faith that the Auditor-General will look at that report if he believes that it is relevant to the probity of the contract, which is his priority for investigation through to 15 February.

Mr MALINAUSKAS: Does the Auditor-General have a copy of the Ernst and Young report in his possession, not on his person now but generally?

The Hon. S.S. MARSHALL: We will take that question on notice.

Mr MALINAUSKAS: Is the Auditor-General unaware of whether or not his office is in receipt of that report?

The Hon. S.S. MARSHALL: He has advised me that his office does collect relevant information. He is not aware of whether or not this is part of that at this stage.

Mr MALINAUSKAS: How will the Auditor-General form a view about whether or not it is relevant if he does not have a copy of it?

The Hon. S.S. MARSHALL: We have just said that we will take that question on notice.

The CHAIR: Next question, leader.

Mr MALINAUSKAS: Will the Auditor-General undertake to release that report publicly if it is referred to in his investigation in any way?

The Hon. S.S. MARSHALL: It would be highly unusual for that to occur, but the Auditor-General will be making his special investigation findings available by 15 February.

Mr MALINAUSKAS: How will the Auditor-General determine if the Ernst and Young report is relevant to his investigation?

The Hon. S.S. MARSHALL: I think I have answered this several times, and I am happy to answer it again. The Auditor-General's Department is looking to gather all relevant information for this special investigation, which is due under statute and will be provided by 15 February unless there is an extension, but certainly at this stage it is 15 February. If that is relevant to the probity issues with regard to the statutory obligations for this investigation, then it will be looked at very carefully.

Mr MALINAUSKAS: I might move on to a slightly different budget line but on a similar topic, which is Budget Paper 4, Volume 1, page 78, explanation of significant movements. Regarding the \$338,000 allocated over two years for the completion of the two special investigations in relation to the awarding of service contracts for both the bus and tram services and the heavy rail services in metropolitan Adelaide, to what extent is that allocation made to one investigation versus the other?

The Hon. S.S. MARSHALL: I am advised that it is roughly a fifty-fifty split.

Mr MALINAUSKAS: Regarding the special investigation, has this been initiated at your own volition, or has it been at the request of the Treasurer, the Independent Commissioner Against Corruption or any other external authority?

The Hon. S.S. MARSHALL: I am advised that it is required under the Passenger Transport Act.

Mr MALINAUSKAS: Has the Auditor-General had any discussion with the Independent Commissioner Against Corruption regarding either contract?

The Hon. S.S. MARSHALL: I am advised that those matters are not for public disclosure. There are very strict requirements under the act, and whether or not a conversation has taken place is something that would not be permissible to be made public.

The CHAIR: And the leader would be aware of that.

Mr MALINAUSKAS: Other than the \$338,000 that has been allocated for the investigation of the bus, light and heavy rail contracts, can the Premier advise if the Auditor-General has sought any further funds for special investigations?

The Hon. S.S. MARSHALL: Only as I outlined before in my earlier answer.

The CHAIR: Before you go, leader, could you please repeat your answer for my benefit, Premier?

The Hon. S.S. MARSHALL: Only as we outlined in an earlier answer, which was the line made available, which was requested and granted for last financial year and the further line for this financial year.

The CHAIR: Thank you.

Mr MALINAUSKAS: Moving on to a different budget line, Budget Paper 4, Volume 1, page 77, targets 2020-21. Have there been any other procurements that have attracted the attention of the Auditor-General in 2019-20?

The Hon. S.S. MARSHALL: I am advised that the only areas outside the normal focus were procurement with regard to bushfires and also with regard to our COVID response.

Mr MALINAUSKAS: Are there any other additional investigations or reviews currently underway?

The Hon. S.S. MARSHALL: I am advised that it would be better to refer to these as audits rather than investigations. With regard to the audits that are currently underway, there is the heavy rail, which we have obviously already referred to, but there is also an audit currently underway with regard to local government, in particular their cybersecurity preparedness. The Auditor-General is also completing a report into information technology across government, and obviously the budget has just been released.

Mr MALINAUSKAS: I might move back, then, to Budget Paper 4, Volume 1, page 78 and the \$330,000 allocated over two years referred to in that line item. Why is the additional funding for those special investigations required?

The Hon. S.S. MARSHALL: I think I outlined before that these are investigations that are not required on an annual basis. They are investigations required under statute that might occur on a more intermittent basis. This is a contract in particular that has only come up for the first time in a decade, so special funds are sought and they have been provided.

Mr MALINAUSKAS: What is the additional funding actually for? The purpose is understood, but is it required for external specialist services?

The Hon. S.S. MARSHALL: I am advised that that money is used for a variety of purposes, including some specialist contract staff, external legal advice but also the ability to flex up the internal capacity. I think the parliament would appreciate that when you are only looking at some specialist areas once every 10 years, it would not be prudent to have those specialist skills there permanently.

So it is seen that in these circumstances we do bring those specialist skills in. The Auditor-General's Department does not have their own in-house legal capacity for this so that work is also outsourced.

The Hon. A. KOUTSANTONIS: My question to the Premier is on Budget Paper 4, Volume 1, page 77, Sub-program 1.2: Special Investigations. Does the Auditor-General have the power to call witnesses for his audits?

The Hon. S.S. MARSHALL: I am advised that yes, he does have that power.

The Hon. A. KOUTSANTONIS: On the same reference, is it usual for the Auditor-General to call witnesses from participants in a tender process who were unsuccessful?

The Hon. S.S. MARSHALL: No, that is not usual.

The Hon. A. KOUTSANTONIS: Could I ask why?

The Hon. S.S. MARSHALL: I am advised there just has not been a need for that.

The Hon. A. KOUTSANTONIS: On the same budget reference, is the Premier aware that the participants in the most recent heavy rail tender process have raised probity issues, access issues and information issues towards their bids? Would it help the Auditor-General's audit in understanding the probity issues if he did hear from the proponents who were unsuccessful?

The Hon. S.S. MARSHALL: What I am aware of is that there is a statutory requirement to conduct an investigation with regard to this contract. The Auditor-General has sought funding for that special investigation. That money has been made available. That statutory audit is required by 15 February next year unless there is an extension. I have every confidence that the Auditor-General will be able to conduct that probity audit appropriately.

The Hon. A. KOUTSANTONIS: There is no question about the Auditor's abilities—

The Hon. S.S. MARSHALL: Then why are you suggesting—

The CHAIR: Member for West Torrens—

The Hon. S.S. MARSHALL: Why are you providing suggestions on how the Auditor-General should go about his job? I did not know you had an audit qualification. I know you are a very talented person, but I had no idea that your skills extended to audits.

The Hon. A. KOUTSANTONIS: Well, I was not—

The CHAIR: Member for West Torrens, if you could address me and speak clearly into the microphone, please.

The Hon. A. KOUTSANTONIS: Thank you, sir. I was not making assertions about the ability of the Auditor-General; I think he is a very well-qualified individual—

The CHAIR: Indeed.

The Hon. A. KOUTSANTONIS: Indeed he was appointed under our government. Same budget reference: will the Auditor-General allow submissions to his audit from proponents who are unsuccessful in their bid to run the Adelaide Metro heavy rail?

The Hon. S.S. MARSHALL: I have every confidence the Auditor-General's Department and the Auditor-General himself will seek all of the relevant information to form his opinion with regard to the probity of this contract and provide the people of South Australia with his report on 15 February unless an extension is sought and received.

Mr MALINAUSKAS: On the same budget line, in regard to the special investigation to the train contract, is there a mechanism for people to volunteer submissions to the Auditor-General to assist him in that investigation?

The Hon. S.S. MARSHALL: As I previously stated to this question on several occasions, I have every confidence in the Auditor-General's Department to gather all relevant information and to provide it to the audit team that is doing this work. It is very important work. It is required under the statute. I have every confidence the Auditor-General is more than capable of forming an opinion as to what documents he requires and will look at those documents if they are relevant to his special

investigation, which, as I have provided to this committee on several occasions already, is to prioritise the probity and the contract itself.

Mr MALINAUSKAS: Again, I appreciate those remarks and the repetition of them. My question is a bit different. My question is rather specific in nature regarding this special investigation. Is there a mechanism for someone to voluntarily make a submission to the Auditor-General to aid them in their investigation; for instance, a would-be bidder or someone close to the process who may have information? Is there a mechanism for someone to do that?

The Hon. S.S. MARSHALL: I refer you to my previous answer.

Mr MALINAUSKAS: But your previous answer did not answer that question.

The Hon. S.S. MARSHALL: My previous answer was very clear that I have every confidence that the Auditor-General's Department will gather all relevant information, and that is my answer.

Mr MALINAUSKAS: Sorry?

The Hon. S.S. MARSHALL: That is my answer.

Mr MALINAUSKAS: On the same budget line, on the same line of questioning, with all due respect to the Auditor-General, the Auditor-General only has the information that is available to them. The Auditor-General does not know what they do not know, as is the case with everybody. Is there a mechanism for other people who may have information to provide that to the Auditor-General?

The Hon. S.S. MARSHALL: I refer you to my previous answer.

Mr MALINAUSKAS: Is the Premier able to ask the Auditor-General what mechanisms are in place for people to make submissions to him and his office to provide additional information for this investigation?

The Hon. S.S. MARSHALL: I have every confidence that all relevant information will be gathered by the Auditor-General's Department. I have nothing further to add.

The CHAIR: Perhaps we will move on to another line of questioning.

The Hon. A. KOUTSANTONIS: If I can go back to the same reference, Budget Paper 4, Volume 1, page 77, sub-program 1.2, will the Auditor-General be given access to the losing bids in the heavy rail privatisation that he is auditing?

The Hon. S.S. MARSHALL: The Auditor-General advises me that he will have access to all aspects of the procurement that we are discussing.

The Hon. A. KOUTSANTONIS: On that same budget reference, is it normal for the Auditor-General to have access to all the bids that are unsuccessful or is this something he is asking for for the first time?

The Hon. S.S. MARSHALL: I am advised that this is a normal course of the investigation.

The Hon. A. KOUTSANTONIS: On the same reference, can he then call people who prepared those bids if he sees fit?

The Hon. S.S. MARSHALL: I am informed that, yes, the Auditor-General does have access to all the information that has been provided as part of that bidding process.

The Hon. A. KOUTSANTONIS: On the same budget reference, Premier, if employees of the Department for Infrastructure and Transport are interviewed by the Auditor, is that made public to the organisation or is that kept within the audit process and is that published after they are interviewed?

The Hon. S.S. MARSHALL: I am advised that the Auditor-General generally does have the power to conduct those interviews.

The Hon. A. KOUTSANTONIS: The reason I asked that question is in terms of whistleblowers who wish to give evidence or information to the Auditor without it being made known

to their employers or their political masters, whoever they may be on either side of politics. Is that ability available to keep that confidential?

The Hon. S.S. MARSHALL: I am advised that the Auditor-General would observe any of the provisions within the Public Interest Disclosure Act.

The Hon. A. KOUTSANTONIS: So any potential witnesses would have to make a complaint first before they would be given any immunity from prosecution?

The Hon. S.S. MARSHALL: I do not want to be providing legal or interpretive advice with regard to the statute, but we would be perfectly applying all aspects of that legislation.

The Hon. A. KOUTSANTONIS: I take it from that answer that it would be impossible for a public servant to give evidence without the protection and immunities—

Mr CREGAN: Point of order: that is clearly argumentative within the terms of standing order 97. There is an opinion, and then that opinion extends into an argument about what might or what might not be possible.

The CHAIR: Yes, I uphold the point of order from the member for Kavel. We are delving into the realms of legal responsibilities, member for West Torrens, rather than relating to the budget.

The Hon. A. KOUTSANTONIS: I disagree, sir, but I honour and respect your ruling.

The CHAIR: You may, but I might suggest that you rephrase the question, if you would like to.

The Hon. A. KOUTSANTONIS: No, sir. I take it that the government does not want to answer that question.

The CHAIR: The leader.

Mr MALINAUSKAS: Thank you, Mr Chairman. In that context, I would like to thank the Auditor-General for his time and move on to the Department of the Premier and Cabinet.

The CHAIR: There being no further questions, I declare the examination of the proposed payments for the Auditor-General's Department complete.

DEPARTMENT OF THE PREMIER AND CABINET, \$266,003,000
ADMINISTERED ITEMS FOR THE DEPARTMENT OF THE PREMIER AND CABINET,
\$9,289,000
PREMIER, OTHER ITEMS, \$5,426,000

Minister:

Hon. S.S. Marshall, Premier.

Departmental Advisers:

Mr S. Woolhouse, Executive Director, Communities and Corporate, Department of the Premier and Cabinet.

Ms E. Balan-Vnuk, Executive Director, ICT and Digital Government, Department of the Premier and Cabinet.

The CHAIR: We come to the Department of the Premier and Cabinet and the Office for Digital Government. The minister appearing is the Premier. I declare the proposed payments open for examination. Premier, would you like to introduce your advisers?

The Hon. S.S. MARSHALL: Yes, I certainly would. I would like to introduce Steven Woolhouse, Executive Director, Communities and Corporate; and Eva Balan-Vnuk, Executive Director, ICT and Digital Government.

Mr MALINAUSKAS: Is the Chief Executive of DPC not joining us today?

The Hon. S.S. MARSHALL: That is correct.

Mr MALINAUSKAS: Regarding Budget Paper 4, Volume 4, page 18 and the third paragraph in relation to 'coordinating a range of inter and intra-governmental arrangements and activities', as well as the 'led South Australia's representation on the National Coordination Mechanism', does the state government still have federal government approval to commence a pilot to bring hundreds of international students to South Australia?

The Hon. S.S. MARSHALL: We have been working through the final details of that with the federal government. They are committed to a proof of concept in South Australia, but of course, with the current outbreak, that is extraordinarily unlikely to occur this month as we had previously indicated because we have suspended all international flights into South Australia.

Mr MALINAUSKAS: Before the latest cluster, the Parafield cluster, when were the international students expected to be arriving in our state?

The Hon. S.S. MARSHALL: We did not have a confirmed date. That is something that we are working through with Australian Border Force.

Mr MALINAUSKAS: From which countries were those international students arriving?

The Hon. S.S. MARSHALL: We had worked with our three South Australian universities looking in the first instance to return people from overseas who had already begun studying in Adelaide, so these were people who had been in Adelaide, gone home and come back. I do not have the countries in front of me, but I am more than happy to take that question on notice and provide them.

Mr MALINAUSKAS: Has the state government commenced any planning for large-scale returns of international students for next year, so for 2021?

The Hon. S.S. MARSHALL: We have spoken to the universities about our wish to bring students back when it was safe to do so, but the Prime Minister has made it really clear that our priority is to bring back stranded Australian citizens. We have participated in the national repatriation of Australian citizens, and they are taking up quite a significant number of rooms in South Australia, and we have to be mindful of the number of available rooms.

The issue for Australia is that Victoria has been offline now for many months in terms of their participation in the repatriation program, which has meant that the waiting list has blown out. We have agreement with the federal government for the proof of concept but, with regard to the bringing back of the international students, we have no approval for that. But we are hopeful that, as Victoria comes back online, we will be able to move through and reduce that backlog to the point that in the new year it might be possible to bring those international students back to Australia.

Mr MALINAUSKAS: I will move on to Budget Paper 4, Volume 4, page 17, program 1 regarding communications. Who does the Director of Communications in DPC report to?

The Hon. S.S. MARSHALL: He reports to Steven Woolhouse.

Mr MALINAUSKAS: Does he provide advice to other government departments and agencies on advertising campaigns?

The Hon. S.S. MARSHALL: I am advised that he provides support to the Government Communications Advisory Committee (GCAC).

Mr MALINAUSKAS: What are their responsibilities in relation to the approval of government advertising?

The Hon. S.S. MARSHALL: I am advised that the Government Communications Advisory Committee (GCAC) came into effect on 1 July 2019. The committee maintains strategic oversight of

government communications and is responsible for reviewing and approving marketing communications, advertising and commercial sponsorship activities; maintaining relevant policies and guidelines; and reporting to cabinet on all communications matters.

Mr MALINAUSKAS: What was the total amount spent on government advertising in 2019-20?

The Hon. S.S. MARSHALL: In 2019-20, it was \$29.2 million.

Mr MALINAUSKAS: What is the total amount allocated for government advertising in this financial year?

The Hon. S.S. MARSHALL: I am going to take that question on notice because it is actually spread across all government agencies rather than a consolidated figure. To give you some assurance that we are being prudent with taxpayers' dollars, I can tell you that the government expenditure for 2019-20, which has been consolidated, is \$29.2 million, which compares with \$36.4 million in the final year of the previous government.

Mr MALINAUSKAS: Are you able to take on notice the amount allocated for government advertising in 2021?

The Hon. S.S. MARSHALL: Yes.

Mr MALINAUSKAS: How many campaigns above \$50,000 were conducted in 2019-20 and approved by GCAC?

The Hon. S.S. MARSHALL: I am not sure that I have that information.

Mr MALINAUSKAS: Are you able to take it on notice?

The Hon. S.S. MARSHALL: Above \$50,000 did you say?

Mr MALINAUSKAS: Yes.

The Hon. S.S. MARSHALL: I am advised all that information is actually on the website and this is proactively disclosed—all contracts over \$50,000, and they are the ones that are subject to the GCAC approval process.

Mr MALINAUSKAS: What were the campaigns that cost more than \$1 million?

The Hon. S.S. MARSHALL: As I said, that information is all readily available and it is actually on the website. We can send that information through. We can send you a link to that.

Mr MALINAUSKAS: How many campaigns with a total cost above \$1 million have begun or are scheduled to begin in 2020-21?

The Hon. S.S. MARSHALL: That information is also available on the website. We are a very transparent government.

Mr MALINAUSKAS: Have taxpayer funds been expended to boost social media, featuring the Premier's image or for party political purposes, in contravention of the government's marketing and communication guidelines?

The Hon. S.S. MARSHALL: No.

Mr MALINAUSKAS: Have any taxpayer funds been expended to boost any social media platforms featuring the Premier's image?

The Hon. S.S. MARSHALL: Not that I am aware of.

Mr MALINAUSKAS: Has the state government utilised any celebrities or influencers to promote government campaigns via social media?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: How much is a contract with McGregor Tan to provide research services to the government worth?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: Does the contract include conducting focus groups?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: Did the government conduct focus groups in relation to COVID-19?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: Does the contract include polling?

The Hon. S.S. MARSHALL: Can you be more specific on 'polling'?

Mr MALINAUSKAS: The contract with McGregor Tan, does that contract include polling services?

The Hon. S.S. MARSHALL: It depends what you mean by polling services. They are certainly not asking people their voting intentions, but they are gathering statistics on behalf of the government to inform decision-making.

Mr MALINAUSKAS: Sure, but does that include polling in terms of people's understanding—polling obviously could be used extensively for different purposes.

The Hon. S.S. MARSHALL: I am just not sure what your definition of polling is as distinct from research.

Mr MALINAUSKAS: Well, asking people quantitative questions.

The Hon. S.S. MARSHALL: Isn't that research? It is a research contract and you would think—

Mr MALINAUSKAS: You would well appreciate that there are different—

The Hon. S.S. MARSHALL: I just do not want you to assert that there is some—when people use the word 'polling', they are often thinking about political polling. There is a research contract, and I think it would be fair to assume that there will be a research component of a research contract.

Mr MALINAUSKAS: Yes, that is self-evident, but you will appreciate that there are different types of research. There is qualitative research and there is quantitative research, polling being the best example of quantitative research. Is there quantitative research, otherwise characterised as polling, provided within that contract, notwithstanding, I acknowledge, the Premier has ruled out that it has been voting intention?

The Hon. S.S. MARSHALL: I cannot be any clearer. We have a research contract and the government seeks information from the public to inform public information campaigns. We think this is very important. McGregor undertakes both quantitative and qualitative research. I think the arrangements here are very similar to what was used by the previous government.

Mr MALINAUSKAS: In the quantitative and qualitative research conducted by McGregor Tan, are questions asked about perceptions regarding the performance of the Premier or his government?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: In the quantitative and qualitative research conducted by McGregor Tan, are questions asked about the perceptions and the performance of the opposition or other parties?

The Hon. S.S. MARSHALL: Not that I am aware of.

Mr MALINAUSKAS: Are you able to take that on notice?

The Hon. S.S. MARSHALL: The reason for doing this research is to inform important public information campaigns. We use this information to make sure that we have the information in a good format for presentation because we want to effect good public information campaigns that inform our public.

Mr MALINAUSKAS: Moving on, I am conscious of time.

The CHAIR: There are 10 minutes to go. While we are on definitions, I would be interested to know what the definition of an 'influencer' is. But, anyway, that is for another day.

Mr MALINAUSKAS: I will leave the pop culture to the member for Kavel. Regarding the Office for Digital Government—Budget Paper 4, Volume 4, page 12—what specifically is being done to strengthen digital engagement between government and the community?

The Hon. S.S. MARSHALL: I am advised that one of the principal areas is the YourSAy government website, which seeks input from the people of South Australia on a range of issues. We have used this very extensively since we came to government. It was a platform put in place by the previous government. It is certainly one that we have been using extensively.

Mr MALINAUSKAS: Does the state government test the effectiveness of digital platforms by collecting data from visits to government websites, such as the user's location, information about how the user interacts with websites, how long they spend on a page, information about browsers and the device?

The Hon. S.S. MARSHALL: I am advised that we keep basic statistical information, such as how many a site is accessed and how many pages within the site are accessed, but we do not keep any personal detail.

Mr MALINAUSKAS: Is that information shared with any external agencies or organisations?

The Hon. S.S. MARSHALL: Often we put in press releases how many people have visited a website but, as I said, it does not contain any discrete information about individuals.

Mr MALINAUSKAS: Before uploading information to websites, do agencies have to go through an approval process?

The Hon. S.S. MARSHALL: I am advised that agencies are responsible for approving their own content, and there are standards and protocols across government, but the agencies are responsible for the content that they put onto their sites.

Mr MALINAUSKAS: Have there been any data breaches or unauthorised access to information over the past 12 months?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: What measures are taken to ensure that our government websites are protected from any external interference?

The Hon. S.S. MARSHALL: I am advised that we have extensive cybersecurity measures in place across the government and that these are principal protections for government websites.

Mr MALINAUSKAS: What processes or assurances can the Premier give that data received by the government is kept secure, for the government's purposes only?

The Hon. S.S. MARSHALL: There are various pieces of legislation which govern the way the government uses information from citizens and there is also legislation and guidelines which cover how government agencies share that information through the intergovernmental data sharing arrangements. Also, there are very strict protocols with regard to which public servants can access that information.

The CHAIR: Leader, the member for King is indicating that she has a question.

Ms LUETHEN: Thank you, Mr Chairman. My question is in relation to Budget Paper 4, Volume 4, page 18. How does this state budget deliver upon the Magnet State Program to attract young people to stay in and move to South Australia?

The Hon. S.S. MARSHALL: Certainly, this has been a major priority for our government since coming to power. The reality is that we have seen a large number of young people, in particular, who have left our state. One of the things that we have been doing is to look at all the available evidence in regard to cities and jurisdictions that attract—a magnet—rather than repel young people. It is fair to say that we have a big task in front of us.

The good news is that with some of the programs that we have already put in place we are starting to see that turn around. The March quarter saw us get back nearly to zero in terms of our net interstate migration. In the June quarter, we actually had a positive migration to South Australia. This is something that we are very proud of.

Recently, we have worked with 40 people—under 40 or around 40—to get their impressions on the things that attract them to South Australia. They are a combination of people who have lived here their entire lives, people who have been here and moved overseas or interstate and come back, or people who have just come here for work or study. That has been very informative to us and will inform how we go forward with making sure that we can turn around this situation that South Australia has had for a very long period of time.

I must say that the June quarter statistics showed a net migration to South Australia. I think this was the first quarter since the statistics have been in place since 2002, so it has been a very long period of time. We hope to continue that flow back to South Australia, which will help us to increase our population but, most importantly, keep some of our most talented South Australians right here and not looking for work interstate and overseas.

Mr MALINAUSKAS: I refer the Premier to Budget Paper 4, Volume 4, page 15 regarding chief executive performance management and recruitment. What will the total remuneration package be for the new chief executive of DPC?

The Hon. S.S. MARSHALL: I will take that question on notice.

Mr MALINAUSKAS: In relation to Budget Paper 4, Volume 4, page 15, was DPC involved in providing advice regarding the contract awarded to Keolis Downer for the train privatisation?

The Hon. S.S. MARSHALL: No, not that I am aware of.

Mr MALINAUSKAS: Did anyone in the Premier's agency raise any concerns regarding awarding the contract to Keolis Downer or the probity of that tender process?

The Hon. S.S. MARSHALL: Not that I am aware of, no.

Mr MALINAUSKAS: What advice did you receive about the probity of the tender process?

The Hon. S.S. MARSHALL: The probity is subject to the investigation that we referred to in the earlier examination of the Auditor-General's Department and there will be an investigation which is fully funded by the government centrally to the Auditor-General's Department and, of course, we will receive that by 15 February unless there is an extension sought and granted.

Mr MALINAUSKAS: Has the Premier's department conducted any investigations or analysis of potential privatisations, outsourcing or any other government assets that the government has not yet privatised?

The Hon. S.S. MARSHALL: Not that I am aware of, no.

Mr MALINAUSKAS: Were any case studies presented on the success or failure of Keolis Downer's operations interstate or overseas before the contract was signed?

The Hon. S.S. MARSHALL: That is not a matter for DPC, as I have outlined in my previous answers. It would have been something that would have been the subject of the work done within the department and came to cabinet. All those conversations in cabinet, of course, are kept strictly confidential.

The CHAIR: The final minute.

Mr MALINAUSKAS: Moving on to Budget Paper 4, Volume 4, page 18, dot point 2, Lot Fourteen, how many tenants at Lot Fourteen have received reduced rent, rent holidays or any other incentives, such as fit-out costs or tax exemptions, to locate to Lot Fourteen?

The Hon. S.S. MARSHALL: I am not aware of any outside the government program, which is the Landing Pad program, which I believe is operated by Defence SA. There is an incentive program associated with that small number of companies, and they do sit on Lot Fourteen. I am not aware of any others, but I am happy to make an investigation and come back to you if there are.

Mr MALINAUSKAS: What incentives were provided to Accenture to establish their hub in South Australia at Lot Fourteen, and what are the terms of their lease?

The Hon. S.S. MARSHALL: I am not aware that Accenture have made a decision to go onto Lot Fourteen.

Mr MALINAUSKAS: Were any incentives provided to Accenture?

The Hon. S.S. MARSHALL: I will take that question on notice and come back.

The CHAIR: We have come to an end. We have come to the allotted time. There being no further questions, I declare the examination of the proposed payments for the portfolio programs, Department of the Premier and Cabinet and Office for Digital Government, complete.

Sitting suspended from 10:45 to 11:30.

The CHAIR: Welcome back to members of Estimates Committee A. I am going to make a short statement. Pursuant to standing order 268, I advise the committee that I as Chair will be requesting that the Speaker vary the estimates timetable to facilitate the proposed payments scheduled for today due to the unavailability of the Premier for the remainder of the day.

Mr MALINAUSKAS: I would quickly like to offer the opposition's total and unequivocal support for such a move. As we indicated earlier in the week, the opposition stood ready to provide any support and assistance we can to the government in light of the potential crisis the state is now in. We offer total flexibility to accommodate the Premier's movements in order to be able to deal with the task at hand. There are no reservations from the opposition in accommodating this rescheduling of the Premier's estimates hearings.

Dr HARVEY: I move:

That the committee adjourn until Thursday 19 November 2020 at 12 noon.

Motion carried.

At 11:37 the committee adjourned to Thursday 19 November 2020 at 12:00.