



Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT
FIRST SESSION
2018

LEGISLATIVE ASSEMBLY

Wednesday, 21 February 2018

Legislative Assembly

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THE SPEAKER (Mr P.B. Watson) took the chair at 12 noon, acknowledged country and read prayers.

HEARING AWARENESS WEEK 2018

Statement by Speaker

[Auslan interpreter provided interpretation for the following statement.]

THE SPEAKER (Mr P.B. Watson): Next week, from Sunday 25 February, Australia's deaf and hard-of-hearing community will mark Hearing Awareness Week. Hearing Awareness Week brings into focus the important issues for people who are deaf or have a hearing loss. The international theme for Hearing Awareness Week 2018 is "Hear the Future", aiming to eliminate the stigma, isolation, lack of work opportunities and the associated health issues for people who are deaf or have hearing loss, and to improve the overall quality of their lives. Hearing Awareness Week also provides an opportunity for the 22 per cent of Australians aged 15 years and over who have some sort of hearing loss to share their experience and knowledge, which in turns helps to create a greater understanding of their needs and aspirations.

Deafness is often described as the invisible disability. This is partly because the loss of hearing tends not to be obvious and also because those affected are often isolated through lack of access to communication. Over the years we have seen many technological advances, with people with hearing loss benefiting from hearing aids and cochlear implants. These innovations have made a positive difference in the way that they can communicate and enjoy their lives, but communication can be exhausting for a deaf or hearing-impaired person, even with a hearing aid or cochlear implant. As parliamentarians, we need to understand how to communicate effectively with people who are deaf and to recognise that their first language is Auslan, or Australian Sign Language.

I am pleased to inform everyone that on 19 December last year, the United Nations' General Assembly declared 23 September as International Day of Sign Languages. The Western Australian Parliament recognises the UN objectives to meet its universal goal of inclusion and, in doing so, doing its part for greater inclusion and access for all Western Australians. Among a range of new initiatives, the updated parliamentary website, to be launched later this year, will include greater accessibility to assist the deaf and hard-of-hearing community. The Parliament will also be offering an Auslan art tour of the parliamentary art collection.

The WA Deaf Society was established in 1921 to provide services to deaf and hard-of-hearing people in Western Australia, and continues to do so across the state. Today, I welcome to the Speaker's gallery some members of the Western Australian deaf and hard-of-hearing community, in their own language, in this the people's house. I thank them for their support to the Parliament today. I also thank the CEO of the WA Deaf Society, Mr David Gibson, who is also sitting in the Speaker's gallery, for providing expert briefings on measures to improve access to the Parliament for the deaf and hard-of-hearing community. It is interesting to note that Mr Gibson, a former member of the Queensland Parliament, whose parents are profoundly deaf, delivered his maiden speech in Auslan.

Western Australian state governments have a long and bipartisan history in assisting the deaf and hard-of-hearing community in Western Australia, including funding interpreting and translating services to help link them to government and community services through Auslan and deafblind interpreters. Most recently, the WA Deaf Society has undertaken a partnership with our fire and emergency service personnel to ensure the provision of Auslan interpreters during natural disasters; a critical service for the deaf and hearing-impaired in often challenging circumstances.

Sadly, the number of Western Australians who are deaf or have some form of hearing loss is increasing because of long-term exposure to excessive noise, accidents, the environment and the ageing of the population. I encourage all members to gain a greater understanding about deafness and hearing loss during Hearing Awareness Week and to learn the basics of Auslan so that they can better communicate with the WA deaf and hard-of-hearing community.

I would like to thank Fiona Perry for interpreting today. Thank you.

[Applause.]

[Auslan interpreter vacated the chamber.]

HILLVIEW LIFESTYLE VILLAGE*Petition*

MR S.J. PRICE (Forrestfield) [12.08 pm]: I have a petition that has been certified as conforming with the standing orders of the Legislative Assembly. It has 175 signatures. The petition states —

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, all being residents of Hillview Lifestyle Village at 597 Kalamunda Road, High Wycombe WA 6057 say that we have grave concerns for the safety of all residents entering and exiting the village following the decision by the State Administrative Tribunal (SAT) to allow lot 200/584 Kalamunda Road High Wycombe (directly opposite our homes) to have a temporary permit for light industrial development, prior to proper enhancement of the local road infrastructure to support such development on this specific property which can only be accessed via Kalamunda Road. Residents of the Seniors Lifestyle Village already have difficulty navigating the heavy traffic along Kalamunda Road as they enter and exit the village and have grave concerns about the added dangers posed by the addition of heavy machinery and trucks as they access the property opposite us. We also refer you to the National Road Safety strategy of 2011–2020 on the focus on road safety

We now ask the Legislative Assembly to reinstate the City of Kalamunda's decision to refuse to grant planning approval for 'proposed hardstand and temporary storage' at Lot 200/584 Kalamunda Road, High Wycombe.

[See petition 63.]

PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

JAMES RUTTEN — KIDS' CANCER PROJECT*Statement by Minister for Health*

MR R.H. COOK (Kwinana — Minister for Health) [12.10 pm]: I rise to inform the house of the extraordinary efforts of nine-year-old James Rutten, who is present in the gallery today with his family and friends. In May last year, James lost his best friend, Declan, to neuroblastoma, a form of cancer affecting one in 100 000 children. In a difficult time, James took time to ask the hard questions that came with such a loss, but he also decided to do something. In his words, he decided to raise as much money as possible so the scientists can find a cure for cancer and better treatments for kids.

To honour Declan's bravery and memory, James is fundraising to support the Kids' Cancer Project and will spend four days walking on the Bibbulmun Track with his sister Bethany and friend Tilly. The Kids' Cancer Project is a national charity, established in 1993 with the aim to support bold scientific research that has the greatest chance of clinical success in the improvement of treatments of childhood cancers. I believe the house will agree with me when I say they are fortunate to have such a committed and determined young man raising money on their behalf. To date, James has raised over \$4 400 and will begin his walk on 2 March.

I assure James that the state government is dedicated to funding research for cancer and childhood cancer here in Western Australia. We have committed to implementing the future health research and innovation strategy, which includes developing a 10-year cancer research plan. This will be informed by consultation with academics, researchers, consumers, carers and medical research stakeholders to agree to a long-term strategic approach to cancer research in WA. I am also pleased to inform James and the house that the Telethon–Perth Children's Hospital Research Fund has provided \$850 000 over five years specifically to childhood cancer projects.

I thank the member for Warren–Blackwood for bringing James' incredible work to my attention. I commend the fantastic work of James in assisting Western Australian researchers in finding a cure for our kids in the memory of his friend Declan. On behalf of the house, I wish James, Tilly and Bethany the best of luck for their time on the Bibbulmun and their safe return home.

INTERNATIONAL MOTHER LANGUAGE DAY 2018*Statement by Minister for Citizenship and Multicultural Interests*

MR P. PAPALIA (Warnbro — Minister for Citizenship and Multicultural Interests) [12.12 pm]: I inform the house that International Mother Language Day is being celebrated across the world today—21 February. Proclaimed by the United Nations Educational, Scientific and Cultural Organization in November 1999, International Mother Language Day has been observed every year since February 2000. Its aim is to promote linguistic and cultural diversity and multilingualism. The day is now celebrated in many countries, including Bangladesh, Chile, India, Russia, the Philippines, Egypt and Canada.

The date of 21 February was chosen because on this day in 1952, students from the University of Dhaka were shot dead by police while demonstrating for the recognition of their mother language. Their mother language was

Bengali, and they wanted it to be recognised as one of the two national languages of East Pakistan, which is now Bangladesh. This date is of particular importance to the Western Australian Bangladeshi community, which marks and celebrates the day every year. The theme for the 2018 International Mother Language Day is linguistic diversity and multilingualism count for sustainable development. I am sure that members of the house will agree with me that this day has great resonance in Western Australia. In Western Australia, around 240 languages, including Aboriginal languages, are spoken in our richly diverse state. Our state is home to many Aboriginal languages, which are languages of one of the oldest cultures in the world. Almost 18 per cent of Western Australians speak a language other than English at home.

The McGowan government recognises the importance and value of the diversity of languages spoken in this state, and is committed to maximising the benefits of language maintenance, teaching and learning for the benefit of the whole society. Our linguistic diversity makes us more able to communicate with the rest of the world, and promotes trade, business, academic and cultural exchange. Language diversity also promotes understanding, inclusivity and dialogue within our society. The community languages program, administered through the Office of Multicultural Interests, funds 50 community language schools, as well as an in-school insertion language program.

Western Australian schools and community groups will be holding activities to celebrate International Mother Language Day on 21 February 2018. It will be my pleasure to attend the Bangladesh Australia Association of WA's celebration of the day on Saturday, 24 February.

VISITORS — OUR LADY OF GOOD COUNSEL SCHOOL

Statement by Speaker

THE SPEAKER (Mr P.B. Watson): I would like to say hello to the year 6 students from Our Lady of Good Counsel School on behalf of the member for Scarborough.

DELEGATION — UNITED STATES OF AMERICA AND UNITED ARAB EMIRATES

Statement by the Premier

MR M. McGOWAN (Rockingham — Premier) [12.15 pm]: I rise today to inform the house of my participation in a high-level delegation to the United States of America as well as travel to the United Arab Emirates. Tonight I will be departing Perth to join a high-level delegation, including the Prime Minister of Australia and other state and territory leaders, to the United States. As part of this delegation, I will be addressing the National Governors Association winter meeting in Washington DC. The association is a bipartisan organisation of the nation's 55 governors and provides a fantastic platform to promote our state to America. While in Washington, I will be meeting with key businesses with interests in WA such as Chevron and ConocoPhillips, as well as meeting with the United States' Secretary of the Navy. In the meeting with the Secretary of the Navy, I will advocate for additional US naval ship visits to Western Australia as well as promote the capacity of our local industry as a supplier, maintainer and manufacturer for the defence industry. WA workers and firms are some of the best in the world, and it is my responsibility as Premier to advocate for them on the world stage.

Following these appointments in the United States, I will also take the opportunity to travel via Abu Dhabi and Dubai, meeting with major resource, education and tourism providers to maintain our flourishing relationship with the UAE. It will be the first visit to the UAE by a WA Premier since 2011. Although our state and nation have different relationships with the United States and the UAE, both are important to the future prosperity of our state.

JOHN COLES — RETIREMENT — KEYSTART

Statement by Minister for Housing

MR P.C. TINLEY (Willagee — Minister for Housing) [12.17 pm]: I rise to inform the house today of the recent retirement of the chief executive officer of Keystart home loans, Mr John Coles. Many in this chamber would be aware of the long service John has provided through his leadership on Keystart. I do not think it would be overstating the matter to say that much of Keystart's success can be traced back to the sound and measured leadership that John has shown over the years. John previously worked at what was then the WA Housing Authority before becoming CEO in 2008. Some of his notable achievements during his time as CEO include a tripling of the loan portfolio supporting activity, which underpinned the residential construction industry in WA post the global financial crisis. The release of the FirstStart and SharedStart programs, and Keystart obtaining its Australian credit licence in 2010, are other significant achievements fostered by John. John was also a very strong proponent for Aboriginal home loans to support Aboriginal people into home ownership when that opportunity might otherwise not be available to them.

It is rare in public life that we can be part of such a successful story and I think that we can all agree that John Coles' leadership of Keystart has been the driving factor behind its achievements over the past decade. I wish John and his family all the best as he moves on to retirement, and on behalf of the Parliament of Western Australia and the Western Australian public I thank him for his service. I also welcome the incoming CEO of Keystart, Paul Graham. He was successful in what was a very competitive field of candidates and while he has big shoes to fill in following on from John Coles, I look forward to working with him as we grow Keystart into the future.

CIVIL LIABILITY LEGISLATION AMENDMENT (CHILD SEXUAL ABUSE ACTIONS) BILL 2017*Third Reading*

MR J.R. QUIGLEY (Butler — Attorney General) [12.19 pm]: I move —

That the bill be now read a third time.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [12.19 pm]: I rise to add some concluding comments to the debate on the Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Bill 2017. I would like to commend the Attorney General for bringing forward the legislation. I was very pleased to participate in its passage through this place. I would also like to place on the record at this stage my appreciation of the work of Dr Graham Jacobs, the former member for Eyre, who spent a lot of time and effort highlighting the plight of a number of victims of child sexual abuse and their fight to receive justice in some form of compensation route through the lifting of this statute for civil litigation. In particular, I would like to place on the record my appreciation and admiration for the victims of child sexual abuse who have been such wonderful, tireless advocates for the cause. Kirsty Pratt and Jodie Greasley in particular were two very courageous women whom I had a lot to do with as part of my role on the cabinet subcommittee in the twilight of the Barnett Liberal government. I saw their passion and their willingness to tell their stories again and again to highlight the importance of this issue, which took tremendous courage and personal strength. In the telling of these stories, there is often a re-traumatisation and a memory of the events. I really appreciate what it has taken from victims, Kirsty in particular. I would like to acknowledge her courage on behalf of so many victims. Once this legislation goes through the other place, her relentless pursuit of this issue will ensure that victims of child sexual abuse will have an ability to seek compensation and sue the perpetrators of their abuse, as they should rightly be able to.

I reiterate that one of the issues I raised with the Attorney General and implored him to consider in the consideration in detail stage was placing an amendment to the legislation to include serious physical abuse as one of the categories and definitions for the remit of this legislation. Victims of serious physical abuse also have ongoing psychological and often physical scarring as a result of beatings, malnourishment, deprivation of medical care and a range of other things at the hands of perpetrators in many institutions across the state. Many of them suffer on an ongoing basis as a result of serious physical abuse. The royal commission recommended that serious physical abuse be included in the remit for lifting the statute. Victims of serious physical abuse are included in the legislation in Victoria and New South Wales. I would expect that at some point in the future, the pressure will be on this government to include victims of serious physical abuse in the legislation. It would seem expeditious of the government to consider putting in that amendment, perhaps when the bill goes through the other place, and it would potentially avoid what might be somewhat of a legal circus for those victims of serious physical abuse who try to seek some kind of remedy by way of this legislation lifting the statute of limitations.

I have nothing further to add. I am pleased that this legislation has gone through. As I said in my contribution to the second reading debate last year, one of my big regrets as a minister and as the Deputy Premier of the Barnett government was that we did not attend to this in a more timely fashion. I am pleased to see it pass through this place. I hope that it will be seen through the other place on its merit in an expeditious fashion as well so that victims of child sexual abuse at the hands of perpetrators in institutions across our state can start to find justice.

MR P.J. RUNDLE (Roe) [12.24 pm]: I rise to make a brief final contribution to debate on the Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Bill 2017. Firstly, I also acknowledge Kirsty Pratt for her fantastic advocacy on behalf of the victims of child sexual abuse. Can I also say that it was good to see Graham Jacobs, the former member for Eyre, and Kathryn Jacobs here yesterday. He has been a great advocate. I also speak on behalf of the likes of Todd Jefferis, Roy Addis, Mick Hilder, Joan Jolly and many others from Katanning in my electorate. I would like to applaud the courage of all those advocates, especially Kirsty. Her perseverance and the way she has represented all the victims throughout the state is fantastic. I really congratulate Kirsty for the way in which she has come in here every day and made her presence felt. I think that has been a real eye-opener for many of us.

As I said in my contribution to the second reading debate, being the member for Roe, my electorate has probably almost been more affected than any other member's within the state, with the likes of Condingup Primary School and St Andrew's Hostel in Katanning. The Blaxell inquiry, which went in depth into the hostel, took place there. I went to Katanning High School and in later years I saw the effect that it had on many of my good friends, so I am very pleased that the legislation has come to this stage. In October 2016 when the legislation Dr Jacobs introduced was first debated, it was probably not a pleasant time in here and that was certainly reflected to me when I was a candidate. I certainly got the feeling from many of my constituents that they were not happy with the way things were going. I am pleased the legislation progressed to the next stage in which the member for Scarborough and our leader, the member for Central Wheatbelt, went to the committee stage to work through the issues.

I congratulate the Attorney General. Last year, I asked questions in here about why the legislation was not progressing, given members opposite said that it would be the first legislation that they would pass, but I understand some of the delicacy that the Attorney General has had with the drafting and some of the issues that are very difficult to deal with. We heard about some of them yesterday, including the likes of the forms of abuse

and the clawback provisions. If victims have already been compensated, how do we deal with that? One thing the Attorney General mentioned was that the last thing any of us want to do is put up a roadblock; I fully agree with that. I think we need to recognise the moral obligation when dealing with these claims. The Attorney General mentioned that he hopes the institutions will do the right thing and I certainly agree. I hope they do the right thing.

I want to mention a couple of other things. The Royal Commission into Institutional Responses to Child Sexual Abuse has helped to lead us down the right path. I also think that the national redress scheme will be complementary to this legislation. The cap on legal fees is also a very good part of this legislation. Finally, I think the quotation from Todd Jefferis summed it up. He said that enabling a wronged and powerless person access to a process for redress is a small thing that the government can do for survivors. I think that sums it up. I certainly commend the legislation, which has bipartisan support. For me as the member for Roe, this has been without doubt the most important piece of legislation in my short time in Parliament. I strongly support it.

MR J.R. QUIGLEY (Butler — Attorney General) [12.29 pm] — in reply: During my reply to the second reading debate on the Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Bill 2017, I personally acknowledged each member of the chamber who made a contribution to the debate on this important piece of legislation. I noted during that response that the Leader of the Opposition indicated his and his party's in-principle support for this legislation and what it seeks to achieve. I will now turn to matters of more recent debate—that is, the consideration in detail debate and the third reading debate. In that regard, I would particularly like to thank the members for Hillarys, Churchlands, Scarborough and Central Wheatbelt for their contributions.

This legislation has been a while in the making, as we have discussed. It was intended to be the first piece of legislation that our government dealt with. However, we then worked out that a successful plaintiff who tried to recover damages from an organisation that was not the state of Western Australia would be confronted with a very serious problem. The Royal Commission into Institutional Responses to Child Sexual Abuse, in its “Redress and Civil Litigation Report”, invoked the Parliaments of Australia to address this issue. The report states at page 509 —

We are satisfied that survivors should be able to sue a readily identifiable church or other entity that has the financial capacity to meet claims of institutional child sexual abuse. We are satisfied that the difficulties for survivors in identifying a correct defendant when they are commencing litigation against unincorporated religious bodies, or other bodies where the assets are held in a trust, should be addressed.

The government has hearkened to that call by providing, in part 2 of the bill, an avenue by which plaintiffs will be able to readily identify the correct defendant. As we discussed during consideration in detail, the current office holder of an institution will be the nominal defendant and will, therefore, be readily identifiable. If an institution has changed its name or nature over time but is substantially the same institution today as it was when the abuse occurred, that institution will be the responsible institution. As I said earlier, the bill provides that the current office holder will not be personally liable for payment of damages. The current office holder will be the nominal or identified defendant, but have no personal liability. However, for the purposes of the Civil Liability Act, in cases in which there is shared responsibility, the current office holder will be the tortfeasor—or the person who will be held to be responsible—when the court is trying to apportion liability.

I have mentioned in debate in this chamber, and I cannot stress too often, that proposed new sections 15C and 15E in clause 5 will permit the office holder to have recourse to the assets of the institution to pay out a judgement. However, it does not give a successful plaintiff the right to execute against any asset of that institution. The voluntary cooperation of the office holder will be required in order to access the assets. That is based on an important public policy consideration. The assets of many churches and other religious organisations are held in trusts. That is not in order to hide the assets; it is to ensure that the assets are available for use by the parishioners and their families, and the people these institutions serve. In small regional towns and elsewhere, these institutions are a very important part of the social infrastructure and a very important source of support for families in the community. We did not want to open a pathway whereby a plaintiff could instruct a sheriff to auction off the local Catholic primary school and deny an educational facility to the children who attend that school. We wanted to enable the bishops in the case of a church, or the directors in the case of other religious organisations, to pierce the corporate veil and walk through the wall of the trust behind which the assets are held, and to do so with impunity. We have the concurrence of all the Attorneys General around Australia, and the commonwealth Attorney-General, for this displacement provision under the Corporations Act.

Before I come to the member for Scarborough's comments about the need to include in this legislation physical and emotional abuse, I will say this about the royal commission. The royal commission made many recommendations, not all of which have been picked up in all jurisdictions. I am proud to say that Western Australia is the only jurisdiction in Australia so far that has picked up on the recommendation of the royal commission for the identification of the proper defendant and for the displacement provisions that allow that defendant to access the assets of the trust to pay out a judgement. Recently, I met in Sydney with an Attorney General from another political persuasion, Mr Mark Speakman, QC. Mr Speakman was very interested to see our provisions in this regard, because he acknowledged that this is groundbreaking legislation. He is a very learned gentleman. I think he was a University of Sydney Law School medallist in his year. He was very interested to see this legislation.

I turn now to the comments of the member for Scarborough. I want to make the government's position very clear. In 2016, we chose to go forward on lifting the statute of limitations insofar as it relates to victims of child sexual abuse. That was done after a great deal of thought, because it set aside the public policy consideration that matters need to reach finality in a timely manner. The reason every common law country has a statute of limitations is so that people who go to the courts to seek relief and people who go to the courts to defend themselves are not prejudiced by the fact that many decades have elapsed since the time of the wrongdoing and they are unable to properly defend themselves because their witnesses are either no longer in the jurisdiction or are deceased and have passed from this world. If we leave a matter for 50 years, obviously our capacity to defend ourselves is diminished or may even be totally wiped out because all the witnesses who could swear that John was not a teacher at that school at that time have gone. Therefore, there is a public policy consideration in having these matters determined in a timely manner.

That is met, however, with the stark fact that due to the shame that can attach to sexual offences, most victims of child sexual abuse take years and years to make the disclosure. For many years, victims tend to blame themselves. This is a feature of not only victims of child sexual abuse, but also, as I know from my legal practice, adults. Women who are victims of sexual assault do not want to say anything about it; they do not want to let the world know that they have been defiled and assaulted. But as they try to resolve this issue in their own mind, it can cause a delay of some time—sometimes a couple of years—before they can bring themselves to out the conduct and out themselves as victims. The child, however, is sometimes exposed before he has even much of an understanding of sexuality. What is happening at the time to the child might not be appreciated by the child at that point as an assault of a sexual nature. Or, in those delicate years that we have all sailed during puberty and pre-puberty when sexuality and our sexual awakening brings with it self-consciousness and a degree of awkwardness and uncertainty, even if a child appreciates that they have been sexually assaulted, they want to bury it out of embarrassment and not bring it forward in any way. They struggle to move on with their life and have this nagging thing within their psyche that they cannot resolve because they are a victim of an assault that went to the very core of their nature. For this reason, we decided that it was imperative that we lift the statute of limitations for child sexual abuse because of the delay in reporting. This is somewhat different, I submit to this Parliament, and it has been appreciated in some other jurisdictions, from a serious physical assault when a child's arm might be broken, for example, and there is a mandatory requirement on caregivers to report the assault. It manifests itself. Emotional abuse is another very difficult area and could involve half the young population. We just do not know; it is very difficult. We wanted to deliver good, groundbreaking legislation that will offer a pathway to relief for victims of sexual assault who have joined the Parliament today in the Speaker's gallery, Madam Acting Speaker. That is why we have stuck with lifting the sexual abuse statute of limitations.

The member for Scarborough said that perhaps the government will change the legislation when it goes to the upper house. We will not move any amendments to the legislation in the upper house to include those matters forecast by the member for Scarborough. Although the member for Scarborough and the Leader of the Opposition hold in their hearts a hope—I accept they have a sincere hope—that Kirsty Pratt and other victims she represents, other victims who are not here and others who are watching these proceedings online, see the passage of this legislation pass swiftly through this Parliament, I must put the government's position clearly. If people in the upper house—it will not be the government—seek to amend the legislation by extending it to cover other areas, the government will not accept those amendments in the other place. If, by numbers going against the government in the upper house, the bill is returned to this chamber, the amendments would not be ultimately accepted in this place. Such amendments would have the ultimate result of stymieing this bill.

Mrs L.M. Harvey: That is not our intention. I put it to you that if the government wanted to put those amendments forward, that would be the only option. I am not interested in seeing this legislation bounce between the two houses and have any further delay to it. I certainly would not encourage that from any of our members in the upper house.

Mr J.R. QUIGLEY: I am very grateful for the member for Scarborough's interjection. There is a lot of nodding up there in the Speaker's gallery from some victims, who are relieved about that. The point can be argued but we do not want to see the bill delayed.

Mrs L.M. Harvey: That's correct.

Mr J.R. QUIGLEY: The point can be argued, but I am simply putting the government's position for why we have settled on lifting the statute of limitations for child sexual abuse.

The member for Hillarys asked me: has the government done any work on trying to scope the measure of damages? Leaving aside the matters the member for Scarborough raised, as I said, it was scoped out at the low end at \$70 million and at the high end at \$640 million. I would not have a clue about the addition of other matters because it goes too far. I accept the member for Scarborough's word and I am very pleased and heartened by it. I have to say that there is a safeguard—I mentioned it in my speech a little earlier—that defendants who fervently deny that they committed abuse could, in some rare cases, find themselves defending their position so many years after the event that they do not have a chance of defending themselves because all their witnesses are dead. This bill preserves the Supreme Court's inherent jurisdiction to stay proceedings when allowing the proceeding to go ahead would occasion a grave injustice.

I have already named each member of the chamber who has contributed to the debate. I thank those members again collectively now as I am on my feet. I think that together we have done this Parliament proud in seeing this legislation through so shortly after the government introduced it. As I mentioned earlier, the slight delay over Christmas was because of the member for Hillarys' unavoidable health challenge, which we immediately accommodated and would do so again on another bill if such a challenge presented itself.

Dr M.D. Nahan: I want to thank you for that.

Mr J.R. QUIGLEY: We will always be collegiate in this chamber when it comes to health and those sorts of things. Might I say, Leader of the Opposition, when I had cancer back in 2005, the then opposition always paired me to go off to get the good juice!

Dr M.D. Nahan: Did it help?

Mr J.R. QUIGLEY: It did. Here I stand. You probably want me to stand as a different bloke! But I recovered and so has the member for Hillarys, we are pleased to see. Long may it last, member. I think that on this occasion the Parliament has listened to what the Chief Justice said when he came into this chamber and swore us all in and said, "If you all put your minds to work together, you can provide good outcomes for the people of Western Australia." I am sure that all Western Australians want to see justice for children who were sexually abused all those years ago. Once again, I thank all members for their contributions. With that I will close and thank you very much, Madam Acting Speaker. I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.

SALARIES AND ALLOWANCES AMENDMENT (DEBT AND DEFICIT REMEDIATION) BILL 2017

Council's Requested Amendments — Consideration in Detail

The following requested amendments made by the Council now considered —

No 1

Page 2, lines 8 and 9 — To delete the lines and substitute —

- (b) the rest of the Act — on the day after that day.

No 2

Page 10, lines 11 to 17 — To delete the lines and substitute —

- (2) The Tribunal must not make a determination under section 5A, 6 or 7C, or a report under section 7, which —
 - (a) has the effect of providing for the payment or provision of remuneration on the basis that the remuneration was not paid or provided before 1 July 2021 by reason of the operation of section 10C, 10D, 10E or 10F (as the case requires); or
 - (b) takes into account any increase in the cost of living that occurred between commencement day and 1 July 2021.

Mr M. McGOWAN: I move —

That requested amendment 1 made by the Council be agreed to.

Dr M.D. NAHAN: Could the Premier explain in layman's language how these things work? As I understand it, this is to meet his commitment to ensure that, upon the completion of the period on 1 July 2021, the Salaries and Allowances Tribunal cannot backdate the advances.

Mr M. McGOWAN: For the information of the Leader of the Opposition, that issue is amendment 2. Amendment 1 was moved by Hon Nick Goiran and accepted by the government in the Legislative Council. It is to do with the start date of clauses 1 and 2 of the head bill. It will ensure that those clauses come into effect immediately after royal assent is given. It will mean that the rest of the provisions of the bill will come into effect on the same occasion. It is just a technical thing moved by the Liberal Party in the upper house, which we accepted.

Question put and passed; the Council's requested amendment agreed to.

Mr M. McGOWAN: I move —

That requested amendment 2 made by the Council be agreed to.

Dr M.D. NAHAN: Could the Premier explain for my understanding how this works?

Mr M. McGOWAN: In layman's terms, we brought in legislation to ensure that there be a pay freeze for at least four years for members of Parliament, the judiciary and senior echelons of the public sector. From memory, that

will save the taxpayers of the state around \$20 million. Although that is a significant amount of money, the ultimate intention of the bill is to not only book a significant saving, but also set an example for the remainder of the public sector in relation to requests for pay increases, so that, in the difficult times we are in, the Parliament and other senior leaders across the state are setting the right example.

In the original legislation that I introduced to the house there was clearly a problem. I identified the problem, or perhaps it was *The West Australian*; I am not exactly sure. That problem was identified, so we committed to amending the legislation to fix it. The problem was that in the original bill there was the capacity for catch-up pay rises to be issued by the Salaries and Allowances Tribunal at the conclusion of the four-year freeze period. Therefore, we wanted to ensure that that not occur because we think it would have set the wrong example and would not have been the intention of the government, at least, in introducing the original bill. There was a problem in the original bill and this amendment will repair that problem.

Dr M.D. NAHAN: In the Premier's third reading speech, he committed to putting this amendment through to the upper house when the bill went there. He also made a second commitment that related to the senior executives of government trading enterprises. My understanding was he committed to having them come under this bill. My reading of this is that it does not apply. The question is: does it apply to them?

Mr M. McGOWAN: The bill allows for senior executives of government trading enterprises to be prescribed by regulation as being bound by these provisions. That is contained in the head legislation. I do not think that this amendment deals with that issue. The amendment deals with the issue of the potential for catch-up pay rises, which we do not want to allow for.

Dr M.D. NAHAN: I know that I am going off the amendment, but I would like to clarify this. The Premier was going to try to ensure that at least the CEOs of GTEs who can be prescribed but have not been prescribed will effectively be covered under this freeze.

Mr M. McGOWAN: The regulations will allow for the CEOs of GTEs to be covered. We are currently awaiting the appointment of the new chair of the Salaries and Allowances Tribunal. Once that occurs, the Public Sector Commissioner will write to the chair of the Salaries and Allowances Tribunal indicating that it should work on prescribing the CEOs that will be covered by the act. That process issue is being worked on between the Public Sector Commission and the Salaries and Allowances Tribunal.

Dr M.D. NAHAN: Will the prescribing of salaries for GTEs apply to only CEOs or will it apply to second level management, who are often not only on high wages, but also on higher wages than the CEO in some instances?

Mr M. McGOWAN: I am advised that it will apply to only the CEOs of GTEs and to the deputy CEO in the case of one GTE, which is Gold Corporation. There will no doubt be a good reason for that. That is who it will apply to.

Dr M.D. NAHAN: One of the issues that came up was the CEO of Racing and Wagering Western Australia. It was reported that he was the highest-paid person in the public sector. Will the SAT's prescription ability apply to that position also?

Mr M. McGOWAN: Yes, it will.

Question put and passed; the Council's requested amendment agreed to.

The Council acquainted accordingly.

WORKERS' COMPENSATION AND INJURY MANAGEMENT AMENDMENT BILL 2017

Second Reading

Resumed from 20 February.

MR T.J. HEALY (Southern River) [12.58 pm]: I rise to make a contribution to the second reading debate on the Workers' Compensation and Injury Management Amendment Bill 2017. The bill arises from WorkCover Western Australia's 2014 review of the Workers' Compensation and Injury Management Act 1981. I commend the Minister for Commerce and Industrial Relations for bringing this bill forward. It will improve a number of things. One of them is the inadequacy of lump sum entitlements for spouses. It will tighten up the definition of who is a partner. The inadequacy of lump sum entitlements for spouses and for children will be addressed. Western Australia's compensation figures are comparatively low compared with other states and territories. It is my desire that we will never need a bill to determine whether families deserve or need to receive compensation for a work-related fatality. It would be fantastic if no family loses a family member as a result of a workplace incident or fatality. Unfortunately, accidents do happen, and when they happen it is appropriate and important that people and their families receive adequate compensation. Again, lump sum entitlements will increase as a result of this bill. I will talk about that in a moment. It is also very important to recognise that Western Australia should not be one of the lowest paying states when paying compensation to families. Again, no amount of money will replace a loved one—a father or mother—but it is important that families, couples and children have some recognition as a result of an incident and their loss and that they receive appropriate remuneration.

The clarification of de facto status is certainly significant. The definition of “de facto partner” is well overdue. It is disappointing it took so long to include it. One’s partner is one’s partner, whether they have been a partner for one month, one year or 10 years. Whether they are male or female does not matter at all. I am very proud that we are acting to progress this bill. I was very disappointed to learn more and more about issues like this as I transitioned into Parliament over the last year. This bill has sat waiting, essentially, to be progressed under previous governments. Since 2014, the review has awaited. I will try to make it a policy this year of not bagging the previous government too much. Although this government has a majority in the lower house, it does not in the upper house. It is a fact that the previous government had a majority in both houses, but this bill should not have been that contentious for it to be deterred from progressing. I want to commend the Minister for Commerce and Industrial Relations and the government for progressing it because it means that families will receive fair and reasonable compensation in the event that a workplace injury or fatality has not been prevented. I understand that the lump sum payable will progress from approximately \$308 000 to a maximum of around \$560 000. There is no way that we can place a price on losing a mother, a father or another loved one. I cannot imagine losing a family member. I am very lucky that I have many mums and dads. My parents split up quite early—when I was young—and I have two mums and two dads. I am very fortunate that I never lost any of them due to a workplace injury. There is no way that I would have said in those circumstances that a certain amount of money was appropriate as compensation. It is important to acknowledge that. I do not like the term “death benefit”; I think it is a complete oxymoron. Compensation for acknowledging that something went wrong and that an accident happened through human error, company error or other, and increasing that amount is important. That is what protects families. My family is reliant on the incomes that my wife and I bring in. If we lost either income, it would be devastating for my wife, my family and my child.

I also acknowledge that under this bill, partners will no longer need to prove or give further information about their financial levels. They will not need to go through an income assets test to determine what they deserve or whether they deserve it. It will allow children to have access to the payout. The previous system of requiring certain families to divulge their incomes and assets to calculate the amount of compensation they receive after the loss of their mother, father or family member was discriminatory and inequitable. It is commendable that this government has moved to change that.

This bill provides greater clarity and support for claimants. I commend the government for introducing the Occupational Safety and Health Amendment Bill 2017 last year. This bill is different. It addresses different aspects. The breadth of coverage of this legislation will increase. As I mentioned, prescribed amounts will increase. There are good employers and bad employers. On the whole, I would like to imagine that the majority of employers are good employers who look after their workers as a key part of their business philosophy. The Occupational Health and Safety Amendment Bill 2017 that was introduced last year was designed to deter companies from trying to price out or acknowledge that employers had to pay out a certain amount, and they would build that into their business plan. It was important that they knew that any workplace injury or fatality was a significant thing to avoid. The workers’ compensation bill addresses that. What happens when a workplace fatality or incident occurs? Again, there will be human error and workplace error. Accidents will happen. I cannot wait for the day when we progress through a year with no workplace fatalities or injuries. As I said earlier, that will be a desirable goal. This bill will ensure that when fatalities or injuries occur, financial calculations are made to support the families of those left behind. This will ensure adequate compensation and it will look after those who are left behind.

I would like to mention how sorry I am for past losses and how I would feel if I lost a loved one through a workplace incident. I want to express my sorrow to those people who have lost members of their family through workplace injuries. I understand that between 2014 and 2016, 146 families lost a loved one. The fact that in this day and age we still have 20 workplace-related deaths or fatalities a year is far too many in our community. Again, those family members deserve fair and reasonable compensation. I mentioned that there are good workplaces, and workplaces that can improve. I want to commend those that do the right thing. I want to commend those that work with their union partner and who work with industry and occupational health and safety organisations and bodies to ensure that on a variety of different work sites, be it construction, schools or hospitals, every worker is safe and every worker has an opportunity to come home to their family. I acknowledge that some workplaces are not the best. I think it is important that we recognise the role that unions have played as part of that partnership. I have mentioned in this place before that I am a very proud union member. As I have said in other places, I have been a part of a variety of unions. The historical work of unions has ensured safer workplaces. Are all unions perfect? No. Are all workplaces perfect? No. In my experience when workers, through their unions and employers, have negotiated to find an ongoing dialogue to identify risks to work out issues that need to be rectified, those workplaces are the safest and the best representative. In those workplaces, the company makes more money, the workers remain employed and the workers go home to their families and come back the next day. From my experience, those workplaces are the best. It has been a great struggle over hundreds of years but that cooperation between the Labor movement and responsible workplaces has meant that more people are safe. It is important to remember that that state that I talk about has not been accepted by many people. It has been a long and hard struggle by members of unions for well over a century. They fought long and hard to even have a seat at the table

and to even have an opportunity to say to the employers that they felt there was a workplace at risk. Even today there are still workplaces that refuse to acknowledge the role of unions, refuse to recognise the role of a union executive having access to a worksite as an independent third party, and refuse to recognise how that can ensure that workplaces are safe. Again, I commend good workplaces, and I ask workplaces that seek to limit union access and workplace safety reforms to improve.

Millions of union members over the decades, over the century of struggle, have brought us to a place where workplace safety has improved. I will use some examples from my former workplace as a teacher. The teaching profession is a fairly highly unionised workforce. I have not been in a situation of workplace death in that style of work, but the fact is that decades upon decades of union members have fought for our rights. When I was a union rep at my school I had a seat at the table with my principal to discuss workplace injuries that had occurred, for example, when parents or students had attacked staff or when old, mouldy, non-maintained roofs full of water either had collapsed or had created workplace health issues. Again, there were not necessarily deaths on-site, but certainly unions played a role in ensuring that that workplace was safe.

I mentioned that I have also been a tiler, a warehouse forklift driver and service station attendant. I am still a bus driver. A variety of workplace situations have been improved because the members of the variety of unions that I have been part of have sat down with their employers and business owners and found solutions. Unfortunately, there have been times when those groups have not sat down and there have been situations in which workplace safety has not improved and workplace deaths have occurred. Unfortunately, that also has created situations in which the Occupational Safety and Health Act and the Workers' Compensation and Injury Management Act have come into play and been applied because families have had to be compensated for the loss of a loved one.

I again acknowledge the many families of those workers who have sustained injuries or lost their lives at their workplace. I think it is very, very important that families have their family members return home after they finish work; I cannot overemphasise how important that is. Again, I have had more of a white-collar experience as a teacher and I have been luckier than others. I know there are so many families who have not been as lucky as I have been.

It is commendable when businesses and members of Parliament acknowledge that workers are not expendable and are not simply an asset. I would just like to quote from a speech made in this place on 31 October 2017 by the former member for Cottesloe. He stated —

Companies always say, “Our most important asset is our people.” That is nice, but it is not—the most important asset is the natural resource that it gets access to. Companies can always find people from different quarters of the world or different parts of Perth ...

I know he was not saying that therefore we can kill workers on worksites, but I think it was an interesting comment to make—that the role of businesses and companies in driving the economy is superior to the workers who will build our roads, run our factories and look after us in hospitals. Our workers are as key to our economy as the companies that provide the capital. The speed of generating a product, operating a site or generating a profit should never be at the expense of a worker's life or limb. We must make it financially difficult for employers who fail to ensure that workplace safety is always taken seriously.

To return to the Workers' Compensation and Injury Management Amendment Bill 2017, it is my desire that this bill will never have to be referred to. I look forward to a day when this government—perhaps in the thirtieth year of the McGowan government—creates a red tape committee for reviewing bills like this one because they have not been referred to in 20 years. Would that not be a glorious thing? This bill protects workers. It protects families in my electorate and in my community. Any workplace death is one too many, and as we continue to work towards a zero figure, it is important to ensure that there are procedures in place and compensation systems available.

I would like to commend the other members who have spoken on this bill; I have enjoyed their contributions: the members for Hillarys, Moore, Forrestfield, Belmont, Mount Lawley, Mirrabooka, Bassendean and Kingsley. I think there were some very large contributions. Again, I commend Minister Johnston for his contribution when the bill was introduced last year. I would like to particularly commend the member for Forrestfield for some of his comments during his speech. There was a notable part that I enjoyed reading. He referred to the member for Hillarys mentioning the premiums; I think also the member for Moore suggested that if we increased the amount of money that those families may attract, then we may need to look at increasing premiums. I commend the member for Forrestfield for saying that we can actually stop discussions about any increases in premiums by not killing people. If we do not kill people on worksites, if every family gets their family member home every night, we do not even have to worry about increases in premiums. We will not have to worry about the application of this legislation because there will have been no workplace injuries or fatalities and families will be safe.

Again, every worker has the right to come home from work to their family in the same condition as they left. Looking after working people and working families should be a priority of all governments, and I am proud to be part of a McGowan government that supports that principle. Acting Speaker, thank you very much for the opportunity to make my contribution.

DR A.D. BUTI (Armadale) [1.16 pm]: I would also like to contribute to the debate on this very important bill before the house, the Workers' Compensation and Injury Management Amendment Bill 2017, as already contributed to by previous speakers and just now by the member for Southern River.

This bill seeks to increase the financial entitlements of dependants of workers who die in work-related accidents, and to reduce some of the stresses involved in obtaining payments, particularly for people who are obliged to meet the requirements of a de facto relationship. Under the current system, such people have to go through certain complications that are no longer really in line with how our community now accepts de facto relationships.

We can all understand how a workplace death of any sort is horrific and terrible for any family. When a loved one goes off to work in the morning we automatically expect that they will return that night. For that not to happen is just devastating for the family concerned and the people left behind. Obviously there is emotional loss which, of course, is something that cannot be compensated for. Under court law there are certain compensatory criteria for emotional loss, but this legislation seeks to address and ease the financial stress resulting from the death in the workplace of a family member. The Minister for Commerce and Industrial Relations and the government should be complimented for bringing this legislation before the house, through which we are seeking to increase the lump sum payable to a maximum of \$308 339. At the moment, although we do have compensation for work-related deaths, the lump sum payable is low in comparison with other Australian jurisdictions.

This legislation is, of course, related to other legislation in the workers' compensation field, but I would like to go back a little and ask why we need this legislation. Under the common law there was no right for a person to receive damages in tort law for the death of another, but in English law there was a statute commonly referred to as Lord Campbell's Act that enacted a remedy to this situation. Western Australia adopted Lord Campbell's Act in 1849, and then of course we had the Fatal Accidents Act 1959. That provides a compensatory scheme for dependants, which of course, though, still has to go through the court system. This legislation is specific to work-related deaths, and the ability to receive a lump sum payment, which has been significantly increased, and does not have to go through the trial and stresses of common law action, which we call the court system. The fact that one is dealing with the emotional stress of losing a loved one at the workplace is bad enough, and to have that additional financial stress is something we should try to alleviate through allowing a compensation scheme, or statutory scheme, that allows for a dependant to be awarded a certain sum of money. Under this bill there will be an increase in the lump sum payment. The minister's explanatory memorandum states —

The objectives of the Bill are to:

- increase the lump sum payment to dependants;
- provide for a simple and equitable method for apportioning the lump sum between dependants;
- increase the weekly child's allowance for the care and maintenance of each dependent child;
- ensure dependent partners and children have access to the full entitlement irrespective of their level of dependency on the worker at the time of death;
- ensure dependent children can receive both the child's allowance and a portion of the lump sum;
- facilitate timely access to compensation for dependants through a clear claims procedure, support and guidance, and a single pathway for expedited resolution or claims;
- delete the outdated definition of 'de facto partner' and ensure de facto partners are put on the same footing as any married spouse for the purpose of accessing compensation as a dependant;
- simplify the legislation including definitions, the claims procedure and schedule of entitlements.

On this side of the house there is obviously a close connection between labour in the workforce and the labour movement and union movement. It was only through the collective might and strength of the union movement that we have had the improvement in conditions of consequential compensation for workplace accidents and deaths. In my own family, my father worked for 40-odd years in construction. Thankfully, he came home every night, or when he was working up north, he came home after three or four months, and once it was a year, which was when he was fly in, fly out. He had a couple of accidents at work, but thank goodness the most severe of his accidents was losing part of a finger, which is bad enough, obviously, for the person involved, but compared with not coming home that night it pales into insignificance. My mother worked as what was then called a domestic helper in the public hospital system. She had a couple of significant accidents at work that resulted in a number of operations to her neck and back. It was through the workers' compensation scheme, which has been fought for so long by the labour movement, that she was able to be compensated. I can assure members that it was not easy. As we all know, when Graham Kierath was the minister for industrial relations, or was it work relations —

Mr W.J. Johnston: Minister for Labour Relations.

Dr A.D. BUTI: The Minister for Labour Relations—that is interesting. I do not know whether he ever had a relationship with labour! Anyway, he tried to wind back the system for common law action. I was working as a lawyer at the time and he made it significantly more difficult for people to take common law action.

Mr W.J. Johnston: Do you remember the circumstances of that?

Dr A.D. BUTI: No.

Mr W.J. Johnston: He made an announcement in the house to take effect on the next day so that a member of the chamber was able to get all of his own clients to have their claims.

Dr A.D. BUTI: Was that the member for Albany at the time by any chance? I do remember now, minister. Yes, it was appalling behaviour by the minister of the day. Why we would seek to prevent people from being entitled to compensation when their means of economic reward through work have been restricted as a result of a workplace accident is very interesting. There can be no greater consequences of a workplace accident than dying at the worksite.

I turn to workplace fatalities. I am not sure whether these figures are correct but I understand that from 2012–13 to 2014–15 there was a very big jump in workplace fatalities in Western Australia. I think they went from 19 fatalities to 36 in a year, and that is heartbreaking information. The figure is now around 20 traumatic work-related fatalities in Western Australia. That is obviously 20 too many—even one is too many. The member for Southern River stated that he hoped we would get to a stage at which one day we will not need to utilise or refer to this legislation. Although that is laudable, unfortunately, I do not think we will ever get to the stage at which there will be no fatalities at the workplace, but we must do whatever we can to reduce the number of deaths at the workplace. Of course, some worksites are more dangerous and unsafe just through the nature of the work. An article published in 2016 in *The Sydney Morning Herald* quoted Australia-wide data gathered by Safe Work Australia. Members might know what the most dangerous industry in Australia is—the one with the most fatalities and injuries. Would anyone like to guess?

Mr W.J. Johnston: Agriculture.

Dr A.D. BUTI: The minister is 100 per cent right, it is agriculture. A lot of people would not think that, but if we look at it, obviously —

Mr W.J. Johnston: It is 10 times deadlier than mining.

Dr A.D. BUTI: Yes, exactly. Sometimes the WorkSafe schemes are not put in place in agriculture, but it is inherently dangerous when there are machines and so forth being operated. The dangerous industries are agriculture, followed by forestry and then fishing. Did the Minister for Fisheries know that.

Mr D.J. Kelly: Sorry?

Dr A.D. BUTI: An article published in 2016 about the most dangerous worksites in Australia —

Mr D.J. Kelly: Fishery is one of them.

Dr A.D. BUTI: Fishery is number three. It was agriculture, followed by forestry, followed by fishery. The article states —

An analysis of the most recent data set from Safe Work Australia found the agriculture, forestry and fishing industry recorded the highest number of injuries and fatalities from 2003 to 2014, with the 686 deaths recorded accounting for 23 per cent of total workplace deaths in the period.

In 2013–14 the combined industry recorded the third-highest number of worker's compensation claims, referring to 8.6 million hours worked.

There then follows a statement by Michelle Hutchison who is a money expert. She said —

“It's no surprise, given commercial fishing is deemed as the most dangerous job on the planet,” ...

Transport, postal and warehousing was not far behind, with 549 transport-related deaths in workplaces. These industries and those of agriculture forestry and fishing all involve some form of driving of vehicle interaction, accounting for the high number fatalities.

Vehicle-related incidents remain the biggest killer in Australian workplace incidents, with road freight transport alone killing 423 workers in the 2003–2014 period.

I asked what the most dangerous industry was and the minister rightly mentioned that agriculture has a much higher rate of workplace deaths than mining. I am not sure what the current comparison is, but for a number of years Western Australia has had some of the worst workplace statistics and fatalities in Australia.

I am not sure about the current comparison, but everyone used to say that it was because of mining. It is not because of mining; it is because of industries like agriculture. I am not sure whether members of the National Party have contributed to the debate —

Mr W.J. Johnston: They did early last night. There is an interesting issue in the agriculture sector. If a mining truck was parked up, no-one would ever think to let a child play on that mining truck. But on farms, the idea that children can play on farm equipment is actually common. This is a big issue in the rural sector.

Dr A.D. BUTI: That is exactly right, minister. The son of a friend of mine, whom the member for Girrawheen also knows quite well, died while driving a vehicle on a farm. Often kids start driving when they are very young. The minister is 100 per cent right; the safeguards that are being put in place in the mining industry vis-a-vis those in the agricultural industry are chalk and cheese. We could argue, and we need to take the position, that all workplace deaths are avoidable. That is the position we have to take. However, I would argue that the deaths in the agricultural industry are definitely avoidable. It would not be difficult to remove the unsafe practices in the agricultural industry. The problem is that often these enterprises are family operations, so people do not see them as workplaces necessarily. As a result, they do not have the workplace safety schemes that other workplaces have.

Apart from the deaths that can occur in the agricultural industry, the other consequences for people in the agricultural industry if they do not obey workplace safety regulations is that they can be prosecuted under occupational health and safety rules. The consequences are enormous, but obviously there is no greater consequence than a loved one not coming home in the evening.

[Member's time extended.]

Dr A.D. BUTI: I think this legislation is one of the most significant pieces of legislation dealing with workers and their families to come to this house since the election of the McGowan Labor government nearly a year ago. The minister has had a number of inquiries or reviews of workplace laws in Western Australia, which are very important. It is very significant that we have decided to increase the compensation payable to a dependant. It is a shame that the previous government, which, as the member for Southern River stated, had a majority in both the lower and upper houses, which our side can only dream about, did not see this issue as significant. I am sure that the member for Hillarys would see this bill as a very significant piece of legislation to ensure that dependants of workers who die in the workplace are financially compensated.

Mr P.A. Katsambanis: Which is what I said yesterday in my contribution.

Dr A.D. BUTI: I was not here; sorry, member for Hillarys. I have not had a chance to read *Hansard*.

Apart from the increase in the lump sum payment, one of the most important aspects of the legislation is the removal of the outdated definition of “de facto partner” to ensure that de facto partners are not discriminated against within the system. As a society, we have to move on and fall in line with community expectations. There is a great need for this legislation to come before the house to ensure that lump sum payments are provided to dependants for the loss of their loved ones in workplace accidents. It is bad enough having to deal with the emotional loss, let alone having to deal with the financial stress that is then imposed, because often the loved one is the only or the major breadwinner in the family. As you mentioned in your speech, Mr Acting Speaker (Mr T.J. Healy), you know from your own upbringing how devastating it would have been if the people you depended on for financial security had been unable to provide that financial security. The same would have applied to me. When my father started work in the construction industry in Australia in the 1950s, there was very little, if any, protection for workers against workplace accidents. I am not 100 per cent sure, but I think there was very little safety protection in the construction industry in the late 1950s and early 1960s.

For the union movement and the Labor Party, the gravity of the situation around workers' conditions at unsafe worksites was due to there being no appropriate legislative framework to ensure that workers were safe, and because the workplace was unsafe, the chances of workplace accidents and death occurring increased. There also was no appropriate compensation. Prior to the change to the common law position due to the enactment of the Lord Campbell act in Britain, there was no ability for a dependant to receive compensation as a result of the death of the person they economically depended on because they could not receive damages if the person died before proceedings commenced in the civil courts. The Lord Campbell act and the Western Australian Fatal Accidents Act 1959 were incredibly important pieces of legislation because they allowed a class of people to claim damages for a wrongful death. Of course, it was restricted to a class of person—that is, dependants. This legislation will provide dependants with greater financial compensation without their having to go through a court system.

I believe that both sides of the house will support this legislation, because no-one could say that the dependants of a person who does not come home at night or in the morning from a night shift are not entitled to receive an increase in compensation or that de facto partners should be discriminated against in their entitlement to compensation for the death in a work-related accident of someone they depended on.

I commend this bill to the house and I congratulate the minister for bringing it before the house.

MS E. HAMILTON (Joondalup) [1.38 pm]: I rise to make a contribution to debate on the Workers' Compensation and Injury Management Amendment Bill 2017. This bill has come out of the 2014 WorkCover review. I wish to take a moment to congratulate the Minister for Commerce and Industrial Relations for bringing this legislation before the house and for taking the necessary steps to modernise workers' compensation legislation and the state's industrial relations system more broadly, making the process accessible and workable and providing clarity on the fundamental aspects of the scheme. The original version of the act was introduced in 1981 and has been amended in a piecemeal way since, but it needs further amendment to ensure that it is not unnecessarily complex and that it provides equity.

Each and every Western Australian deserves to know that, when they leave their home in the morning, they will come home in the evening. The introduction of this bill, unfortunately, will not bring back the mothers, fathers, brothers, sisters or children who have passed during the course of their work, and no amount of compensation will be able to bring back their loved ones. But the intention of this legislation is to repeal and replace the provisions of the act relating to the entitlements for dependants of workers who die in work-related accidents and provide adequate compensation.

The objectives of the bill are to increase lump sum payment to dependants; provide for a simple and equitable method for apportioning the lump sum between dependants; increase the weekly child's allowance for the care and maintenance of each dependent child; ensure that dependent partners and children have access to the full entitlement, irrespective of their level of dependency on the worker at the time of death; ensure that dependent children can receive both the child's allowance and a portion of the lump sum; facilitate timely access to compensation for dependants through a clear claims process, support and guidance and a single pathway for expedited resolution or claims; simplify the legislation, including definitions, the claims procedure and schedule of entitlements; and delete the outdated definition of de facto partner and ensure that de facto partners are put on the same footing as any married spouse for the purpose of accessing compensation as a dependant. The current legislation is inequitable and discriminatory to de facto relationships. A different standard is imposed on de facto partners that has significant financial impacts on dependants left behind and it is inconsistent with community expectations and contemporary indicators of what constitutes a de facto relationship. In an article on WAtoday from 2 Nov 2017, WorkCover WA chief executive Chris White said that the Workers' Compensation and Injury Management Act defined a de facto relationship as a couple who had lived together for two years. As has already been raised in this house, there are previous cases in which people were clearly in de facto relationships but were not living together for two years and the spouse missed out by just a few days. It is inequitable, so partners of deceased workers will no longer need to prove their financial dependency and whether they have lived with their partner for at least two years.

As mentioned by numerous members in this chamber last night, the statistics surrounding the number of workers who have lost their lives on job sites is too high. We need to reduce and minimise risk and work towards zero deaths on worksites. An article in *The West Australian* of 17 April 2017, titled "One WA worker is killed every month", states that although there has been a downward trend in workplace deaths in WA, one worker was killed on the job in WA every month, on average, last financial year. The article states —

Since July, nine people have lost their lives at work according to WorkSafe statistics.

Four of the deaths since July 1 were in the construction industry.

The electrical, gas, water and waste-disposal industry has had two deaths and the mining industry and accommodation and food industry one each.

The agricultural, forestry and fishing sector, which has recorded the most workplace deaths —

Which was just raised by the member for Armadale —

over the past decade, also recorded one this financial year.

Twenty-two people died in each of the past two financial years.

It is just too many. The articles continues —

WorkSafe WA Commissioner Lex McCulloch said all work deaths were tragic. Most were preventable but that the overall trend indicated they were becoming less common.

...

Among those to lose their lives on the job since June are Marianka Heumann, 27, and Wesley Ballantine, 17, who both died on city construction sites.

Ms Heumann, a German backpacker on a working holiday in Australia, plunged to her death in October after falling 13 storeys down a ventilation shaft.

...

Wesley died in January after he fell about 12m while installing glass ceiling panels in the atrium at the old General Post Office building about 4.30am.

The teenager had been working a night shift that was supposed to finish at 6am.

According to Safe Work Australia, for the year to date, as at 16 February 2018, there have already been 16 deaths at work in Australia. Although I do not have WA specific statistics at hand, these figures are indicative that a significant number of workplace deaths are still occurring. Preliminary data shows that in 2017, 181 Australian workers were killed at work, compared with 182 workers in 2016. Over 180 families whose loved ones have

walked out the door on their way to work have not returned. Those deaths have an impact throughout the workplace for co-workers and staff, the community, family and friends, not to mention the immediate family. This data is compelling and these statistics are for Australia, where we enjoy very safe working conditions compared with many other countries. An article on WAtoday on 2 November last year highlighted that the amount of compensation given to Western Australian families of deceased workers was amongst the lowest in Australia. Currently, families are paid just over \$308 000 if a loved one dies in a work-related incident in WA compared with just over \$775 000 in New South Wales, \$589 000 in Victoria and \$493 000 in South Australia. The amendment bill before the house today will increase this lump sum payment. Those hardest hit by work-related deaths are the families—in this bill termed dependants—who are left behind and have to try to make ends meet all whilst dealing with the tragedy and death of a loved one.

Although I do not want to get stuck criticising members on the other side, throughout the course of this debate in this house, several of my colleagues raised that in 2014 members opposite had all that they needed to introduce legislation not dissimilar to the amendment bill we are discussing now. In eight years in office, this was not a priority for the previous government. As my colleague the member for Southern River mentioned, the previous Liberal government had a majority in both houses. On our side we are committed to delivering local jobs for the people of Western Australia. It makes sense that in doing so, we introduce this amendment bill to adequately reflect the entitlements of workers in the workers' compensation scheme. It aims to provide not only a safe workplace for workers, but also peace of mind for families, spouses and dependants of those workers so that they can go to bed at night knowing that should anything happen to their loved one, they will receive compensation. It is also important that it will be on a level that is reflective of compensation paid in other states.

I will just take a little time to reflect, as the member for Armadale alluded to earlier, on being in a situation in which I would have to deal with the workplace death of a breadwinner in the family—either my parents or if I had a partner who was the sole breadwinner. I am the eldest of five children and my father was the breadwinner while mum stayed at home and raised all of us. It would be very difficult to imagine. This amendment will properly address changes to reflect community expectations. It is not at the forefront of anyone's mind, whether they work in an office or a different industry—as mentioned, agriculture is high on the list of where workplace deaths occur—when they head off in the morning to think that they will not return. Making sure that we have the right protections is important. As my colleagues have already said, we should be striving for the safest of workplaces and work towards zero workplace deaths. Although this may be slightly difficult to achieve, it is something that we need to be working towards. As I have mentioned several times, every Western Australian worker and their family should head to work in the morning knowing that they are coming home in the evening. In the most dire of circumstances, when someone passes away on a worksite, the families left behind should receive the support afforded to them through the Workers' Compensation and Injury Management Amendment Bill 2017. I hope that this is supported by both sides of this house and in the upper house. I commend the bill to the house.

MR W.J. JOHNSTON (Cannington — Minister for Commerce and Industrial Relations) [1.48 pm] — in reply: I am very pleased to rise to close out the debate at the second reading stage of the Workers' Compensation and Injury Management Amendment Bill 2017. I understand from my good friend the member for Hillarys that the opposition does not intend to take this matter into consideration in detail.

Mr P.A. Katsambanis: Assuming that you deal with the issues.

Mr W.J. JOHNSTON: Yes, assuming that I deal with them. I was coming directly to that.

I will be commenting about a number of members' contributions, but I want to, with respect, answer the two specific questions raised by the member for Hillarys and half of the opposition during the debate. The first question is about the indexation of the children's allowance and the second is about whether a lump sum that is held in trust can be accessed by a child before the age of 18.

On the first question about the indexation of the children's allowance, a regulation-making power deals with this issue. I draw to the member's attention that all the entitlements under the act are included in a schedule that is amended from time to time, basically on the basis of inflation. This amount will be indexed on 1 July each year according to the consumer price index, so that the underlying value will be protected in the same way as other elements of the workers' compensation arrangements. So, yes, it is not a static amount. We do not have to come back and deal with it through the Parliament because the regulation-making power will deal with that. Hopefully that has answered the member's question.

There is already a procedure that deals with access to a lump sum held in trust for a child. Application can be made to WorkCover's arbitration service. The specific reference is proposed new section 72I(1), which will provide the power to deal with that matter. That is dealt with under clause 6 on page 8 of the Workers' Compensation and Injury Management Amendment Bill 2017. The arbitrator has power there to make an order. That is how, if circumstances change and the child needs early access to the lump sum, the arbitrator can make a fresh order to provide access to the lump sum.

Mr P.A. Katsambanis: It might be in the act, but that provision you referred to does not specifically deal with —

Mr W.J. JOHNSTON: It does. It gives a head of power for the making of the order. It does not limit the contents of the order.

Mr P.A. Katsambanis: We'll see what happens in practice.

Mr W.J. JOHNSTON: The conciliation and arbitration processes of WorkCover are long established. The member for Mirrabooka and I were talking about it being such a long time since either of us practised there. Twenty years ago on 1 January I became assistant secretary of the Labor Party, which makes it now over 20 years since I practised at WorkCover. The member for Mirrabooka was joking with me this morning that it is a decade since she practised there. The WorkCover conciliation and arbitration jurisdiction is quite well regarded by unions, lawyers, insurers and employers as being effective and accessible. It has the requisite powers under that provision to make the orders the member referred to. If circumstances change, it can make any order necessary to deal with a child getting access to a lump sum before the age of 18.

I congratulate Chris White, acting CEO of WorkCover, his staff and the board of WorkCover who worked so well while conducting the review of the legislation in 2014 that led us to where we are today. Last Thursday during question time, I announced that cabinet had approved the drafting of a bill to replace the existing 1981 legislation. Again, that was a recommendation of the 2014 review. The intention, as I explained last Thursday, is for that to result in an exposure draft. That will not be a green bill, but rather a complete draft bill that will be circulated throughout the community, particularly to interested parties—insurers, representative bodies for employers and employees, and lawyers—to ensure that all its terms are adequate. It will then return to cabinet. It will actually go out to the community before it comes back to cabinet, so that when cabinet reconsiders the draft bill, it will be with the benefit of the results of the exposure draft having gone to the community. That is a very open and transparent methodology for developing the legislation, which, subsequent to cabinet endorsement, will be brought back to the Parliament. That will be another exciting opportunity for the Parliament to help people in this state. As I explained previously, both in my media release and in my commentary last week, it is not intended to change the entitlements or other matters in the current act, but, rather, to overcome the inevitable problems with long-lived legislation, whereby it gets amended and amended and becomes harder and harder to read and deal with, particularly as a layperson. Clearly, we want ordinary people to be able to understand legislation to the greatest possible extent. The legislation we are dealing with today is very critical, but it is not the end of the legislative reform program that arose from the 2014 review. I note that the former government removed the age discrimination in workers' compensation so that people over the age of 65 years are now covered for workers' comp, whereas, once upon time, they were not.

I make the point that the workers' comp system does not put a person back into the same position as they were in before they were injured; it is simply a statutory framework to provide a minimum level of benefit. I wanted to make that very important point for a number of members who commented about the role of compensation. That is why it is important to have sufficient penalties under the occupational health and safety regime, which is obviously separate from the workers' comp regime, to ensure that there is sufficient incentive upon employers to maintain a safe workplace.

I want to comment about one other thing that a number of members have talked about—that is, human error leads to accidents. There is a theory in work safety that is about inherent safety—that is to say, we have to assume individuals will make an error, so that is not the issue. The issue is that when a worker makes an error, what are the consequences? That is the idea of inherent safety. Of course, there are safe systems of work and safe work procedures, and people are trained, but on the assumption that things are going to go wrong, what does that mean? Members will have seen photographs from the 1970s and 1960s that show a trestle bridge being built for the inland iron ore projects, with the guys who are working on the trestles wearing shorts and T-shirts—perhaps workboots, perhaps not—and no safety harnesses. It was a different environment then. That was clearly not inherently safe because if something went wrong, there was going to be a problem. It is now expected that personal protective equipment be worn. People who visit worksites now—as I am sure many people here have—are given safety briefings, required to wear PPE and, for those of us who have the disability of poor eyesight, required to wear over-glasses to protect their eyes. They are the things that we all do now as a regular part of our approach to health and safety and they are important steps on the way to zero harm in workplaces. It is not as though things will not go wrong; it is about making sure that if things go wrong, nobody gets hurt. I have a story about a warehouse from when I was a union organiser. Two steel warehouses were amalgamated and the new warehouse had new racking for the steel plates. The guys were explaining that there were no cleats. I did not work in the warehouse and had not worked in the steel industry, so it took me a little while to work out what they were getting at, but it was about the cleats at the bottom of the bracket; the steel plates could not stand at the vertical. They had to stand past the vertical.

Debate interrupted, pursuant to standing orders.

[Continued on page 407.]

QUESTIONS WITHOUT NOTICE**MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS****69. Dr M.D. NAHAN to the Minister for Health:**

I refer to the minister's comments yesterday that he did not become aware of the bullying of his media adviser until 20 November last year. Given that the minister's media adviser was terminated without notice and marched out of her office on 8 November, how can the minister explain that he did not notice his media adviser was gone for two weeks?

Mr R.H. COOK replied:

I thank the member for the question. As I said yesterday, this is a very serious issue and requires careful, considered and fair treatment. I said yesterday that I did not see behaviour that I would characterise in the context —

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough!

Mr R.H. COOK: I did not see behaviour that I would characterise as bullying in my office, although it was clear that there were emerging issues between the staff in question. It is true that one staff member left on 8 November. For members' information, I repeat that on 20 November a formal complaint was received by the Department of the Premier and Cabinet. The Department of the Premier and Cabinet then undertook an inquiry, which is ongoing. It is not appropriate for me to prejudge that inquiry. It is not appropriate for me to provide an ongoing commentary on it and I will not.

MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS**70. Dr M.D. NAHAN to the Minister for Health:**

I have a supplementary question. Can the minister explain to the house when he first became aware, formally or informally, of any bullying of any staff member in his office; did the minister personally witness any bullying of any staff in his office; and how did he personally respond?

Mr R.H. COOK replied:

I think I answered that question just then, so let me say for clarity that I did not see behaviour in my office that I would characterise as bullying. The Leader of the Opposition asked when I saw bullying and when I knew there was bullying. I stress for the members assembled that there is an allegation of bullying. An allegation is just that. As a result of the allegation, the employing agency in this case, the Department of the Premier and Cabinet, has acted on that allegation, and that inquiry is ongoing.

“SPECIAL INQUIRY INTO GOVERNMENT PROGRAMS AND PROJECTS: FINAL REPORT”**71. Ms J.J. SHAW to the Premier:**

Before I begin today, on behalf of the member for Bicton I acknowledge the year 6 students from Santa Maria College in the gallery.

I refer to the findings of the Special Inquiry into Government Programs and Projects that there was a disregard of proper process by the Liberal and Nationals ministers and the revelation that billions of dollars' worth of decisions were made by these ministers without business cases. Can the Premier outline to the house how this disregard of proper process has impacted on the state and how the McGowan Labor government will ensure that this is never repeated?

Mr M. McGOWAN replied:

I thank the member for Swan Hills for the question. It is very clear to everyone across Western Australia that we can never go back to the shocking practices and processes of the Liberals and Nationals when they were in office. As the member just quoted, the special inquirer said, and I quote again, that ministers showed disregard for established cabinet processes as set down in the cabinet handbook. The special inquirer talked about business cases. Business cases are necessary for commercial projects, but the business cases that went before the Liberal–National cabinet were —

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition!

Mr M. McGOWAN: The Leader of the Opposition needs to take responsibility. He needs to apologise to the people of Western Australia.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition, I call you to order for the first time.

Mr M. McGOWAN: The Liberal and National Parties need to apologise to the people of Western Australia for what they did to our state. This report shows that the Liberal–National government, in office from 2008 to 2017, was the worst financial manager in the history of this country. I quote the report —

It is notable that a significant number of projects examined did not have adequate or indeed any business cases.

There was also the case of the cabinet —

Dr M.D. Nahan interjected.

Mr M. McGOWAN: When are you going to apologise?

Dr M.D. Nahan interjected.

Mr M. McGOWAN: We will keep raising these issues until you take responsibility for what you did.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition!

Mr M. McGOWAN: Then there is the case of cabinet shutting out Treasury. The report states that Treasury was not consulted by agencies in the preparation of some cabinet submissions. The special inquirer stated that Treasury —

... was excluded from many areas where it had responsibility.

Who was the Treasurer, Mr Speaker? It was the Leader of the Opposition—one of seven Treasurers, to be fair. I quote the inquirer —

Too many major projects have been undertaken on an ad hoc basis and without adequate planning. Cost and time blowouts have been common outcomes.

This government has already commenced the establishment of Infrastructure WA. Previously, we undertook machinery-of-government changes to ensure better collaboration and coordination across government. We are also enforcing the 10-day rule for cabinet submissions. This morning, we set out what we will do in a comprehensive submission to the state's press. We are going to ensure that all agencies are properly and adequately consulted on cabinet submissions. We have set standards for business cases and risk analysis. We have also established a central project management office for major projects. The lessons of the failed Liberal–National government's time in office are set out in the report by John Langoulant.

I will tell members opposite who has apologised for the Liberal and National Parties' time in office: Hon Dr Steve Thomas, Liberal member of the upper house. I quote what he said this morning —

I apologise to the people of the South West, for the financial outcomes that they've been left with.

Mr D.T. Redman interjected.

Mr M. McGOWAN: I will repeat it now that I have been interrupted. I quote again the apology of Hon Dr Steve Thomas, Liberal MLC —

I apologise to the people of the South West, for the financial outcomes that they've been left with. It's probably —

Mr A. Krsticevic interjected.

The SPEAKER: Member for Carine!

Mr M. McGOWAN: Mr Speaker, I will quote Dr Steve Thomas again so that members opposite will hear it —

I apologise to the people of the South West, for the financial outcomes that they've been left with. It's probably multi-generational debt that'll have to be paid back by our children and grandchildren.

There is a Liberal who has taken responsibility. When will members opposite take responsibility for what they did to taxpayers, children and grandchildren in this state? It was an appalling time in office and members opposite are all responsible!

MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS

72. Mrs L.M. HARVEY to the Minister for Health:

My question is to the Deputy Premier and Minister for Mental Health —

Ms M.M. Quirk interjected.

Mrs L.M. HARVEY: Pardon?

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen!

Mrs L.M. HARVEY: This is not a question about —

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, I call you to order for the first time.

Mrs L.M. HARVEY: My question to the Minister for Mental Health is not about processes or current investigations; it is a question about his integrity. Can the minister stand in this Parliament and in all honesty say that he has never witnessed Erik Locke bully or say disparaging comments about a female staffer's appearance?

Mr R.H. COOK replied:

I have been quite clear to Parliament that I will not be providing a running commentary on the issues that are currently before an official investigation by the department.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition! It is your own member's question.

Mr R.H. COOK: I repeat: I will not be providing a running commentary on these issues, which are currently being investigated by the Department of the Premier and Cabinet. There is a reason for that: these are serious complaints and allegations, and it is important that they are provided proper process and procedural fairness and that they get to the bottom of the matter. I will not be providing a running commentary, because it is quite inappropriate to do so.

MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS

73. **Mrs L.M. HARVEY to the Minister for Health:**

I ask a supplementary question. Did the Deputy Premier ever rebuke or correct Mr Locke when he said something disparaging about the appearance of any female or other staffer in his office?

Several members interjected.

The SPEAKER: Members!

Ms R. Saffioti interjected.

The SPEAKER: Minister for Transport, I call you to order for the first time.

Mr R.H. COOK replied:

I have a lot of conversations with my staff. Most of those conversations are around how they are going to resolve the mess that this mob left us with. Most of those conversations are about how we are going to implement our election commitments around medihotels, around urgent care clinics, and around how we can revolutionise medical research in Western Australia. In relation to staffing matters and other matters of the conversations I have with my staff, they are just that—they are my business and my staff's business, and I will not be providing a running commentary in this place.

“SPECIAL INQUIRY INTO GOVERNMENT PROGRAMS AND PROJECTS: FINAL REPORT”

74. **Mr T.J. HEALY to the Treasurer:**

I refer to the “Special Inquiry into Government Programs and Project”s, which found that the budget process under the Liberal–National government broke down and that ministers engaged in—I quote—“insidious practices”. Can the Treasurer outline to the house what was the impact of these practices, and what the McGowan Labor government has done to restore the budget process and ensure this process is followed?

Mr B.S. WYATT replied:

I thank the member for Southern River for the question. I spent a long time in opposition watching the former government's budget processes unravel over that time. In opposition, we can only assume, when we start seeing midyear reviews and spending outside the budget process add up in even greater amounts, that the internal budget process is perhaps not as rigorous as it should be. One of the starkest findings or themes running through the Langoulant report is the utter collapse of a rigorous budget process under the former government. I want to quote from page 45 of volume 1 of the final report —

It is noted that in the five Mid-Year Reviews prior to 2013–14, \$3.1 billion of spending due to policy changes were added over the forward estimates. ...

The Special Inquirer noted the insidious nature of these practices. They were done in complete disregard for Cabinet's rules as set down in the Cabinet Handbook.

Mr Langoulant went on to say —

The practice of ad hoc, year-round budgeting reflected a basic lack of discipline and respect across the Government for a central pillar of good government.

I note that the Leader of the Opposition today, or yesterday, said that he thinks it is a good report. I have made the point in this place on a number of occasions that the Leader of the Opposition's political career did not begin on the day he became the Leader of the Liberal Party. Indeed, he was a key player in the cabinet of the former government—a key player; the Treasurer, nonetheless—who presided over not just a dysfunctional but a complete feeding frenzy when it came to the budget process. That was mainly because he could not control his friends to his left here in the National Party, who created an environment whereby Treasury was maligned, ignored and critiqued by the government for the advice that it was giving.

Yesterday, I heard the Leader of the Opposition on *Perth LIVE* with Oliver Peterson describe himself as a fiscal hawk, I think the term was—a fiscal hawk, self-described. Unfortunately, and I have critiqued the Leader of the Opposition before about this, the fiscal hawk attitude that he brought to his own commentary prior to coming into Parliament is very, very different from how he acted while in Parliament.

Dr M.D. Nahan interjected.

Mr B.S. WYATT: Listen here, my feathered friend, a hawk you may want to be, but a hawk you most certainly aren't!

The SPEAKER: Member, you will call the Leader of the Opposition by his proper title.

Mr B.S. WYATT: It was during that time that Mr Langoulant identified the excessive spend outside the budget process. This is what the self-described hawk was saying in his budget speeches. This is what he said in 2012 in response to the budget —

I spent over 20 years looking at budgets, particularly at the state level, both here and around the country. This is a particularly fine budget. It focuses on the needs of today while keeping a strong eye on the needs of the future.

Leader of the Opposition, you cannot hang this around the neck of the former member for Cottesloe, Mr Barnett. You were Treasurer. You may describe yourself as a hawk but I suspect, my feathered friend, there is another bird that you are more appropriately described as. I dare say your colleagues on that side are waiting for thanksgiving to highlight exactly what kind of bird you are!

ALBANY WAVE ENERGY PROJECT

75. Mr D.T. REDMAN to the Minister for Energy:

Mr Speaker, with your indulgence, I acknowledge James Rutten, who is in the Speaker's gallery. James is raising funds for kids cancer research, having lost a mate, Declan Kane, in May last year to cancer. He is here supported by Bethany Rutten, Tilly Butler, Lynas Butler, and Alison and Shannon—the mums. Thank you also to the Minister for Health for his acknowledgement this morning in a brief ministerial statement; it was very much appreciated.

I refer to correspondence from the minister to Hon Alannah MacTiernan about his Albany wave farm project election commitment in which he states, and I quote —

... provision of transmission infrastructure or negotiations of power purchase agreements will only be conducted on strictly commercial terms.

- (1) If Synergy's board reaches the conclusion that wave power is uncommercial, will he instruct Synergy to sign a power off-take agreement?
- (2) Knowing that Synergy's Grasmere wind farm substation is at capacity despite the request for proposal saying it is available, who will pay for the wave farm project's access into transmission infrastructure?

Mr B.S. WYATT replied:

Finally a good question about the Albany wave power project. That is exactly what I said to the Minister for Regional Development. I have written to her and I have said in this place before that I will not ask Synergy to enter into any form of uncommercial arrangements for the wave power project. As described in our election commitment and as the minister has described, it is the provision of some common-user infrastructure effectively as a pilot project. I will not seek to have Synergy or its board enter into an uncommercial public-private arrangement in respect of that. It is an interesting pilot project—I am thinking with University of Western Australia involved—for how we might use the wave resources off Albany to create power. Ultimately, I have an obligation in respect of the renewable energy target. I am focused on ensuring that that is delivered in a way that does not have an undue impact on Synergy customers—on the south west interconnected system. My letter is exactly as it says. I will not instruct the Synergy board to enter into an uncommercial PPA.

ALBANY WAVE ENERGY PROJECT

76. Mr D.T. REDMAN to the Minister for Energy:

I have a supplementary question. What will plan B be, given plan A of his election commitment appears to be coming up against some roadblocks?

Mr B.S. WYATT replied:

Our election commitment was exactly that.

Dr M.D. Nahan: The amount of \$16 million for one megawatt for one year?

Mr B.S. WYATT: I have a sneaking suspicion that I might get another question today! I will go through some of the money spent by the former government. We took to the election a very clear commitment. The Leader of the Opposition may recall that some of that money was redirected from the extension of the pipeline to Albany. I hope that pipeline is going well for you, Mr Speaker. The point is that it is a pilot project, a research project. I think it will become of use in due course, but as I have written to the minister and said in this place, I am not interested in uncommercial PPAs.

“SPECIAL INQUIRY INTO GOVERNMENT PROGRAMS AND PROJECTS: FINAL REPORT”

77. Mrs R.M.J. CLARKE to the Premier:

I refer to the “Special Inquiry into Government Programs and Projects: Final Report”, which found that poor management of royalties for regions by the Liberal–National government led to “a considerable waste in the use of public funds”. Can the Premier now outline to the house how the McGowan Labor government will ensure the governance of royalties for regions is improved and that the taxpayers of regional Western Australia no longer have their money wasted.

Mr M. McGOWAN replied:

I thank the member for Murray–Wellington. Let me be clear: the royalties for regions program will continue under this government. It will continue with a cap of \$1 billion. People in regional Western Australia are no doubt furious and angry with the management of the program by the Nationals in office, and the way there was so much mismanagement and lack of proper process in this program. As the special inquirer said —

Mr D.T. Redman interjected.

The SPEAKER: Member for Warren–Blackwood!

Mr M. McGOWAN: Members of the National Party can keep interrupting, but they need to learn the lessons of this report. Until they learn the lessons of this report, they will be unfit to be back in government. I bet they have not even read any of it. The National Party is out there fighting amongst itself. The Western Australian leaders are attacking the national leader, Barnaby Joyce, trying to take attention away from their failures of administration when they were in office. That is all that was yesterday! They attacked Barnaby Joyce and claimed the moral high ground to try to take attention away from this.

Several members interjected.

The SPEAKER: Members, I want to hear this.

Mr M. McGOWAN: We saw through the Nationals’ little plan. As the special inquirer said, there was a significant lack of rigour applied to project selection. I will quote again —

With regard to proposals made under the Royalties for Regions program, Cabinet applied a lower standard of financial scrutiny to ...

Those projects —

... than that applied to other budget proposals.

That is saying something! The Leader of the National Party has said that that was all wrong. She was out there yesterday saying that that was all wrong. I will quote her. She stated —

Every project required a business case ...

Again, that is untrue. The special inquirer found that only five out of 50 projects examined had adequate business cases, and that nine projects had no business cases at all. Yesterday, the Leader of the National Party misled the press and misled the people of Western Australia. The special inquirer said that the business cases—I will quote again—“were uniformly of an extremely poor standard”. Therefore, we had loss after loss and waste after waste in what should have been a good program full of good projects. The National Party managed to lose the state an enormous amount of money—hundreds of millions of dollars—through its mismanagement.

We are already ensuring that all royalties for regions decisions go through the Expenditure Review Committee, which will strengthen governance and accountability. We will ensure that royalties for regions has a defined strategy and a clear plan —

Ms M.J. Davies interjected.

The SPEAKER: Leader of the National Party, I call you to order for the first time.

Mr M. McGOWAN: — and a set of priorities. From today's question time and yesterday's performance, it is apparent that members of the National Party are incapable of changing and incapable of learning—they are! They do not accept that there needs to be any strictures, any propriety or any process around the spending of government money. All they try to do is turn country against city. In doing so, they have been outed for losing hundreds of millions of dollars of taxpayers' money. It is taxpayers' money! This inquiry points out in large writing what a failure the National Party was in government and the poor processes they put around the spending of taxpayers' money.

MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS

78. Mr S.K. L'ESTRANGE to the Premier:

- (1) Does the Premier agree that the formal complaint he received regarding bullying in the office of the Deputy Premier highlights that his personal media adviser, Mr Daniel Pastorelli, and his friend the director general of the Department of the Premier and Cabinet, Mr Darren Foster, were aware of the complaint on 3 November?
- (2) Does the Premier agree that the director general of the Department of the Premier and Cabinet, Mr Foster, was involved in the sacking on 8 November of the female staff member who had been the victim of bullying and harassment?

Mr M. McGOWAN replied:

- (1)–(2) I read out an answer yesterday in which I set out my knowledge of these matters. I am advised that the formal complaint was received on 21 November 2017, which was a letter —

Dr M.D. Nahan: That's not the question.

The SPEAKER: Leader of the Opposition, I will make that decision.

Mr M. McGOWAN: It was a letter that was received by my office. It was forwarded to the Department of the Premier and Cabinet at that time. I am also advised that two or three weeks earlier or what have you, the employment of the media adviser in question ceased. The complaint arrived after that time. That is the course of events that occurred. The opposition is clearly trying to create an issue out of the due and proper process that we have put in place. Let us compare the proper process that we have put in place with some of the actions of members of the Liberal Party when in government. Does anyone remember Troy Buswell? Let us talk about bullying. What did Troy Buswell do? He undid women's bras without their permission. He goosed a member of this chamber, standing right there.

Mrs L.M. Harvey: What did you say?

Mr M. McGOWAN: I said it was appalling and the member for Scarborough defended him. The Liberal Party made him the Leader of the Opposition. He did all this. The most embarrassing thing was the performance in relation to a chair involving a staff member of the then Leader of the Opposition. I cannot even repeat what occurred, it was so embarrassing and so disgraceful. Consequent to all of that coming out, what did the Liberal Party do? It made him the leader. It had a barbeque around Muhammad Ali's house and made him the leader. Honestly, the hide of opposition members to come in here and claim the moral high ground on these issues! Do not worry, when the matter of public interest comes on, I have a lot more examples where that came from.

Dr M.D. Nahan: What are you trying to cover up?

Mr M. McGOWAN: Honestly! When is the Leader of the Opposition going to apologise? He should apologise for losing the state \$40 billion. When is he going to apologise for that? That is the big issue. Proper process was followed. The director general of the Department of the Premier and Cabinet launched an investigation consequent to the complaint. That is how it should be.

MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS

79. Mr S.K. L'ESTRANGE to the Premier:

I have a supplementary question. The Premier just said that the Deputy Premier's investigation into this bullying complaint involves Mr Foster because he is overseeing the investigation into this complaint. Given that Mr Foster was also involved in the sacking of the female victim on 8 November, why is Mr Foster overseeing the investigation and not the Public Sector Commissioner?

Mr M. McGOWAN replied:

Mr Foster is not overseeing the investigation. It has been referred, as I said yesterday. Just so that the member understands, Mr Foster is not conducting the investigation. He received the complaint and referred it to Ms Susan Kurtjak, an experienced human resources practitioner.

Mrs L.M. Harvey: Who does she report to?

Mr D.C. Nalder: It's a fair question. Who does she report back to?

Mr M. McGOWAN: She is going to prepare a report back to government. I think what is happening here is that members of the opposition do not listen to the answers they are given, so they then ask questions that we answered yesterday.

Mr D.C. Nalder: You're struggling.

The SPEAKER: Member for Bateman, I am struggling with you interjecting all the time. I call you to order for the first time.

Mr M. McGOWAN: I will repeat that Ms Susan Kurtjak, an experienced human resources practitioner and former head of the Australian Public Service Commission's WA office, is undertaking an inquiry. The director general of Premier and Cabinet is the employing authority for ministerial officers and has primary responsibility for dealing with these matters; hence, he gave it to her. In due course, if there is any finding of misconduct or something of that nature, the matter would be referred to the Public Sector Commission.

Just by way of comparison, when there were bullying allegations by a staff member in Mr Peter Collier's office back in 2010, that matter was apparently referred to the Public Sector Commission because the allegations involved some form of misconduct. I do not know what happened to that staff member. Does anybody know what happened to that staff member? Where is that staff member now who might have been subject to those allegations? Perhaps he is now working in the Leader of the Opposition's office. That is what occurred on that occasion. On this occasion, the advice that we received is that there should be an independent inquiry of this nature.

“SPECIAL INQUIRY INTO GOVERNMENT PROGRAMS AND PROJECTS: FINAL REPORT”

80. Mr D.T. PUNCH to the Treasurer:

I refer to the “Special Inquiry into Government Programs and Projects: Final Report”, which found that Liberal and National ministers did not support Treasury in its efforts to control the finances and did not listen to its warnings.

Several members interjected.

The SPEAKER: Members!

Mr D.T. PUNCH: May I repeat the question?

The SPEAKER: Yes, member for Bunbury, repeat the question.

Mr D.T. PUNCH: I refer to the “Special Inquiry into Government Programs and Projects: Final Report”, which found that Liberal and National ministers did not support Treasury in its efforts to control the finances and did not listen to its warnings.

- (1) Can the Treasurer outline to the house what the consequences have been of that refusal to listen to Treasury?
- (2) Can the Treasurer advise the house how that compares with the support the McGowan Labor government is now providing to Treasury?

Mr B.S. WYATT replied:

I thank the member for Bunbury for that question.

- (1)–(2) I think the most surprising thing to come out of the Langouant report is that Treasury was not only not listened to, but also maligned. Creations of government were set up to get around Treasury and to avoid scrutiny, particularly through the royalties for regions scheme. The Department of Regional Development set up a structure almost as big as Treasury itself to control \$1 billion of spend and to get around Treasury.

All the ministers of the former government who are sitting in this place today are accountable and responsible for that. I want to quote something that the Under Treasurer said in giving evidence, on page 54 of volume 1 —

“And I recall discussions with key players in government at that time where there was considerable doubt expressed about Treasury's GST relativity forecasts and this was Treasury being typically pessimistic. And I recall quite clearly having the discussion ... that the relativity projection is virtually a mathematical certainty by sheer nature of the formulae ... And I think the political hopes were pinned on a political intervention by the Commonwealth to ensure that the relativity would not eventuate.”

That is a classic story of the former government. In Christian Porter's final budget speech he assumed a political fix so that the government could continue on its way of spending. Whilst Treasury was saying, “Your GST relativity is an equation; it's not like everything else, it's an equation that spits out the amount and we know what it's going to be”, it was deliberately maligned by senior members of the government,

including the Treasurer, to ensure that that information was not heard. What were the consequences? The inquiry report, at page 55, states —

The Special Inquirer has concluded that if the warnings Treasury provided that the policy settings of the day would cause major difficulties in the future had been heeded, it is highly likely that the State's current budget and debt positions would have been mitigated, and in a material manner.

The deliberate, shallow budget process of maligning, critiquing and attacking Treasury has led us to the very position we are now in—with record debt and deficits.

I want to make one final remark on royalties for regions. Ultimately, if we have ever seen a failure of process that led to the bad spending and loss of hundreds of millions of dollars, we saw it with royalties for regions. I listened to the member for Warren–Blackwood on the radio this morning and it struck me that what happened was the sectarian nature of the National Party meant that once Nationals members came into cabinet, they were no longer WA cabinet ministers—they were cabinet ministers for the National Party. The sectarian nature of their politics meant that it was up to the grown-ups in cabinet to bring them under control. When I think back, although I may not have often agreed with the likes of Hendy Cowan and Eric Charlton et cetera, they knew they were there to be cabinet ministers for the people of Western Australia, not simply to feather-bed their own interests in their own electorates. If ever there was a quote that explains why there is now no money being splashed around the member for Moore's electorate, it is this one, on page 139 of volume 1, from the CEO of the City of Kalgoorlie–Boulder —

“Another project was the Ray Finlayson Centre. A \$16 million project. Did we need it? Probably not. We had quality sporting fields already. But because there is a lot of money there, it had to be spent.”

Let me explain one thing to you, National Party, fiscal ratbags that you are: when you spend money, there is opportunity cost! You spent that \$16 million—one of many examples of things that were not needed—and then you come in here and bleat about the money you did not spend on Moora Residential College. That is because you blew money, hand over fist, while you were in government, so do not come in here now and bleat as we seek to fix the problems of your creation. As you go about backing away from your own savings measures under your own former budget, and as you vote against the revenue measures that this government is trying to put in place to achieve fiscal repair of the mess you created, have a bit of reflection. Have a bit of reflection on what you did over the last eight and half years. I daresay that if all of you have to take a bit of advice from Hon Dr Steve Thomas, tomorrow I look forward to the apology you owe to the people of Western Australia, and if you were not such sectarian ratbags, it is the very thing you would do.

WOODSIDE — FLY IN, FLY OUT CAMP — KARRATHA

81. Ms M.J. DAVIES to the Minister for Lands:

I refer to comments made today by the Mayor of the City of Karratha on the proposal by Woodside to build a 700-bed fly in, fly out camp and that, “Our preference is always for a locally based workforce.”

Will the minister listen to the community and reject Woodside's application?

Ms R. SAFFIOTI replied:

I thank the member for Central Wheatbelt for the question. It is very interesting how tough the National Party is on the resources sector now it is in opposition. In government, the National Party did everything the resources sector wanted and now it is saying it is tough on the resources sector in WA. As minister, the member never secured local jobs in her negotiations.

Several members interjected.

The SPEAKER: Members, do you want to hear the answer or not?

Ms R. SAFFIOTI: The member for Central Wheatbelt, as part of cabinet, allowed decisions to be made that she is now railing against. Again and again she is trying to abandon what she did in government. This is Bay Village, and I must say the member for Pilbara —

Point of Order

Mr D.T. REDMAN: Mr Speaker, I ask you to draw the minister to the issue of relevance. It was a very specific question and I think she needs to respond accordingly.

The SPEAKER: No, that is not a point of order.

Questions without Notice Resumed

Ms R. SAFFIOTI: I turn to the issue of Bay Village and I must say that the member for Pilbara has been absolutely excellent on this issue, coming to me —

Several members interjected.

The SPEAKER: If every time National Party members ask a question they are just going to talk all the way through the answer, I will not pick them when they are on their feet.

Ms R. SAFFIOTI: We are fighting for local jobs. The point made to me all the time is, “We want to secure local jobs”, so we are working to try to secure those local jobs. I know the National Party in opposition now purports to try to fight to secure these issues; when in government it did nothing. Many of those royalties for regions programs were undertaken by eastern states companies. I remember going through the wheatbelt recently, noting the half-finished developments because the eastern states contracting company went bankrupt.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: That is what the National Party did. The member for Pilbara is fighting for his community and we are working with the member for Pilbara.

WOODSIDE — FLY IN, FLY OUT CAMP — KARRATHA

82. Ms M.J. DAVIES to the Minister for Lands:

I have a supplementary question. It is clear that the community is opposed to the project. When will the minister make a decision on Woodside’s application and will she listen to the opposition from the community coming every day in relation to the project?

Ms R. SAFFIOTI replied:

In relation to this, yes, I am taking a while to make the final decision. Do members know why? It is because I want to secure local jobs. So I am working to secure local jobs, not only in construction, but potentially in operation. That is what I am doing: securing local jobs.

Several members interjected.

The SPEAKER: Members, please!

Mr K. Michel: What would you know about local jobs?

Ms R. SAFFIOTI: That is right.

The SPEAKER: Member for Pilbara, I call you to order for the first time ever!

Ms R. SAFFIOTI: We are taking our time because we are working hard to secure local jobs. That is what the member for Pilbara has put to me: local jobs are the key priority.

“SPECIAL INQUIRY INTO GOVERNMENT PROGRAMS AND PROJECTS: FINAL REPORT”

83. Mr S.A. MILLMAN to the Premier:

I refer to the “Special Inquiry into Government Programs and Projects” that found there was “a general lack of transparency” by the Liberal–National government and furthermore that ministers encouraged “a deterioration in the standards and discipline in the public sector”. Can the Premier outline to the house how the McGowan Labor government’s approach to standards, discipline, transparency and accountability will be different from that taken by the previous government?

Mr M. McGOWAN replied:

I thank the member for Mount Lawley. It is clear from this report that there are Liberal and National members of this house who should be disqualified from ever becoming ministers again in any future government. Their incompetence and recklessness when they had control of the treasury bench was absolutely extraordinary and had a damaging effect on the public sector. I will quote the special inquiry. This is amazing. It states that many practices that led to the deterioration in standards and discipline in the public sector “occurred at the encouragement, if not insistence, of Ministers”. It also states —

Ministers worked to advance their individual agendas and often coerced public servants into applying significant resources to ideas and programs that they knew were unlikely to be approved.

It was shameful conduct by Liberal and National ministers. Now, as a government, with this report, we are tasked with rebuilding confidence in the public sector and reinstating standards and discipline across Western Australia.

The report also found that the lack of transparency by the Liberal–National government was one of the most significant issues identified. I quote —

... withholding of information that is not commercially sensitive or harmful to a person or an entity is too commonly the fall-back position.

After examining Auditor General reports, the report's author found that 40 per cent of ministerial decisions not to release information to Parliament were inappropriately made. When the Liberals and Nationals were in office, they treated the public sector with contempt, they treated the finances with contempt and they treated the Parliament with contempt. Those with a shred of decency or with a shred of understanding will appreciate that this report reflects what they went through and what they did to the state during their eight and a half years in office.

What are we doing? We are going to act on the recommendations of the report. We are going to extend the powers of the Auditor General to allow access to cabinet documents to allow him to inform his opinion.

Mr D.C. Nalder: And legal advice?

Mr M. McGOWAN: Yes, correct.

The SPEAKER: Member for Bateman!

Mr M. McGOWAN: We will develop a transparency framework for reporting details on major projects and guidelines for what is commercial-in-confidence. What we saw under the Liberals and Nationals was a secretive administration that wasted enormous amounts of public money and tried to hide it from the people of WA. The people of WA worked them out. Until they apologise and accept responsibility for what they did, they will be unfit to ever assume office again.

MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS

84. **Mr Z.R.F. KIRKUP to the Premier:**

With some indulgence, I would like to recognise the former member for Wanneroo in the public gallery this afternoon.

I refer to the bullying in the Deputy Premier's office. Can the Premier confirm that, by failing to immediately act against bullying in the workplace after they were first informed of the issues on 3 November, his director of government communications and the director general of the Department of the Premier and Cabinet stand in breach of the Public Sector Management Act?

Mr M. McGowan: I didn't catch the last part of your question.

Mr Z.R.F. KIRKUP: Can the Premier confirm that, by failing to act against bullying in the workplace after they were first informed of the issues on 3 November, his director of government communications and the director general of DPC stand in breach of the Public Sector Management Act?

Mr M. McGOWAN replied:

I repeat to the member: the complaint was received on 21 November.

Mr Z.R.F. Kirkup: No.

Mr M. McGOWAN: Obviously, members opposite have been having conversations with people out there and they are now bringing them in here. Yes; they are all nodding. They are out there having conversations with people and they are now bringing those conversations in here.

Several members interjected.

The SPEAKER: One of your own members has asked a question and he obviously cannot hear the answer because you are all interjecting.

Mr M. McGOWAN: The formal complaint was received on 21 November. As I said, it was referred for investigation to Ms Susan Kurtjak, a former senior Australian public servant. That person is undertaking that inquiry. I find it a little bit rich. The member for Dawesville, who has asked this question, served in Colin Barnett's office. It is a little bit rich.

Mr Z.R.F. Kirkup: Why?

Mr M. McGOWAN: I will tell the member why. He served with some people in his time there.

Mr Z.R.F. Kirkup: interjected.

The SPEAKER: Member for Dawesville!

Mr M. McGOWAN: I note that one of the people he served with in the office referred to a former staff member in very bullying tones in some of the things that were said about some of those people. I am embarrassed to repeat it. I wonder what the member for Dawesville did about those things when staff members—as sad and as unfortunate as this is, he forces me to repeat the words. The staff member who served in the office with the member referred to one of the other staff members, or a former staff member, as “a sanctimonious moll”. The member for Dawesville was there when that was going on. Here he is —

Dr M.D. Nahan: He wasn't the Minister for Mental Health.

Mr M. McGOWAN: Now they are making excuses for him. There he was, part of the protection racket that was operating inside —

The SPEAKER: Premier, through the Chair, please.

Mr M. McGOWAN: There he was, part of the protection racket in the former Premier's office. There they were out there bullying people; meanwhile, the state's finances were burning. They were engaged in this shocking bullying of staff members and former staff members, and more recently we see them fighting in the streets. When will that be referred to the police? Are members opposite going to refer that to the police? People in their team actually punching one another. Are they going to refer that to the police? They all laugh as though it is a big joke. I must say considering the individuals it is rather funny, but it is actually a criminal offence to engage in that sort of thing. When are members opposite going to refer that one? Where are their standards?

MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS

85. Mr Z.R.F. KIRKUP to the Premier:

I have a supplementary question. Can the Premier confirm that under section 29 of the Public Sector Management Act, the director general of the Department of the Premier and Cabinet has an obligation to resolve and redress bullying and to take immediate steps when he becomes aware of the issue; and that since he has not, he stands in breach of the act?

Mr M. McGOWAN replied:

The member has asked for a legal opinion, which is outside the standing orders, but, in any event, the director general of the Department of the Premier and Cabinet has referred the matter for independent inquiry.

The SPEAKER: That is the end of question time, thank you.

ECONOMICS AND INDUSTRY STANDING COMMITTEE

Inquiry into Microgrids and Associated Technologies in Western Australia — Terms of Reference — Statement by Speaker

THE SPEAKER (Mr P.B. Watson): I received a letter today from the Chair of the Economics and Industry Standing Committee advising that the committee will conduct an inquiry with the following terms of reference —

The committee has resolved to inquire into and report on the emergence and impact of electricity microgrids and associated technologies in Western Australia including —

- (a) the potential for microgrids and associated technologies to contribute to the provision of affordable, secure, reliable and sustainable energy supply in both metropolitan and regional Western Australia;
- (b) opportunities to maximise economic and employment opportunities associated with the development of microgrids and associated technologies including, but not limited to the:
 - (i) development of raw material resources and/or primary or commodities
 - (ii) research and development
 - (iii) design, engineering and construction
 - (iv) advanced manufacturing
 - (v) information and communications technology
 - (vi) and ongoing asset operations;
- (c) key enablers, barriers and other factors affecting microgrid development and electricity network operations including:
 - (i) regulatory barriers
 - (ii) technical factors
 - (iii) workplace planning and development
 - (iv) social factors
 - (v) and electric vehicles; and
- (d) initiatives in other jurisdictions to facilitate the development and maximise the value of microgrids and associated technologies.

The committee will report to the house by 29 November 2018.

“DEPARTMENT OF EDUCATION AND TRAINING ANNUAL REPORT 2016–17”

Correction — Statement by Speaker

THE SPEAKER (Mr P.B. Watson): I received a letter dated 14 February 2018 from the Minister for Education and Training requesting that an erratum be added to the Department of Education and Training’s annual report 2016–17, which was tabled on 10 October 2017. The erratum addresses errors in figures on pages 27 and 55 of the report. Under the provisions of standing order 156, I authorise the necessary corrections to be attached as an erratum to the tabled paper.

[See paper 1154.]

MINISTER FOR HEALTH — CHIEF OF STAFF — BULLYING ALLEGATIONS

Matter of Public Interest

THE SPEAKER (Mr P.B. Watson) informed the Assembly that he was in receipt within the prescribed time of a letter from the Leader of the Opposition seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

DR M.D. NAHAN (Riverton — Leader of the Opposition) [2.50 pm]: I move —

That this house condemns the McGowan government for its culture of bullying at the highest level of government, specifically the abysmal handling of the bullying of a female staff member in the Deputy Premier’s office.

We are dealing with a serious issue. There is clear evidence of systemic bullying in the Deputy Premier’s office.

Mr M. McGowan: What’s the evidence?

Dr M.D. NAHAN: We will get to that.

This issue deals with the chief of staff and a mate of the Deputy Premier, who has said things to the former media adviser that are despicable. Five days after she complained, she was sacked and escorted out of the office with no explanation why she was sacked. Some two weeks later, the government responded to the many complaints of bullying that had been sent to senior people in the Deputy Premier and the Premier’s office and is having an inquiry, and now they are hiding behind that: “We know nothing. We can’t say anything.”

Mr J.E. McGrath: Sergeant Schultz!

Dr M.D. NAHAN: It is the Sergeant Schultz response: “I know nothing.” We have tried to inquire into this because we have clear evidence that the Deputy Premier knew about, saw and witnessed bullying before there was an official complaint, and we will make the case here. Government members will, in response, go back and talk about Troy Buswell, who is not here.

Mr B. Urban interjected.

Dr M.D. NAHAN: Member for Darling Range, just be quiet. This is a serious issue.

Several members interjected.

Point of Order

Mr S.K. L’ESTRANGE: This is a matter of public interest. I am trying to listen to the Leader of the Opposition putting his case. I am finding it difficult with all the noise.

The SPEAKER: Members!

Debate Resumed

Dr M.D. NAHAN: The fact that there were cases of bullying in and around Parliament in the past is irrelevant—the bullying and the evidence. In this case, the government has to address the case at hand, but it has been hiding behind the inquiry.

MR S.K. L’ESTRANGE (Churchlands) [2.52 pm]: This is a serious matter and I want to read in a quote from the Deputy Premier on 20 February 2018. He stated —

The staff member in question left my office on 8 November, and the complaint about bullying and harassment was made on 20 November, so that is the point upon which we are conducting the investigation. It is appropriate that that investigation is independent and that it is respectful and provides procedural fairness to all parties involved.

The point I want us to focus on today is this notion of procedural fairness. I want to step you through a time line, Mr Speaker, with regard to how we got to this point today. The time line begins on 11 November 2008, when the Deputy Premier, in his maiden speech, thanked his valuable friend Mr Erik Locke. On March 2017, when Labor

won the election and Mr Cook became the Deputy Premier; Minister for Health; Mental Health, he appointed Mr Locke as his chief of staff. On 19 April 2017, Mr Locke completed his ethics and integrity training by the Public Sector Commission. Around 20 September, it has been reported that Mr Locke posted a tweet putting forward Ms Grljusich's name in a thread about fat clogging London sewers, and that source was *The West Australian* of 20 February 2018. Between September and November 2017, Mr Locke made critical, personal comments to and about Ms Grljusich. Before 3 November, Mr Locke sent an email to Ms Grljusich entitled "Kim Jong Lard". The source for that was *The West Australian* of 17 February 2018. Again pre-3 November, Mr Locke apparently sent a text message to Ms Grljusich with a message saying, "Here's an idea", and an image of a woman trying to raise money for liposuction through a GoFundMe campaign page. We have been informed that, also prior to 3 November, Mr Locke asked Mr Daniel Pastorelli, the director of communications in the Premier's office, to move Ms Grljusich to another office. On 3 November, Mr Pastorelli, informed of issues between Mr Locke and Ms Grljusich, advised the director general, Darren Foster, to make inquiries with her. Between 3 and 7 November, Ms Grljusich sought to follow-up with Mr Foster on several occasions. It needs to be noted that between 8 November and 19 November, Mr Cook, the Deputy Premier, was actually the Acting Premier and Acting Minister for Public Sector Management. He also kept his portfolios of Minister for Health and Minister for Mental Health. On 8 November, Ms Grljusich's contract with the government was terminated and she was marched out of her office. On 20 November, legal correspondence was sent to the Premier by Ms Grljusich's legal representative outlining aspects of the treatment endured by Ms Grljusich. It took until 16 February, long after 20 November and long after she was sacked on 8 November, for *The West Australian* newspaper to make inquiries to government into this matter. The minute that happened, Mr Locke, the chief of staff to the Deputy Premier, resigned for personal reasons. On 18 February this year, the Premier was quoted as saying —

"Obviously there was a personality conflict," ...

"I'm not very happy with what has taken place and he has now offered his resignation and it's been accepted.

"I don't want to get into the business of character assassination and so I really don't want to, and I won't, make comments about the individuals involved."

That quote was sourced from ABC online news of 18 February. Again on 18 February the Premier said —

"To the best of my knowledge I found out about that on Friday," ... "I understood last year—and I don't recall when—that there was a personality issue in the office of Roger Cook."

...

"My understanding is there were other issues, unrelated issues, that resulted in that outcome."

That was in *The West Australian* of 19 February. Then, of course, we had the editorial in *The West* of 20 February, which stated —

So nearly three months after a letter about the matter was sent to his office, Mr McGowan was none the wiser about it until the media raised it ...

That is the situation we find ourselves in.

Mr D.J. Kelly: What's your point?

Mr S.K. L'ESTRANGE: We are trying to unlock and uncover whether procedural fairness was followed, member for Bassendean.

Mr D.J. Kelly: To whom?

Mr S.K. L'ESTRANGE: Procedural fairness to the female staff member who was a victim of bullying and harassment in the workplace. That workplace is the second-highest office of government in this state—the office of the Deputy Premier

Ms J.M. Freeman interjected.

The SPEAKER: Member, you will have the opportunity to talk.

Mr S.K. L'ESTRANGE: That is what we are talking about. I will give a quick summary. The complaint of bullying and harassment —

Ms J.M. Freeman interjected.

The SPEAKER: Member for Mirrabooka, I call you to order for the first time.

Mr S.K. L'ESTRANGE: Thank you, Mr Speaker. Let us be clear: the complaint about bullying and harassment from Ms Grljusich to the Premier's office occurred before 3 November. That is not in dispute.

Mr M. McGowan: Really?

Mr R.H. Cook: Yes it is.

Mr S.K. L'ESTRANGE: If you are saying it is, when you get to your feet, tell me I am wrong.

Mr B. Urban interjected.

The SPEAKER: Member for Darling Range!

Mr S.K. L'ESTRANGE: The Premier's director of communications, Mr Pastorelli, and the Premier's director general of the Department of the Premier and Cabinet knew of this complaint around 3 November. Ms Grljusich was sacked and marched out of the office only five days later, on 8 November.

A complaint was made—a serious complaint—about harassment and bullying in the workplace. Ms Grljusich was treated very disrespectfully by her superior in that workplace. The result of that complaint, or the result of that period, was that she was marched out on 8 November. Was procedural fairness applied between 3 November and 8 November? That is the question. It is all well and good for the Deputy Premier to stand in the chamber and say that he found out about this officially in a letter from a lawyer on 20 November. He can say that and be accurate in that comment that he officially received the letter on 20 November. That is not in dispute either. But the fact remains that Ms Grljusich was sacked on 8 November and the fact remains that she made complaints prior to 3 November. Was procedural fairness followed and was the situation of harassment and bullying in the office of the Deputy Premier between the media advisor, Ms Grljusich, and the chief of staff, Mr Locke, looked at carefully? That is what we are asking—nothing more, nothing less. No other workplace in this country would demand anything less than exactly that.

We are asking the Premier to look very carefully at the culture that is going on in his ministry and the culture that is going on when a senior female member of staff in the office of the second most senior person in government makes a complaint against the chief of staff of the Deputy Premier. What did the Premier do about it? Regardless of gender, the Premier must be serious about supporting people who feel harassed and bullied in the workplace. What did he do about it? We have not seen anything.

Several members interjected.

The SPEAKER: Members!

Mr S.K. L'ESTRANGE: The government has to stop treating people like objects. This employee made a complaint of harassment and bullying. She was not an object; she was a senior member of the government's staff.

Mr B. Urban interjected.

The SPEAKER: Member for Darling Range!

Mr S.K. L'ESTRANGE: She made a complaint and instead of applying procedural fairness to her complaint, she was treated like an object—a political object—to get out of the way. She was removed from the office five days later. That needs to be looked at; that is a serious, serious situation. Those members who work in ministerial offices or have worked in ministerial offices will know that, on average, about 10 to 12 staff are in a ministerial office. The two most senior staff members in a minister's office are the chief of staff and the senior media adviser; they are the two people with whom the minister spends the most time. Whenever a minister deals with the government issues of the day in his or her portfolio, they deal with their chief of staff. Whenever a minister gets into a vehicle to go to a press conference or to make a media announcement, they are with their media adviser. No other staff member in a minister's office has as much access to or face time with a minister than those two staff members. In this case, there has clearly been a breakdown in the relationship between the chief of staff and the senior media adviser.

Mr P. Papalia interjected.

The SPEAKER: Minister for Tourism!

Mr S.K. L'ESTRANGE: It is completely and utterly improbable that a minister would not be aware of a breakdown between his chief of staff and his senior media adviser. To say that he had no idea that there was a problem in his office between those two people is farcical. If it is the truth, by the way, it means that the minister is so out of touch with his office that he is not fit for his office. First and foremost, it is the minister who sets the standard of behaviour in their office. They set the tone of the culture of that office. A serious allegation of bullying and harassment has occurred in the Deputy Premier's office; that is the issue. To say that the Deputy Premier first became aware of it on 20 November or 21 November when the letter was received does not add up. Linked to that, the Premier is not absolved from his responsibilities either. I will tell members why. The Premier's number one director general is the director general of the Department of the Premier and Cabinet. That is his DG. The other person in the Premier's office who runs all government media and communications strategy is the director of communications. Linked to what I said earlier about the minister's office, the Premier's office is very similar. The director of communications is his left-hand man or woman—whoever it might be—looking after his communications affairs. It is highly improbable to say that the Premier had no idea of this problem when the director of communications' job is to either

promote the government or put out bushfires that are about to kick off in the government. The fact that that was happening and that we have to believe that the director of communications would not have alerted the Premier to a problem in the Deputy Premier's office is also highly improbable. Yes, the Deputy Premier and the Premier can stand up in here and say, "We didn't get anything official until a lawyer wrote a letter of complaint", but all of us in this place know full well that those two holders of the most senior positions in this state, the Premier and the Deputy Premier, would have known exactly what was going on with Ms Grljusich between 3 November and 8 November, and they chose to ignore it. They chose to treat Ms Grljusich as an object, a political football, to get out of the way to protect the Deputy Premier and his chief of staff and cover it up.

Ms J.M. Freeman interjected.

The SPEAKER: Member for Mirrabooka! You have an opportunity to talk on this, but you do not shout across the chamber. I call you to order for the second time.

Mr S.K. L'ESTRANGE: Thank you, Mr Speaker.

The media got onto this in February. We looked into it ourselves on behalf of the people of Western Australia, because whether the Premier and the Deputy Premier like it or not, it is our job under the Westminster system as the opposition to hold them to account to their standards. They have failed on the basic public sector management standards of supporting employees in the workplace and have failed to do that at the second most senior office in government—the Deputy Premier's office. The Premier's office was intimately involved in that failure.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [3.07 pm]: I note that the government chose not to have anyone get up to present even some defence on this issue and I would put to the Deputy Premier and the Premier that when they respond to this matter, they can address a couple of things that can take a lot of heat out of this issue. What is the special inquirer looking into? Is she investigating the actions of Darren Foster, the director general of the Department of the Premier and Cabinet? Is she investigating the actions of Daniel Pastorelli, the director of communications? Is she confined to looking only at the relationship between Ms Grljusich and Mr Locke? These are the things we do not know; the government is not advising us. I note that a response to a report of a special inquiry was tabled with great fanfare yesterday. The terms of reference for that inquiry were made public, so that, as a matter of transparency, the community, the media and Parliament would understand what was being inquired into and what we could expect as a result of that inquiry. The government has still not explained to us whether the report by the special inquirer into this matter is going to be tabled in Parliament, whether it will be made available to the director general of the Department of the Premier and Cabinet or whether it is going directly to the Premier.

The government has not answered why neither of the agencies it set up specifically for the purpose of investigating workplace bullying and harassment—the Public Sector Commission and WorkSafe—are involved in looking into this matter. Why does the government have to bring in an external source if it has government agencies in WorkSafe and the Public Sector Commission, and a gentleman called the Public Sector Commissioner who is the author of "Prevention of workplace bullying in the WA Public Sector: A guide for agencies"? This is the guideline for senior people in government dealing with workplace bullying and harassment issues, yet the author of this document, who sets the standard for the public sector, has not been involved in this inquiry. The government has not satisfactorily explained to anybody why that is the case. The government needs to respond to that, instead of dragging up past history. The Premier promised transparent and accountable governance, but he is not being transparent and accountable about this.

The member for Churchlands raised a number of matters about due process and procedural fairness. Section 19 of the Occupational Safety and Health Act requires all employers to provide a safe and hazard-free work environment as far as is reasonably practicable. The report of the Public Sector Commissioner states that a requirement of the Public Sector Management Act is that a suspected breach of that act is to be immediately reported.

Interestingly, after a report of harassment or a report of this nature, generally both parties are stood down while an investigation occurs. That is in the interests of procedural fairness. There are two parties to the dispute, and generally both parties are stood down until the investigation has been completed. We know for certain that did not occur in this case.

Interestingly, page 6 of the Public Sector Commissioner's document reads —

Should an employee consider he or she has been dismissed as a result of making a complaint in relation to bullying, —

As appears to be the case here —

or is forced to resign due to the effects of bullying the employee may be entitled to lodge a claim under the unfair dismissal provisions in the Industrial Relations Act 1979. ...

The report also has a chapter on the responsibilities of CEOs and agencies, and the most senior public servant in the state, Darren Foster, director general of the Department of the Premier and Cabinet, needs to come under

scrutiny. If the state's most senior public servant does not abide by this code of ethics—by this document put out by the Public Sector Commissioner that outlines the legal obligations of CEOs—what message is that sending to every single public servant in Western Australia? It sends the message that this document is irrelevant, and that the head of the public sector—the most senior person—is exempt from the provisions of this document. What will that do for a culture of bullying in the future? It will enhance it and ensure it stays. That is the issue at hand.

The report reads —

Public sector CEOs and agencies must comply with specific obligations set out in legislation to ensure a safe working environment and to take action on allegations of bullying as required. Preventing bullying from occurring, and dealing with it when it does occur, is the responsibility of all public sector agencies.

We have been told by not only the media adviser who was sacked for reporting bullying and harassment, but also other people working in the Deputy Premier's office that there are other victims of this harassment —

Mr R.H. Cook: Who?

Mrs L.M. HARVEY: — from Erik Locke, the Deputy Premier's chief of staff, who was allowed to resign on Friday in an attempt to escape scrutiny. We are encouraging those frightened victims to come forward.

Mr M. McGowan: Who?

Mrs L.M. HARVEY: There are a number of them.

Mr M. McGowan: You're misleading the house again. You could go to privileges.

Mrs L.M. HARVEY: I am not naming them until they give me permission.

Several members interjected.

Mrs L.M. HARVEY: I am not naming them until I am given permission by them to name them.

Under section 29(1) of the Public Sector Management Act, CEOs have a responsibility “to resolve or redress the grievances of employees” and “to implement any health and safety standards and programmes adopted with respect to employment in the Public Sector”. The Public Sector Commission guide then states —

When bullying is identified or reported steps must be taken to deal with the immediate incident ...

It then goes into a range of ways of how bullying can be identified and reported, which I will not read out. However, in response to an immediate incident —

Several members interjected.

The SPEAKER: Members! I want to hear this, please; no more interjections.

Mrs L.M. HARVEY: When it comes to a response to an immediate incident, which is the issue we are highlighting in the Parliament today—the immediate incident that we are advised Ms Grljusich reported to Daniel Pastorelli on 3 November—we are told that Daniel Pastorelli said he was going to inform Darren Foster, the director general of the Department of the Premier and Cabinet, and that Ms Grljusich could expect a phone call from him and that she should save all that evidence and present it to him because he was the person who would do something about it. What did he do about that? I will tell members what he did. Did he carefully consider the principles of procedural fairness to ensure a fair and reasonable process was applied? No, he did not. Did he make it clear to Ms Grljusich what was involved in the process to be undertaken to investigate this?

Mr B. Urban interjected.

The SPEAKER: Member for Darling Range!

Mrs L.M. HARVEY: Did he make it clear how long the process of investigation was expected to take and how she as a victim would be kept informed of what was happening? No, he did not do that. Did he provide information about the support that is available to all parties—the employee assistance program, safety and health representatives, and a grievance officer? No, he did not do that. Did he maintain a factual record, including any investigations, interviews, outcomes et cetera? Perhaps the Deputy Premier or the Premier will outline whether Mr Daniel Pastorelli as director of communications and Mr Darren Foster as director general of the Department of the Premier and Cabinet maintained a record and took notes of the conversation alleging a very serious incident of harassment and bullying. Did he take note of investigations, note when the interviews were coming, or note outcomes from those interviews? We do not know. We expect the Premier and the Deputy Premier to articulate that to us today. It will be interesting to see whether any of those notes are uncovered by the inquiry into this matter.

However, I will tell members some of the actions that the director general is required to take in response to a report of bullying or harassment. What the director general, Darren Foster, did was worse than do nothing. What he did was instead of standing Ms Grljusich and Mr Locke aside and allowing procedural fairness, he terminated her employment. Did Mr Darren Foster or Mr Daniel Pastorelli have the mettle to ring her and tell her themselves?

We are advised no. We are advised that neither Mr Foster nor Mr Pastorelli spoke to this individual and told her that her employment was terminated. We are told that two individuals, whom she had not met before, were sent to her, came to her desk, and said, “You’ve been terminated. We’re here to escort you from the building.” She did not get even a phone call from her employer, saying, “You’re terminated”; she was told by another employee. That is the way that this woman has been treated. We have listened to outrage in this place about the way women are treated in the workplace. As a female Liberal, I get all sorts of outraged comments from members opposite about women in the Liberal Party. This is the standard you set. This is the standard you set in the Deputy Premier’s office.

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen!

Mrs L.M. HARVEY: On the day that this woman’s job was terminated and she was marched out of her office, the Deputy Premier was the Acting Premier, and Darren Foster, as the DG of the Department of the Premier and Cabinet, was reporting directly to him. He said that he did not know that his media adviser’s employment had been terminated; moreover, he did not know about the allegations of harassment and bullying. He has stood in this place and said that he has not witnessed any bullying or harassment; he has not heard Erik Locke, his mate from high school, say disparaging remarks to any person in the office, any female individual, about their appearance or their weight. He has not heard that, apparently. Does he wear headphones when he is in the office and have blinkers on? When this type of activity is happening in an office, an office is toxic. It is up to a minister and their chief of staff to resolve those issues, not by terminating a victim but by having the perpetrator of abuse held to account. He cannot be held to account now because he has had the ability to resign after the benefit of three months’ pay, which was denied Ms Grljusich. She did not get three months’ pay. She got terminated—gone. There was no procedural fairness for her. There was an attempt at procedural fairness for the perpetrator of the abuse and he got three months’ pay of his chief of staff salary until he was told that it would blow up tomorrow and he had better get out of here. He has taken off—probably back to Victoria. He cannot be interviewed. There is no fairness for Ms Grljusich.

MR M. McGOWAN (Rockingham — Premier) [3.21 pm]: The government does not support this motion. I will say a few things at the outset. I heard the Leader of the Opposition with his one and a half minute address and I heard the member for Churchlands and his comments on the issue. The central thesis of the member for Churchlands’s speech was that he wanted to know about procedural fairness, so he kept saying that we want procedural fairness around all these issues and we want to know about procedural fairness. Then I heard the member for Scarborough throw allegation after allegation. I am not exactly sure how that fits with the procedural fairness theme of the member for Churchlands’ speech, because the two are irreconcilable.

The motion prejudices the entire issue. It does not allow for the procedural fairness to which the member for Churchlands referred, and it does not allow for the independent inquiry set up by the Department of the Premier and Cabinet to run its course. The fatal flaw in the opposition’s argument is this: the individual involved, whom the opposition has obviously been talking to, left the employ of government for completely unrelated issues, which I suspect the opposition knows. The matters for which she left had nothing to do with the allegations that she subsequently made. I am in a position —

Several members interjected.

Mr M. McGOWAN: I listened to members opposite. As I said on Sunday, my position is that I do not want to engage in the character assassination of people who are not a member of this place and cannot come in here and defend themselves, but I will say this to the house: the reasons that she left—terminated, as members opposite put it—were totally unrelated.

We then received a letter on the twenty-first, apparently dated the twentieth, that was addressed to me, I think, and then went to the Department of the Premier and Cabinet, as it should have done, for its assessment. On receiving that letter, the Department of the Premier and Cabinet determined that the allegations that she was making had to be looked into by an independent inquiry. That letter arrived after she had left the employ of government. As a lot of people understand, she left the employ of government for very different reasons from those that were contained in the letter that she sent to me. As I said, I do not want to go into those reasons because I do not think it would be in a lot of people’s interests for me to do that. Anyway, that is the reason for her departure.

A question raised by members opposite was: why not the Public Sector Commission? As I understand it, when it is a complaint within a ministerial office between ministerial staffers, if you like, the usual course of events is for it to be managed by DPC and some sort of independent inquiry undertaken in respect of it. If the complaint was between a ministerial office and public sector employees outside a ministerial office, it may well be investigated by the Public Sector Commission. I can give members a case study of when that has occurred, so they will be aware. Back in 2010, bullying allegations were made against some staff members in Hon Peter Collier’s office. It was about how staff in Hon Peter Collier’s office dealt with the Department of Training and Workforce Development because he then was the Minister for Training and Workforce Development. The Public Sector Commission investigated that matter. I understand that that was because they were staff members who were ministerial staffers engaged in

alleged bullying against departmental officers in the department of training. That inquiry was undertaken by the Public Sector Commission. The recommended outcomes were that Mr Collier's office staff undergo an accountable and ethical decision-making training program and that departmental workers be placed within the ministerial office to assist in interaction. Obviously, the complaint was upheld as otherwise that would not have occurred. The complaint about Mr Collier's staff was upheld by the Public Sector Commission and this outcome was recommended. As I understand it, that staff member is now working in the Leader of the Opposition's office.

Mr A. Krsticevic interjected.

The SPEAKER: Member for Carine!

Mr M. McGOWAN: If members opposite talk about bullying —

Several members interjected.

Mr M. McGOWAN: I have outlined the difference to members opposite; they do not listen.

Members opposite talk about bullying but the Leader of the Opposition has someone in his office who had to take a course on accountable and ethical decision-making and two departmental workers were placed within the ministerial office to assist with interaction. The Leader of the Opposition then employed the staffer in his office. When the Leader of the Opposition says that he is concerned about these issues, he may want to have a look at his own conduct. If the Leader of the Opposition has any time left, maybe he could answer that question; if he had not used only 90 seconds, he might have answered it in his original statement.

In question time, I was able to refer to the commentary by Dixie Marshall, who worked in the former Premier's office describing a former staff member as a "sanctimonious moll". What do members opposite call that? Do members opposite think that that is appropriate? What inquiry was conducted into that? Was there an inquiry? No, there was not. When members opposite talk about due process, what inquiry was held into that? It was hurtful and shocking language by a senior staff member in the former Premier's office. What inquiry did the now opposition launch? No inquiry was launched. When members opposite come in here and ask, "Where's the due process?", I ask where the due process was around that.

Mr Z.R.F. Kirkup interjected.

Mr M. McGOWAN: There we have the protector of the former Premier. A couple of weeks ago the member for Dawesville lost his mate, his support network, and his great helmsman. He was present in the former Premier's office when this was going on. What did members opposite do with him? They put him in Parliament! That was the punishment for this sort of thing going on in the former Premier's office. Members opposite promote the people who were part of it into Parliament.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: I have explained it to members opposite, but I will explain it to them again because they do not listen. The staff member involved left for unrelated reasons, which she understands and a range of other people understand. As I said on Sunday, I do not want to go into character assassination of people in relation to these issues.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: She left for unrelated issues.

Mr Z.R.F. Kirkup interjected.

Mr M. McGOWAN: She has obviously been talking to members opposite; that is clear from the way that they are conducting themselves, but, obviously, that is what happened.

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough!

Mr M. McGOWAN: Then we have the —

Mr S.K. L'Estrange: Why did Mr Locke leave if there's nothing to see here?

Mr M. McGOWAN: He offered his resignation a week ago.

Mr S.K. L'Estrange: Why?

Mr M. McGOWAN: Obviously, the matters were of concern to him, but members opposite will have to ask him. The matters were of concern to him —

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: Mr Speaker, I did not speak to Mr Locke, but he offered his resignation. Maybe the Deputy Premier will comment on that.

The SPEAKER: Opposition members, when your side talked, I told everyone to keep quiet. Give the Premier the same opportunity.

Mr M. McGOWAN: He offered his resignation on Friday, and it was accepted.

Mr A. Krsticevic interjected.

The SPEAKER: Member for Carine!

Mr M. McGOWAN: That is what occurred, and maybe the Deputy Premier will want to comment on that.

I now want to deal with why it is so hypocritical for members opposite to come into this place and launch a matter of public interest on this issue, and why it shows that members opposite have no recognition of what they did. That is the behaviour of Troy Buswell. Troy Buswell is actually world famous for what he did. He appeared in United States' television shows. His story went around the world because of the scale and depravity of the bullying he conducted.

Mr S.K. L'Estrange: That does not have anything to do with this debate today.

Mr M. McGOWAN: Yes, it does.

Mr S.K. L'Estrange interjected.

Mr M. McGOWAN: The member made his speech; I will make mine. The member said it has nothing to do with it. The member for Churchlands was not a member of this house at the time, but other members were here at the time. What did they do post Troy Buswell's bullying? They made him Leader of the Liberal Party! Where was the inquiry into his conduct? Where was the procedural fairness for the women he sexually harassed in the most depraved and shocking manner?

Dr M.D. Nahan interjected

The SPEAKER: Leader of the Opposition!

Mr M. McGOWAN: I am saying that members of the Liberal Party are complete hypocrites.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition, I call you for the second time.

Mr M. McGOWAN: I am saying that members of the Liberal Party are complete hypocrites. There are members in this house and in the other house who promoted Troy Buswell. The member for Dawesville is not one of them. He shakes his head, with his holier-than-thou attitude. He was not one of them. He was a young Liberal activist, or whatever he was at that time. There are senior members of the Liberal opposition who were part of that affair and protected and supported Troy Buswell in his activities. So do not come in here and be holier than thou about these issues. The stuff that Troy Buswell did was beyond shocking. Once Troy Buswell stopped being Liberal Party leader, members opposite made him the Treasurer in government—not once, but twice! Where were all the inquiries? Where was the due process around the chair sniffing, around assaulting women, around assaulting other members of the Liberal Party, and around assaulting members of the public at party fundraisers and the so-called dry humping affair? I mean, my God! You guys bear no responsibility for the example you set and what you did in office.

I will explain it to members opposite again. What Troy Buswell did was wrong and shocking. Members opposite held no inquiry whatsoever into that conduct.

Several members interjected.

Mr M. McGOWAN: Was there an inquiry into the chair sniffing? No, there was not. Was there an inquiry into assaulting women? No, there was not.

Several members interjected.

The SPEAKER: Members, please! I want to hear this. I listened to you; now I want to listen to the reply.

Mr M. McGOWAN: Was there an inquiry into assaulting businessmen? No, there was not.

Mr Z.R.F. Kirkup: Were there complaints?

Mr M. McGOWAN: There were complaints everywhere, my friend.

When this complaint came to our attention, a formal inquiry was launched, which is far more than members opposite ever did. As I have said on a number of occasions, the individual involved, who was a press secretary, left the employ of the Deputy Premier for completely unrelated reasons.

MR R.H. COOK (Kwinana — Minister for Health) [3.33 pm]: In the 30 seconds the Leader of the Opposition took to the floor on this important matter, he promised us two things. He promised us evidence of bullying, and he promised us evidence of systemic bullying. To simply state that there is bullying is not evidence, and to simply state it 20 times does not make it systemic. This issue has been subject to a serious allegation or complaint.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member for Dawesville, I call you to order for the first time.

Mr R.H. COOK: When we receive a complaint of this nature, it is important that we respond in a dispassionate and balanced manner that provides procedural fairness to all the parties concerned. A complaint was received—or dated 20 November, so it was probably 21 November, as the Premier pointed out—that was drawn to my attention, and the director general of the Department of the Premier and Cabinet, who is the employing agency, made the decision that his department would undertake an investigation into the claims made about this issue.

Dr M.D. Nahan: He knew on 3 November—a complaint was received by Mr Pastorelli on 3 November, not 20 November.

The SPEAKER: Leader of the Opposition, I call you to order for the third time.

Mr R.H. COOK: Just because the Leader of the Opposition says it is, does not make it so. That is the problem with his whole case today. None of the opposition has provided any evidence. Simply reading out quotes that have come out in the media does not provide evidence, it is simply following the story. That is not evidence. The fact is that a formal complaint was made on 20 November and an inquiry was instigated as a result of that. It is not appropriate to say, first, that it was bullying, because that is for the inquiry to decide. Second, it is not appropriate for us to provide ongoing commentary, because that is to prejudge the outcomes of the inquiry. This is the appropriate way to manage these affairs. I notice with some contempt that the motion states —

... specifically the abysmal handling of the bullying of a female staff member in the Deputy Premier's office.

The way we manage these things is consistent with the policies and authority of the employing agency. The employing agency in this case is the Department of the Premier and Cabinet.

This stands in stark contrast to the way the previous government operated when it received complaints of bullying. A complaint was made against Hon Peter Collier about his conduct and that of his staff towards the then director general of the Department of Training and Workforce Development. The accusation of bullying was made.

Several members interjected.

The SPEAKER: Members! Not across the chamber.

Several members interjected.

The SPEAKER: Members, please!

Mr R.H. COOK: There was going to be an inquiry into the allegation of bullying. Hon Peter Collier decided that he did not want that.

Mr A. Krsticevic interjected.

The SPEAKER: Member for Carine, I call you to order for the first time.

Mr R.H. COOK: He wanted to send a letter that basically said that the director general of the Department of Training and Workforce Development was incompetent. That is how he wanted to manage the allegation. He did not want an investigation. Regrettably, in this instance, the Public Sector Commissioner decided there should not be an investigation, when that is exactly what should have been undertaken the moment Minister Collier was aware of those allegations. The Public Sector Commission decided, strangely enough, that it would not investigate Mr Collier's office at all but undertake an investigation into the director general of the Department of Training and Workforce Development. The department could have made that decision only following interference from the government of the day, which decided it did not want that allegation looked into. Contrast that with our approach, which was to say that a complaint had been made, therefore, it must be investigated in an independent manner. It is even more galling that, ultimately, the chief of staff in Minister Collier's office was paid out \$83 000 as a result of the bullying allegation, despite the investigation by the Public Sector Commission into the Department of Training and Workforce Development. That chief of staff accepted a payout from his job following a reshuffle, so that was a good outcome. He then came back after a holiday and was parachuted into a \$300 000-a-year job created by the restructure of Synergy. Contrast this with our approach, which is to say, "Hands off; we've got this complaint and we have to undertake an investigation", with the managing or the ongoing manipulation of the process, which is the way the mob on the other side undertakes these things. Where is that former chief of staff now? He is sitting in the Leader of the Opposition's office. Do not come to us with entreaties and testimony about cultures of bullying. Do not come to us with accusations without a piece of evidence.

Mr D.J. Kelly interjected.

The ACTING SPEAKER: Minister!

Mr R.H. COOK: Do not come to us and say that we should treat this stuff with seriousness because, in fact, that is exactly what is happening. People are getting an independent investigation that provides procedural fairness to all parties. That might be inconvenient for the narrative that the opposition wants to run, but it is the truth of the matter. Ultimately, we will leave this in the hands of the independent investigation. The independent investigation, which is being undertaken by the Department of the Premier and Cabinet, is the appropriate way that these things should be handled. We are addressing the issue.

We live in interesting times. We see a lot of commentary and what could be regarded as bullying of the member for Darling Range. The systemic and cultural way in which that is being pursued by those on the other side might give them cause to reflect on the definition of bullying. We are managing this serious allegation in the appropriate way. We are undertaking an independent investigation, which will provide fairness to the two staff involved who are, regrettably, now former staff. It is appropriate that that investigation be allowed to take its course and that we not try to prejudice or to anticipate the outcome. We will allow it to take its course because that is the professional, balanced and appropriate way to pursue it.

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [3.41 pm]: I was impressed by the length of the Leader of the Opposition's contribution to this debate today. He has asked questions that took longer than his speech today. That is what happens in this place. It is interesting that the opposition talks about bullying. I will quote from an article, and perhaps the member for Dawesville can explain why he was involved in this. Hon Helen Morton talked about the bullying culture in the former Premier's office. The article states —

Ms Morton said her ministerial office had been affected by a “bullying” culture amongst the Premier's staff that had contributed to her losing her Cabinet post.

Member for Dawesville, what was your role in that bullying culture? Tell us! I am happy to hear from you. What was your responsibility in that bullying? Were you part of that or did you just watch it as an observer? Were you into it? Were you part of the bullying that led to Helen Morton losing her job? Was that your role? Did you bully Helen Morton? Was that what you did or did you just watch it when other members bullied a cabinet minister?

There is silence from the other side of the chamber because he was up to his neck in the constant cover-ups and disgraceful behaviour of the former Premier.

Mr Z.R.F. Kirkup interjected.

The ACTING SPEAKER: Member!

Mr W.J. JOHNSTON: Do members remember what happened with Troy Buswell? He got drunk, crashed a government car all over Subiaco and they provided a cover-up. They would have got away with it —

Mrs L.M. Harvey interjected.

The ACTING SPEAKER: Member for Scarborough!

Mr W.J. JOHNSTON: — except for one guy who came home to his house and rang Channel Seven. That is the only way that cover-up was exposed. They would have gotten away with it. They said, “Mental health issues here—nothing to see” while they took a government car to a private repair place to get it fixed. That was part of the cover-up. The member for Dawesville was up to his neck in the Premier's office in every single bullying action out of that office that is detailed in the Langoulant report. The public service was bullied into not doing its job because the former government—the member for Dawesville was up to his neck in it—bullied public servants not to provide advice. They were told, “Don't tell us the law. Don't tell us that we're not allowed to do it.” Then we heard the ridiculous contribution to the debate from the member for Churchlands, who said that the most important person in a minister's office is the media adviser, not the policy officers. It reminds me of the former Minister for Environment, Albert Jacob. I used to call him the oxygen thief because the only thing he ever did was turn up and cut ribbons. The idea of being involved in policy was alien; it was an alien thought to the Liberal Party. I say to the member for Churchlands that I spend more time with my policy officers than I do with my media adviser, and my media adviser is a fine person who does a great job. I talk to my policy officers because what motivates the Labor government is not cutting ribbons; it is delivering for the people. I say to the member for Dawesville that we are certainly not involved in a bullying culture, as occurred under the former Premier. Colin Barnett's bullying culture drove Helen Morton out of the ministry and out of Parliament.

Members of the Liberal Party skip over certain things. Let me make it clear that a bullying allegation is being investigated and we do not know the outcome of the inquiry. Whatever the outcome, it will have to be acted on. Where was the bullying inquiry into the behaviour of Troy Buswell at Rottneest Island, which involved another

member of the Liberal Party caucus who was denied preselection following that incident? Where was the inquiry into a Liberal Party minister who got drunk at a public function and sexually harassed a departmental staff member at the same table? When the Liberal minister got up to give a speech, the departmental official was moved from the head table to another table so she could get away from the drunken minister. Where was the investigation into that incident? These are things that happened when the Liberal Party was in government. Where was the investigation into the sexual assault by Troy Buswell on a woman in the Speaker's chambers? Troy Buswell sexually assaulted a woman. Where was the investigation by the Liberal Party? Let us not get into chair sniffing.

Mr S.K. L'Estrange interjected.

Mr W.J. JOHNSTON: The member said he never heard about this. That is the whole point here. The Liberals' standards are so low, we cannot trip over them. Then Liberal members come into this place and say that we should provide procedural fairness. Procedural fairness is being provided by the inquiry because there are two issues here. Not only does the woman involved need to get procedural fairness but so does the person who is accused of that behaviour. That needs to be provided, and I am sure that it will.

MS R. SAFFIOTI (West Swan — Minister for Transport) [3.47 pm]: The matter of public interest motion condemns the McGowan government "for its culture of bullying at the highest level of government". Nothing was demonstrated by the opposition today. We saw no new information and heard no new evidence. As the Deputy Premier said, the investigation is currently underway. We should let that investigation play out and then look at the results of that investigation. I know that members of the opposition do not like looking into a mirror to see their own performance but let us do that. Do members on this side of the house recall the performance of the former member for Vasse when he sat on this side of the chamber and attacked women on the other side? Do members remember what he said about the member for Midland? I do. He made sexist comments all the time, which were cheered on by members opposite. The idea that members opposite ever stood up for women in this place is ludicrous. They used to cheer him on and clap, saying how good he was when he used to make disgraceful remarks in this place. They allowed it to happen and that is why there are few women on that side, because who would want to join that side?

In relation to transparency and cover-up, I will go back to the night the former Treasurer and Minister for Transport wiped out half of Subiaco. Do members remember that night? The member for Scarborough was questioned in the Parliament very soon afterwards as Minister for Police. I quote —

... Police Minister Liza Harvey refused to say if Mr Buswell's car was involved in any accidents in the drive from a function at Kings Park to Roberts Road.

"What I can confirm is that ... an ongoing investigation ... and I'm not prepared to comment on an ongoing investigation by police ...

That was about a minister of the Crown who wiped out and did serious damage to vehicles throughout Subiaco. The member for Scarborough was the police minister. We all know the cover-up that happened after that.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: When we talked about bullying under the member for Carine's government, he said, "What's new about that? Tell us something we don't know." We have seen it time and again.

Mr A. Krsticevic interjected.

The SPEAKER: Member for Carine!

Ms R. SAFFIOTI: Time and again he encouraged and applauded sexist comments made by the previous government to members on our side. After one of the worst ever acts by a minister, the former police minister came into this house soon after and said, "Well, I can't tell you anything because there's an investigation underway." That is what she did. No-one believes that she did not know that a ministerial car was taken to a panelbeater —

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough, I call you to order for the first time!

Ms R. SAFFIOTI: It was the worst cover-up ever, and as police minister she sat there saying, "I don't know anything." A ministerial car —

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough, I call you to order for the second time!

Ms R. SAFFIOTI: It was the most sexist, bullying government in the state's history and we all remember it.

Division

Question put and a division taken with the following result —

Ayes (15)

Mr I.C. Blayney	Mr A. Krsticevic	Mr J.E. McGrath	Mr D.T. Redman
Ms M.J. Davies	Mr S.K. L'Estrange	Dr M.D. Nahan	Mr P.J. Rundle
Mrs L.M. Harvey	Mr R.S. Love	Mr D.C. Nalder	Ms L. Mettam (<i>Teller</i>)
Mr Z.R.F. Kirkup	Mr W.R. Marmion	Mr K. O'Donnell	

Noes (38)

Ms L.L. Baker	Mr W.J. Johnston	Mr S.J. Price	Mr C.J. Tallentire
Dr A.D. Buti	Mr D.J. Kelly	Mr D.T. Punch	Mr D.A. Templeman
Mr J.N. Carey	Mr F.M. Logan	Mr J.R. Quigley	Mr P.C. Tinley
Mrs R.M.J. Clarke	Mr M. McGowan	Ms M.M. Quirk	Mr B. Urban
Mr R.H. Cook	Mr K.J.J. Michel	Mrs M.H. Roberts	Mr R.R. Whitby
Ms J. Farrer	Mr S.A. Millman	Ms C.M. Rowe	Ms S.E. Winton
Mr M.J. Folkard	Mr Y. Mubarakai	Ms R. Saffioti	Mr B.S. Wyatt
Ms J.M. Freeman	Mr M.P. Murray	Ms A. Sanderson	Mr D.R. Michael (<i>Teller</i>)
Ms E. Hamilton	Mrs L.M. O'Malley	Ms J.J. Shaw	
Mr T.J. Healy	Mr P. Papalia	Mrs J.M.C. Stojkovski	

Pair

Mr P. Katsambanis

Ms S.F. McGurk

Question thus negatived.

WORKERS' COMPENSATION AND INJURY MANAGEMENT AMENDMENT BILL 2017

Second Reading

Resumed from an earlier stage of the sitting.

MR W.J. JOHNSTON (Cannington — Minister for Commerce and Industrial Relations) [3.56 pm] — in reply: Before I was so rudely interrupted, I was explaining the idea of inherent safety and I was using the example of the steel warehouse. There are two companies and one has bought out the other. They have amalgamated into a brand-new warehouse and they have new fixtures. Individual sheets of steel can weigh six or seven tonnes each. The workers on site are saying that there are no cleats on the corner of the fixtures. The point is that if there are cleats, the steel plate sits past the vertical, which means that if it is bumped by a forklift, it cannot fall down because it has to go past a vertical fall over, whereas if it does not have a cleat, it can stand exactly at 90 degrees, which means it is dynamically unstable and any impact on the fixture will make it fall. Given that workers sometimes have to go inside the fixture, we can see the incredible danger. This is the idea of inherent safety. It is not that we say there will never be a forklift accident; it is: what will be the consequences if there is a forklift accident? That is the idea of inherent safety and that is the modern approach.

I am very pleased that cabinet, the Labor government under Mark McGowan, is not fixing just one part of these issues. Yes, we are addressing the tragic circumstances of the death of a worker by increasing the benefits to their family. That is an important part of protecting workers, because we have to make sure that they are properly compensated, but it is clearly not the only thing we are doing. We have a suite of changes. In the workers' compensation area we are dealing with this matter and, as I say, we have commissioned the full implementation of the rewrite of the Workers' Compensation and Injury Management Act that was recommended by the review in 2014. It is the last element of that review, it is the most complicated and it will be very time consuming. It is intended to involve all the interested parties across the state in that process. In the short term, we are increasing the penalties that apply to employers who breach their duties and responsibilities under the health and safety regime in Western Australia, both for the resources sector and the general community, through previous legislation we have dealt with in this place. That is very important. Remember, as I have explained previously—in fact, as I spoke about in the passage of those two bills—because it is a no-fault workers' compensation system, there is no longer a penalty for injuring workers. Once upon a time when it was a common law system, fault had to be proven and the award included, effectively, a penalty for the fact that the person was injured. That is no longer built into the workers' compensation system and that is why we have to increase the penalties that apply under the health and safety legislation. At the same time, we are working to implement the work health and safety model legislation that has been implemented in every other state, and we will do that through a single regulator in this state so that we professionalise the health and safety regulators and bring them together so that they can share resources. There is no question that specialists are needed in high-risk occupations. Specialist inspectors will always be needed, but there are general issues involved with health and safety.

Debate adjourned, pursuant to standing orders.

McGOWAN GOVERNMENT — PROJECT AND FINANCIAL MANAGEMENT*Motion*

MR D.C. NALDER (Bateman) [4.00 pm]: I move —

That this house notes the failures of the McGowan Labor government in project and financial management including Local Projects, Local Jobs; proper tendering processes; and undermining the intent of its own Infrastructure WA initiative.

In the last 24 hours, the McGowan Labor government has tabled the Langoulant report, which is the blueprint for the McGowan government on project and financial management. The report outlines a number of recommendations and I will name just a few: the establishment of Infrastructure WA; the introduction of a procurement act; the introduction of a parliamentary budget office, which Treasury has committed to; the establishment of a steering committee for major projects; the centralisation of the leadership of major projects and public works management—and the list goes on.

What have we seen in the first 12 months of this government? I want to focus on a list of infrastructure projects that are underway and that the government is talking about, and scrutinise whether they meet the standard to which this government is holding the former government. The first one is the Local Projects, Local Jobs program. It was established under the guise that it is grants funding and that it is for local jobs, yet it can only really be called a slush fund for Labor Party electorates. It is purely and simply a slush fund. The government would have a whole lot more credibility if it openly acknowledged that that is what it is. Instead, the government has tried to window dress it as a grants program, yet there are no criteria under which community organisations can apply.

Although the Langoulant report refers to the governance of the capital and recurrent expenditure of the government, the government is not holding itself to the standards that it is now espousing to hold the former government to. That is really interesting when I look at this program. I could go through the whole list of Local Projects, Local Jobs projects, but I am sure that the speakers who will follow me will focus on specific projects that have been undertaken.

I want to touch on an example that borders on my electorate. When the government talks about a grants program to generate jobs but it has no criteria under which community organisations can necessarily apply to generate jobs, yet we see that two sub-associations of the Melville Athletics Club have been allocated shirts for the kids in two clubs, but not for the kids in the other three clubs, it begs the question: how did this generate jobs? I understand from the athletics community that it did not apply for this funding. When it was happening, the community requested that it be applied to high jump facilities and the like, which would have benefited all the junior athletics clubs, but this was denied. So shirts were given to the junior athletes of two of the junior clubs, and not the three others.

I think this is appalling. I do not know the basis on which a government can justify this expenditure, particularly when it espouses that it is a grants program that will create local jobs.

If we look at what we have seen from the McGowan government to date, in addition to this spending, it has completely failed to meet the standards outlined by the Langoulant special inquiry, including Roe stage 8 and stage 9. The government has totally ignored Infrastructure Australia, which is the national equivalent of what it wants to establish in Western Australia, because the Roe 8 and 9 project was rated the number one priority across Australia yet to commence. For Infrastructure Australia to reach that assessment and provide that sort of rating, a vast amount of information, including business cases and the like, needed to be provided. The state government is looking to establish Infrastructure Western Australia, yet it has paid total disregard to the national equivalent. It begs the question. Furthermore, looking at the Roe 8 and 9 contract, we can see that the funding for this project has been reallocated across other projects without a tender process. Given what I have read in the Langoulant report—it is a big report and I will come back to some of the specific assertions it makes that I think are questionable—I find it amazing that we have a government criticising the former government, yet it is out there reallocating capital spend to projects without business cases and without a formal tender process. That expands through to Metronet. Metronet has a number of specific projects that the state government has committed to undertake, including extending the Joondalup line to Yanchep, connecting the Cockburn and Thornlie lines, extending the Armadale line to Byford and extending the Midland line to Bellevue and from Bayswater on a spur line to Ellenbrook.

The Langoulant inquiry referred to the need to establish vision and strategic direction. As the former Western Australian Minister for Transport, I acknowledged that there was a lack of long-term transport planning. In fact, the last time there was long-term transport planning in Western Australia was back in the 1950s and 1960s with the Stephenson report. This was the first long-term planning undertaken by the Department of Transport, along with transport consultants supporting that, to look at Western Australia's transport requirements through to a population of 3.5 million and beyond. It is anticipated that Western Australia will have a population of around 3.5 million on the other side of 2050. Interestingly, when I put out this work, which creates a long-term blueprint, I highlighted that this was not the work of the Liberal Party; this was the work of transport specialists and the department that looks at the state's long-term requirements across road, rail, cycling, public transport, roadworks for commuters and commercial users, and freight movement. This planning looks at Western Australia's long-term

requirements. I said that as a result of this planning, my desire was that we would not see future governments or political parties—whether it be the Labor Party or the Liberal Party—going to elections and making promises on infrastructure projects that do not have the background and the appropriate work undertaken, such that they debate the prioritisation of a transport plan as opposed to picking and creating projects of their own choosing.

Yet what we have seen with the creation of Metronet, particularly when we reference it to the findings of the Department of Transport and the transport consultants, is this current government announcing projects when the department and transport consultants have advised that they are not required for 30 years or more. What is really interesting is that we have heard the Premier espouse the need for Infrastructure WA and he has committed to undertaking it, but he is not committed to putting these projects that he announced at the last election through the rigours of Infrastructure WA to ensure that they are appropriate and the best thing for Western Australia, and to the extent that they are not, defer them until such point that they are. That would be the action of a responsible government, but it is not something that we are seeing today. It is unfortunate that this government espouses one particular aspect about good governance and gold-plated transparency, yet in practice it does anything but. In fact, what is fascinating about this current government is that it seems to be undertaking those exact same things that it accused the former government of doing. That is what really confuses me. In the first 12 months of this government, it has surprised me that it is now undertaking all the things that it accused the former government of doing. There is no business case for the Ellenbrook rail line. The advice that I received as Minister for Transport is that you could not justify a case to put a railway line to Ellenbrook. I am not saying that is the case for the Cockburn–Thornlie link. A lot of work has been undertaken on it and I am aware of it. But I can tell members now that the Ellenbrook line does not add up. We want to see this government commit to putting this through Infrastructure WA; to live by the new template and new standards that it is establishing under this Langoulant inquiry; and to ensure that it commits itself to the same standards that it holds the former government to. It is a simple request; there is nothing brash or rude about it. But as Gary Adshead said in today's paper, this government has now set a standard for itself, and we will be holding it to account. I would like to see the Metronet projects subject to the scrutiny that this government is espousing in the Langoulant inquiry.

I will talk about the Warradarge wind farm. The Langoulant inquiry highlights that the state should not engage in joint ventures unless the state retains control. This is clearly not the case when it comes to Warradarge, because it is being sold to a Dutch equity fund and is to be kept off the balance sheet of the state, and that ultimately relinquishes control. Furthermore, the Minister for Energy needs to explain this secret deal. No-one has any knowledge of what is happening with this project worth hundreds of millions of dollars. The minister can no longer use the cover of commercial-in-confidence because the McGowan government's own report clearly highlights that it cannot be an excuse for this government. The Premier has said that the commercial-in-confidence reason that former ministers used for business cases and so forth is not an acceptable standard. That is the standard that the government has now set and it applies to the Warradarge wind farm. It is incumbent on the McGowan government to come clean to the people of Western Australia on what this secret deal is about. How does this stack up and how is this in the best interests of Western Australia? Let me say this: if this government cannot overcome the change of international accounting standards—AASB 16 and 17, I think—then I guarantee that the cost of capital for this private equity firm will be far greater than the cost of capital for the state of Western Australia.

That being the case, the energy generated through this new private secret deal with a Dutch equity firm would cost Western Australian consumers more than if we undertook the build ourselves. Where is it? The government has set the standard, now live by the standard.

We keep going on. Today, we heard a little more about Carnegie wave farm. The government has committed almost \$20 million to a one megawatt wave farm. There is no business case because the concept is absolutely ludicrous—nearly \$20 million for one megawatt! Some will espouse that this is a trial of new technology. It is not, because a wave farm trial is being undertaken with Carnegie at the back end of Garden Island. That trial was established some time ago. If it is on the back end of Garden Island, why is it now being replicated in Albany? Furthermore, this is nearly \$20 million to generate one megawatt. If we follow the argument of cost reflectivity, which the Treasurer has been undertaking, this source of energy is more expensive per unit of energy, and that will flow through to higher costs for consumers. Do not stop there with this Carnegie wave farm. The grid does not have the capacity to take the additional energy, so the money that has been set aside does not cater to increase the capacity around the Albany area. Further funding will be required at a cost that flows through to consumers to allow this additional capacity.

In addition, we have heard about the \$30 million biomass farm at Collie—we have not heard the government walk away from this yet—and the \$30 million solar farm at Collie. The government is committing to undertake these two projects without a business case or an explanation to the people of Western Australia for them other than it was an election commitment at a time when we are talking about financial constraint and the state already has excess capacity of energy. Well, blow me down! If the former government hung its hat on everything being an election commitment, what was the point of the Langoulant inquiry? What is the point of establishing these new standards in the Langoulant inquiry that the government is holding up as the benchmark for standards moving forward? Why is the government not subjecting these projects to the same standards?

Mr M.P. Murray: We have an application to the local shire, not through the government, to have a solar farm already. No extra money.

Mr D.C. NALDER: I will take that interjection, I thank the member for Collie–Preston. I like that added information, but given the state currently generates more energy than it requires —

Mr M.P. Murray: Private enterprise; that is their business.

Mr D.C. NALDER: But we are currently generating more than the state can use. It feeds into the system. Is there a guarantee from the state that it will take that energy off this?

In addition, the Minister for Corrective Services is repurposing the Wandoo Reintegration Facility with absolutely no business case, simply on the basis that it is an election commitment. We have seen the announcement of medihotels with no business case and no transparency about what that means. Over the last 12 months we have seen a number of things by this government that seem to fly in the face of the responsible financial management that it is establishing should have been in place for the former government but does not seem to apply to its own projects or capital spend. It is of serious concern.

I will touch on the Langouant inquiry report, which is over 1 000 pages, because a couple of fairly obvious omissions surprised me. I will make the statement that this report reads quite politically. When it gets into speculation or assumptions about leadership and the tenure of Treasurers and things like that, it cannot be said to be anything but political. It also reads like turf warfare across departments and seems to be Treasury against the rest of the world. I will go into this more specifically. I found it interesting that the special inquirer, as a previous Under Treasurer, states in his executive summary on page 8 —

... the capacity and status of Treasury within the public sector must be restored.

It is important to focus on the word “status”, as it provides context for the undertone of the report that under the Barnett government Treasury status diminished and that that has to be now righted.

On pages 9 and 14 of the report the special inquirer states that the quality and materiality of cabinet submissions need to be improved, and that submissions for many projects did not have consistently high standards. These are curious statements, because on page 42 of the report the special inquirer states he —

... has not accessed Cabinet Submissions from the previous administration.

Recommendation VIII on page 18 is particularly bold in that it states —

... Treasury must be reinstated as the economic and financial leader, advisor, controller and policy maker in the public sector ...

I would say the role of Treasury is not government policy; it is the responsibility of the government of the day.

Commentary by the special inquirer on page 43 that the former Premier did not have a strategic vision for the state is unsubstantiated. At the commencement of each parliamentary year, the former Premier laid out his strategic vision for the state and his administration in his Premier’s Statement to Parliament. This was reinforced through numerous comments in the media and speeches delivered by the Premier. Throughout the governance section of the report, there are repeated references to Treasury not being consulted on cabinet submissions and being excluded from processes; however, there is little evidence to support that. In addition, Treasury received cabinet submissions and cabinet agendas as part of the cabinet process and, as was normal practice, had the capacity to comment on every submission before cabinet that had financial implications. On page 47 of the report, the special inquirer states that a number of royalties for regions projects submitted to cabinet did not have business cases. This again is a curious finding if the special inquirer, as he stated on page 42, did not have access to cabinet submissions.

On page 49 of the report the special inquirer states he —

... did not receive any data on the frequency with which the 10-day rule [for cabinet] was not enforced, but evidence was provided that this occurred most commonly though not only with Royalties for Regions ...

Over the course of eight and a half years there would likely have been between 35 to 45 cabinet meetings a year with agendas comprising a few to many items, but generally about eight to 10 items. This amounts to something like 2 700 items considered by cabinet. It would be interesting to understand what would constitute the 10-day rule most commonly not being enforced, as advised by the inquiry. Given the above estimate, it would be interesting to know the number of instances when the cabinet comment sheet did not have the Treasury box ticked for consultation, as noted on page 50 of the report.

It is pleasing that the special inquirer found that the stadium was a project that was managed appropriately. It is disappointing, though, that some of the substance in this section is misleading. For example, page 402 states that the Barnett government committed to build a stadium on the Burswood peninsula for an estimated \$700 million, but page 403 states that the figure was revised to \$1.37 billion, which represents an increase of 37 per cent.

What is not clearly identified is that the \$700 million was an estimate for only a stadium, based on the Major Stadia Taskforce report for the cost of the stadium, written by, would members believe, the special inquirer, and expressed in dollars of the day; whereas, the \$1.437 billion reflects 2017 dollars and includes transport and planning allocations. Further analysis of the stadium costs indicate that the costing changed throughout the course of the project and that the final cost was \$1.8 billion. What is not stated is that the financial model for building the stadium changed, so the maintenance and finance costs associated with the stadium over its 25-year life cycle are included in the final \$1.8 billion calculation; whereas, if it is looked at it in the context of purely a built option, the original statements and estimates around the stadium and transport infrastructure are fairly accurate. It is the difference between telling someone that a house is worth \$750 000, because that is what it cost to build, or that it is worth \$950 000, because that is what it cost to build and pay the interest on the loan taken out to finance the house.

I share some strange observations today that make a lot of the commentary on this report somewhat subjective. I am concerned that the Premier of Western Australia is waving around a document as a new benchmark and criticism of the former administration. I am not saying that there are not recommendations in the report that are worthy of consideration—there are—but there is a lot of political intent within this report, whether it be assertions formed about the former government or across other departments. I was Minister for Transport for two and a half years in the former Barnett government, and there was particular focus on one of the 31 projects, that being the pedestrian bridge. Something in the pedestrian bridge smells. I said on the record and publicly in front of the camera that I was more than happy to be interviewed by the Langoulant inquiry. In fact, Mr Langoulant on two occasions told me that he was keen to interview me. I was never interviewed.

Commentary and assertions have been made about Main Roads Western Australia. I want to defend the honour of Main Roads here today because I worked with that department for two and a half years. I can say categorically that it was very professional in carrying out its duties for Western Australia. That is not to say that lessons could not be learnt from the pedestrian bridge, but let us put this matter into context. This is a department that delivered the largest Main Roads project ever undertaken in this state, ahead of schedule and in the vicinity of \$100 million under budget. In the first wave, \$50 million was reallocated to the Berkshire Road intersection; it removed an intersection problem that saw an accident on average every 10 days. That has gone from the electorate of Forrestfield. That was a great initiative. Main Roads went on and delivered that project ahead of time and saved another \$50 million. Some people might not understand that this is a department that is delivering a larger Main Roads project, that being the NorthLink project. With the savings that it has been able to establish, it is completing that project properly. The original plan did not have that road dualled all the way through to Muchea; it was only dualled through to Ellenbrook. North from Ellenbrook it was all traffic lights, so that when freight trucks got to Brand Highway, they would have to make right-angle turns. They would have to turn right onto Brand Highway, go a couple of hundred metres and make a right-angle left turn onto Great Northern Highway. With the savings Main Roads made, that project will be a freeway connection through to Brand Highway and Great Northern Highway. That will be done through work undertaken by Main Roads to deliver it.

Main Roads brought another project—that is, the removal of the Malaga Drive and Reid Highway interchange and the dualling of Malaga Drive, duplicating the bridge across the freeway right down to Marmion Avenue—50 per cent under budget and delivered it ahead of schedule. If I go through all these projects—the City Busport, the delivery of the extension of the Joondalup line out to Butler, Aubin Grove train station, Coalfields Highway, the overtaking lanes on Great Eastern Highway and Albany Highway, the work done on the roads in the Kimberley, the Mitchell Freeway extension, the widening of the Kwinana Freeway—we see that the savings the department accumulated in the time I was minister were in the order of \$1.2 billion.

Mr J.E. McGrath: You were outstanding.

Mr D.C. NALDER: I thank the member, but I am talking about the department. Across those projects it delivered savings in the order of \$1.2 billion, when I include the Forrestfield–Airport line and Roe 8 and the Roe 9 project when we had tenders in for Roe 9. We are talking about a project that has blown out from \$52 million to \$90-something million. I encourage the Auditor General to follow the money that is spent on the pedestrian bridge for the stadium. I encourage the Auditor General to undertake an analysis of this bridge when it is finished and follow the money, because I was advised, as the minister, that a lot of things do not add up. A lot of the advice that I was provided in writing does not add up to the statements that have been made today.

Mr F.M. Logan interjected.

Mr D.C. NALDER: The Minister for Corrective Services will concur with this; he would support the Auditor General opening the books and following the money. Moving forward, that is all I would like to see for this bridge.

This government has established a new standard. It is setting a standard. It talked about gold-plated transparency. It talked about the need to do away with, and ensure, in its words, that we do not see a repeat of the past. We therefore ask that the government go back to the drawing board and establish all these processes that it has talked about and ensure that all Labor's \$5 billion worth of unfunded election commitments meet the new benchmark

established by the government's Langoulant inquiry. It has established this standard and we will use it as a template for the government's programs. We have an expectation that those infrastructure projects that the government is committing to undertake are subject to the same scrutiny that is spelt out in this Langoulant inquiry.

DR M.D. NAHAN (Riverton — Leader of the Opposition) [4.33 pm]: Just to clarify, we had two items in private member's business. Item 22 is Local Projects, Local Jobs and item 19 is leadership in government. I will deal only with Local Projects, Local Jobs and expect to deal with the other item later, which is really a response to the Langoulant inquiry. There are quite a few Langoulant inquiries around.

Last week we had a debate about Local Projects, Local Jobs. In response to our concerns about the lack of accountability, transparency and business plans for this project, the Treasurer and the Premier accused me of pushing the same thing in my electorate. I would like to compare and contrast their actions and mine on the issues I promised, and show that they do not get it.

I will return to the issue. The government's explanation for Local Projects, Local Jobs was that it was an election commitment and, therefore, the government will meet it and it does not need a rationale; it does not need a process. It is just an election commitment and, therefore, the government will meet it. Labor made \$5 billion worth of election commitments in the last state election. If we read the Langoulant report, we see that the government of the day was not listening to Treasury. In the 2017 election, the Under Treasurer made a number of recommendations and a warning that the next government must have a debt reduction plan and the finances of the state could not absorb another large unfunded increase in capital. The Labor Party went to the election and did exactly that. Government members now have the Langoulant report and they are saying, "Look how bad you were." Members opposite have committed something far worse because the state of the finances means that they have no spare spending capacity at all. They have no capacity to absorb \$5 billion worth of expenditure and they will get into serious trouble down the track. As the member for Bateman indicated, members opposite now have an explicit set of standards that they judged us on, by which we will judge them over the next three years.

One of the government's commitments was to the Local Projects, Local Jobs program. Around the state, \$39 million was committed to 750 different projects. One of the largest projects around my electorate was the member for Cannington's offer to the City of Canning of \$200 000 for parks. I think four parks were in the City of Canning and one was in the City of Gosnells. Parks are the daily bread of councils; they do them all the time. Although I cannot speak about the City of Gosnells, in my experience the city is very well run. The City of Canning might have had some problems in the past but it runs its parks well. I could not criticise it. It does a great job. The City of Canning told me that it did not ask for the money; it did not know that the money would be offered; it was not allocated to any specific park; there was no identified need; there was no case study; and there was not even a request for the money. To get a picture in the paper, \$200 000 was offered; that is what happened. I was criticised for criticising that because I supported the rebuild of Willetton Senior High School.

Let me go through the history of Willetton Senior High School and give members a little bit of background. Willetton high school is one of our largest schools, with 2 300 kids. When I came into Parliament in 2008, the former member for Riverton was advocating for a rebuild of the high school because it was growing very rapidly. It was old—built in the 1970s with flat roofs; it had real problems and was bursting at the seams. It had something like 26 demountables and three of them had collapsed because of white ants in the posts. It was an excellent school, but the facilities were never well built and they were wearing out. I met with the board members of Willetton high school in 2008–09. As soon as I met them I told them that they had to have a plan for a staged rebuilding of the high school, to work with the community to rebuild it, and to make the argument to the Department of Education. For the next three years, we worked on that. One of my colleagues who worked on that is now the Minister for Education and Training. Hon Sue Ellery was the MLC in that area. Her offices were located right across from Willetton high school. She had been working with the school board prior to me getting into Parliament. She gave the board the same advice to develop a plan—she obviously had input to it—and advocate for it. She criticised the former government for not rebuilding or investing in the school. Budget after budget, she would say that we were not doing the right thing by the school by not investing in Willetton Senior High School—she also mentioned Rossmoyne Senior High School and Lynwood Senior High School. We had invested. One of the first things I did as a minister was open Tony McRae's commitment to Rossmoyne high school, which was an expansion. Rossmoyne has 2 100 kids. Another focus was that we were going to move year 7s to high school. That was going to impact these big schools. In fact, when we did that, Willetton high school got over 400 new kids in one go, so it needed new facilities. The existing facilities were worn out and full. The demountables were collapsing. For over four years, we—Hon Sue Ellery, MLC, the current Minister for Education and Training, the community and I—argued the case with the Department of Education. We made the case, we put the design together, and we worked with Building Management and Works. The Department of Education has a list of priorities for investment. Willetton Senior High School was near the top, if not at the top, of that list, for obvious reasons. Eventually, we were successful in getting a partial rebuild of that high school. For four years, we worked with the community, and with the then opposition and now government, and made the case. The case was overwhelming. The Treasurer criticised me and said that investment in Willetton Senior High School was comparable to Local Projects, Local Jobs. I compare and contrast that with the \$200 000 that was given to the City of Canning, for unspecified purposes, and for something that it did not request and honestly does not need.

The Premier criticised me for committing to funding when I was patron of Willetton Sports Club and said that is equivalent to Local Projects, Local Jobs. I will go through the history of Willetton Sports Club to show that the Premier is wrong. Willetton Sports Club was built in the 1980s. At one time it serviced 11 different sports. It was a very successful club. Tuck Waldron was an active member of both the cricket and football clubs at that sports club. However, over time, particularly when the drink-driving laws came in, the sports club struggled, and the individual clubs went their own way. The sports club was not working anymore as an institution. I became patron of Willetton Sports Club in 2008–09. In 2010–11, the club went under and shut the doors, and the City of Canning, which owned the facility, took it back under its control. I was patron of Willetton Sports Club, but not when it folded. When I gave the money for the rebuild, I did not give it to Willetton Sports Club, because it did not exist. I gave it to the City of Canning, which owned the facility.

The Willetton Sports Club rebuild had been on the go with the City of Canning for over a decade. We said to the City of Canning that if we gave it, say, \$1 million, and it matched that with \$1 million, it would be able to get tenants into that facility who would each put in over \$300 000 a year. The focus would be on rebuilding the bowling club, and it would also kick in money. We had the City of Canning, which was the proponent; the community sporting and recreation facilities fund; the tenants, the Indian Society of WA and the Chung Wah Association, which each put in \$300 000; and the bowling club, which put in about \$80 000 or \$100 000. The bowling club and the City of Canning had architects design the rebuild of the bowling club, at a very low cost, by the way. We then subjected that to an assessment by the community sporting and recreation facilities fund. We made it clear that we would not put in our \$1 million unless everybody else kicked in, and that we had to get approval from the community sporting and recreation facilities fund. We made the promise on that basis. It actually took us two years to deliver it, because there was some slippage along the way. The City of Canning decided not to put in as much as it had promised initially and we had to make some efficiencies; and when the package got to the community sporting and recreation facilities fund, the board or whoever made the decision took some time to think about it. That is the process that we went through. We knew there was a need, we had an independent assessment, we had transparency, and we brought the community together.

That can be compared and contrasted with Local Projects, Local Jobs and the \$200 000 that the government gave to the City of Canning for parks. The City of Canning had a meeting recently and said, “What the hell do we do with this money? What is it for? We do not know. What parks will we spend it on? Are any strings attached? No.” In fact, the first the City of Canning heard about it was when there was a picture in the paper of the member for Cannington, saying the government is going to give that money to the City of Canning. Then another photo of him appeared in the paper showing him telling the mayor that he was going to get the money. It was completely unnecessary. The real sting in the tail in this is that because the government spent so much money, which it does not have—\$5 billion, part of which has gone towards Local Projects, Local Jobs—the government has had to create efficiencies. It spent more money than the Liberal–National government did. As a result, it had to make financial cuts. One of the cuts it made was to the Canning River Eco Education Centre. That again goes back to my predecessor Hon Tony McRae, who got the government of the day to spend \$2.5 million to build the centre. I do not know what assessment was made, but it was an overwhelmingly popular facility. I am sure the member for Southern River has used it. One of its aims was for schoolchildren to go there regularly to study courses in environmental science, protection of the river and other things. Boy scouts and others also use the facility. It is an excellent facility, very popular and very successful. In fact, my predecessor said it was his crowning achievement as the member for Riverton. I do not blame him for that; it was a really good one.

Part of the commitment to build it was that the then Department of Education would provide a full-time educational officer at a cost of \$285 000 over four years, and that has been in place. Last year, I was told that a record number of schoolkids visited the centre. Because the government of the day did not heed Treasury’s recommendations, despite its statements otherwise, it promised so much money that it has had to make cuts to education and other areas. It has had to cut the \$285 000 for the teacher at the Canning River Eco Education Centre. On the one hand, the government gave \$200 000 to the City of Canning for unspecified and unneeded purposes so that Labor members could get their photos in the paper. On the other hand, it cut \$285 000 from the City of Canning for an important ongoing facility to teach children about the environment. It is a facility that a Labor government built and handed over to the City of Canning. If that is not about as sloppy as you get, I will go home. It is idiotic. It goes to the heart of Local Projects, Local Jobs—it was nothing other than a slush fund. I have no doubt some good projects were needed and assessed and the proponents will use them very well. I am sure that of the 750, there are some really good ones. However, there are a range of others for which people were given money but had not even asked for it so did not know that it was coming. The first time they heard about it was the local member getting his mug in the paper about money coming. “What? We don’t need it.” The Premier was trying to explain it to a newspaper reporter. A woman called in who has a place involving children—I have forgotten what it was —

Mr J.N. Carey: That is incorrect.

Dr M.D. NAHAN: I bet it was incorrect! She said they did not need the money, but now she has to account for it; there was no assessment.

Mr J.N. Carey interjected.

Dr M.D. NAHAN: I do unto others. I know the member for Perth does not like it. I refer to the Bicton Men's Shed, member for Bicton. It is not in Bicton but most of the men who use it are from that area. It is a worthwhile facility. The men did not ask for it. The member did not go down and talk to them. They got a call from her saying, "I would like to give you some money. I have \$10 000 for you. Do you want it?" "Well, yes; what's it for?" "You figure that out." Then she said, "What I'd like to do is come down for the first time with a camera and you can take my picture. By the way, where is it?" It is in the Fremantle district. That was how the government thought it through. It was strictly meant to get mugs in the newspaper.

Mrs L.M. O'Malley: Who's the president?

Dr M.D. NAHAN: I did not ask you to give it to them.

Mrs L.M. O'Malley: Who is the president of the men's shed?

Dr M.D. NAHAN: You should know! You gave them the money. They did not ask for it.

Several members interjected.

The ACTING SPEAKER: Member for Baldivis, I call you to order for the first time. Members, you will have an opportunity to respond during private members' business today. The Leader of the Opposition is currently not taking interjections.

Dr M.D. NAHAN: I thank you for your protection.

Matt Taylor's father was the president, but he is not now. That does not make any difference. The men's shed did not ask for the money. The member for Bicton did not go down there. The men's shed had no projects on the boil, but it could always use the money. Members know how the men's sheds are.

Mr W.R. Marmion: Was there a business case?

Dr M.D. NAHAN: Business case? This is the honest truth. The member for Bicton called up and asked, "Do you want some money?" The men's shed said, "Yes! We'll take the money. We'll take \$10 000." She did not ask what the men's shed was going to do with it. All she said was, "Can I have a picture so I can get my mug in the paper and I can say, 'Aren't I generous?'" That is the policy standard in this government. I will speak later on the issue of the Langoulant report.

Let us look at this government's major infrastructure policy initiatives. For Metronet, there is not a single business case for any of those that it has committed to. There is not a single business case for \$1.3 billion worth of expenditure. There is \$1.3 billion but no business case—none! Of course, another issue is that it ripped up the Roe 8 contract.

Mr P.C. Tinley: Renegotiated it.

Dr M.D. NAHAN: No, it ripped it up. I had a go at this before. I encourage everybody to drive down to south metro and the juncture of Kwinana Freeway and Roe Highway and to look to the west. Bulldozers are operating down there. They are digging up dirt and moving it from one place to another. What are they doing? Where did the money come from? There is no project there. The government has not even decided the route. The government said, "We've stopped Roe 8. You have bulldozing and earthmoving equipment. Let's move you over to this dirt here. You can move it around and we can figure out what we're going to do later." There is no contract, no tendering, no cost control, no project and no road. There is just activity. This government's job creation is like the old army—let us dig a hole here and bury it here! Let us move this dirt over to this hill and move it back again. That is Labor's local jobs project. It is spending tens of millions of dollars but with no accountability, no project, and no tendering. I went to a briefing the other day and it has not even selected the route of the road or the design. And Labor criticises us! It was a \$1.2 billion contract but it ripped it up.

[Member's time extended.]

Dr M.D. NAHAN: Let us go back to Roe 8. It was a project 50 years in the making. Labor is starting to talk about Infrastructure WA. We essentially had that. We had metropolitan and regional plans, and a local strategic plan. Decades ago we purchased the rights. During that period we located a whole bunch of important infrastructure according to that plan, such as a university called Murdoch University. That is why it is there. It was supposed to be at the juncture of Kwinana Freeway and Roe Highway. We also have another important thing—Fiona Stanley Hospital. It is there because of the juncture of those two major roads. The state purchased the land for Roe Highway in 1981 on the basis that it be next to what we now know as Roe 8 and Kwinana Freeway. We not only planned it for a long time, but we have been developing the south metro area on the basis of it. Then we came to government and committed to building Roe 8. We had trouble with the Rudd government. It was quite keen on it. The then minister, the member for Brand, was also keen on it because he was a wise man.

Mr W.R. Marmion: He still is.

Dr M.D. NAHAN: Yes, he still is. He knew that in politics, there has to be restraint. We do the right thing. We play a bit of politics and so on, but that should not be the main game. The member for Brand wanted Roe 8 because it would service members of his community and they would be the ones who would lose out. We spent \$22 million

undertaking the most thorough review of this project ever. It was submitted to Infrastructure Australia and it rated it top of the pops. It was the highest rated, yet to start, piece of infrastructure in Australia, not just Western Australia.

Mr J.E. McGrath: Way ahead of any rail project.

Dr M.D. NAHAN: Way ahead of any rail project. Members opposite had this mantra that there was no business plan—rubbish. Infrastructure Australia does not rate projects without a business plan. That is what it does. I might add that I understand some of the people who will be on Infrastructure WA's board are on the board of Infrastructure Australia and they rated this project top of the pops. We altered the project to include the Perth Freight Link and a tunnel. Importantly, we also included a freight charge so that the state would get \$1.6 billion worth of assets, a road and two roads leading to Stirling Highway bridge and in 10 years, the state debt would be zip. Within 10 years, the freight charge would pay for the entirety of the state's contribution, and then it could be sold.

Mr F.M. Logan: You're still living in la la land.

Dr M.D. NAHAN: The member for Cockburn has worked with his mates in the City of Cockburn to undermine this project thoroughly.

Mr F.M. Logan: They oppose it for good reasons.

Dr M.D. NAHAN: They oppose it because they are led by a bunch of nimbys.

Mr F.M. Logan: And you know why they oppose it.

Dr M.D. NAHAN: Yes, I do. This was rated a top project. Then the new government ripped up the contracts. It took it away. It had a problem. It did not have any place to move these people. The government was elected on the basis of jobs. If it rips up a contract that has been signed and people have already started to work on the project, it will destroy jobs. The government said, "By the way, mate, you move that dirt over here and you build this wall over there and we'll figure it out and fix it up later." That is what the Labor Party did. Hundreds of millions of dollars were spent. The cost of excising the contract itself was \$100 million. That was wiped off. The investment in planning for the road was worth \$20 million, which was wiped off. Then the government took the various contractors and after a wink, wink and nod, nod, they said, "By the way, do not complain or we will get you." That is what the member for Cockburn said during the election campaign. He said, "Don't fight us. We're the big government. If you don't like our contract, you won't get any more contracts."

Mr J.E. McGrath: He didn't bully them.

Dr M.D. NAHAN: He did not bully them. He was just excited, as the Premier said.

Mr Z.R.F. Kirkup: Passionate.

Dr M.D. NAHAN: He is a passionate man, particularly when it comes to biffos.

Mr S.K. L'Estrange: The member for Thornlie was passionate. He missed out on a ministry.

Dr M.D. NAHAN: Yes. The government had a problem so it ripped up the contract. There were people all around the place. The government used the Langouant inquiry to criticise us for having no business case. It reinvested \$1.2 billion with not a skerrick of a project. There is no project, let alone a business case. Now government members are lecturing us. They must be joking.

The smart thing that the commonwealth did is keep the money. The real test for any government that needs job creation—promised job creation—and has a problem with the south metropolitan area is to go to the commonwealth and say, "I don't like some aspects of the old plan. Let's alter it, let's negotiate it and get the project going."

Mr W.R. Marmion: And fix up Leach Highway.

Dr M.D. NAHAN: The government had to fix it up. It had to take the \$1.2 billion and hire 3 000 people. By the way, over the last year there was a loss in full-time employment. This project would have created full-time employment. The government could have hired 3 000 people, which would go one-third of the way to replace the 9 000 plus full-time jobs lost in the state over its guardianship. That would help. One would think the government would go and discuss it with the commonwealth government. As I said, the state government could say that the \$1.2 billion is sitting there, the commonwealth government could keep the freight charge, that would pay for its contribution, and the state government would be willing to talk. What is it doing? Zip, because it is not really interested in creating jobs. It is not interested in local content. It is not interested in fixing the congestion in that area. The green groups moved from Mangles Bay and crept up to the Roe 8 area and protested. The government saw gains from Labor-Greens preferences and it scrapped the road, destroyed the jobs and got rid of the money for a few votes. That is what it did. It destroyed a project that was 50 years in the making. The government is lecturing us about due process, and here is what it did. There was a 50-year project that was 80 per cent funded by the commonwealth government, plus a freight charge. It had been 50 years in the planning and was the top rate in the country, and the government shredded it. What did it do with it? It had nothing concrete to do with the money, so it got people moving dirt from one pile to another, and the Labor government claims to be a good fiscal manager. What a bunch of clowns!

Mr F.M. Logan: You're delusional.

Dr M.D. NAHAN: I am delusional? Go out there. Go to the intersection of Roe Highway and Kwinana Freeway and look at the trucks, the bulldozers and the front-end loaders moving dirt from one pile to the next. The worst thing is, when it built —

Mr J.N. Carey interjected.

Dr M.D. NAHAN: Oh, it is true. I know. The member for Perth finds it strange, but it is true. Then, when the state government redirected the money, it said, "You've got to realise, we built the Murdoch precinct here. It's going to have 35 000 people working on it so you've got to get trucks and cars to it. It's also a hospital, a prison, a correctional centre, a TAFE and a university." It said to Main Roads, "Here's \$100 000; go away and devise a plan to optimise it." It did that and came up with a plan: "Rip that out. What the hell. We don't like that. The member for Cockburn doesn't like it because there are too many people from his electorate, too many cars that originated in his electorate, going through his electorate, so he wants to shift them over to Melville." That is what he is doing—pushing them on to other areas. That is what he is doing. He overruled Main Roads: "Main Roads, go away, you don't know nothing. We know how to do this." He made a mess of it.

I kind of like that, because when this gets built and there is massive congestion around the Murdoch precinct, the government is going to look at the member for Cockburn. This is his mess in contribution to his community.

Mr A. Krsticevic interjected.

Dr M.D. NAHAN: That is right, he has to use a GPS to go to his electorate! I drive by his shining face down by the foreshore at Cockburn, but I never see him there.

MR S.K. L'ESTRANGE (Churchlands) [5.03 pm]: One does not have to look very far to understand this Local Projects, Local Jobs program. We know it is really "Local Projects, Local Votes" or "Local Projects, Local Pork-barrelling", but we do not have to look further than the chamber seating plan. That tells us all about it. Just a little extra detail on the chamber seating plan tells us how this whole system operates. It is pretty simple. Joondalup, 0.6 per cent. Well, have a look at how much Joondalup got. The member for Bicton, 2.9 per cent. I heard the member for Bicton interjecting on the Leader of the Opposition; the member for Bicton did not even work out that when she was donating cheques to a club, she actually gave half to half of the group and left the other group out, so they are now looking at each other, going, "That's not fair", and they are upset. It has created tension within her own organisation. The member for Pilbara, sitting on 2.3 per cent, got more than \$1 million, just on this program alone. The member for Pilbara got an enormous amount from this \$39 million "Local Projects, Local Votes" program. It goes on. We know that all of those seats sit under a margin of three per cent. They got very, very well looked after.

Dr A.D. Buti: What about my seat then?

Mr S.K. L'ESTRANGE: There are some anomalies, member. You got paid off by not getting into cabinet, my friend. We know that.

Several members interjected.

The ACTING SPEAKER: Thank you, members.

Mr S.K. L'ESTRANGE: We know that they said: "Gee, how are we going to try to appease the member for Armadale? We're not going to give him a front seat; we'll give him half a million."

Dr A.D. Buti interjected.

Mr S.K. L'ESTRANGE: More than that, was it? More than half a million. The member for Armadale was very upset. Let us give this some context because context is very important in this debate. The Labor McGowan government went to the last election on a mandate to be fiscally responsible. It went to the last election on a mandate to be open and transparent—to follow due process. It did all of this in the lead-up to the election and it continues to say these things today. It has not stopped, and yet here we have at the first hurdle, 12 months in, this exposé of a \$39 million local projects, local votes absolute pork-barrel program that has been running for the last 12 months.

Mrs J.M.C. Stojkovski: What about royalties for regions?

Mr S.K. L'ESTRANGE: Member, who are you, sorry? Let me check.

Several members interjected.

Mr S.K. L'ESTRANGE: Member for Kingsley, I apologise. The member is so far back that I could not see her back there!

A government member: That is how many seats we won!

Mr S.K. L'ESTRANGE: That is exactly right! One of yours is over here sitting next to our Whip!

Mr F.M. Logan interjected.

Mr S.K. L'ESTRANGE: Oh no, he does not belong to the Labor Party anymore, member for Cockburn; it got rid of him!

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Mr S.K. L'ESTRANGE: Anyway, let us bring it back. The member for Kingsley, with her very good interjection there, is sitting on 0.07 per cent. The member for Kingsley should enjoy her time here for the next three years! The member for Kingsley asked, “What about royalties for regions?” This issue is making a lot of press at the moment, and the member for Kingsley would be on top of this, because of this inquiry—that McGowan-commissioned Langoulant inquiry. Now that the member for Kingsley has brought this up, let me read the second term of reference of that inquiry, the inquiry that the member for Kingsley’s Premier, and she no doubt, are lauding at the moment in the community. It states —

The adequacy of the decision making processes leading to the awarding of the projects, including the adequacy of their supporting business cases and assessments of risks to taxpayer funds.

That is a very clear term of reference. I am really interested to know whether that was applied to the \$39 million “Local Projects, Local Votes” program. I am very keen to know whether the government will adhere to its own term of reference given to the Langoulant inquiry. I will tell members why I am really interested to know that. It is because there were some questions asked in the upper house recently; in the other place up there. They have some quirky ways of doing business, we understand that, but they ask some interesting questions. There was a question asked by Hon Michael Mischin to the Leader of the Government in that place, Hon Sue Ellery. It states —

I refer to the public funds distributed under the Local Projects, Local Jobs program.

- (1) Will the Premier identify the projects to which money has been paid or to which money has been committed in the electorate of Darling Range, and which were due to promises made by Mr Barry Urban, MLA?
- (2) What due diligence process was put in place regarding each of these projects before the money was promised or paid?
- (3) What checks were conducted to ensure that Mr Urban did not have a conflict of interest and that the money promised or paid did not benefit projects in which he or his family had an interest; and by whom were those checks conducted?

That was the line of questioning. Let us see what the answer was. The Leader of the House representing the Premier did not have an answer, but she followed up after that and provided the answer. It states —

The following is a list of Local Projects, Local Jobs grants that have been paid in the electorate of Darling Range.

And she listed them all. Can I just say that the list is very, very long. There is a lot there. There is \$35 000 for the Armadale Soccer Club, \$350 000 for the Stephen Michael trust fund, \$2 800 for the Byford Baptist Church, \$1 600 for the Byford Scout Group, \$7 000 for the Roleystone Community Garden’s water tank, \$10 000 for the Mundijong Centrals Football and Sportsmen’s Club’s fridges, \$16 300 for the Roleystone Gymnastics Club’s equipment, and it goes on. I am not saying that those projects are not worthy. There may well have been very robust supporting business cases for why those projects needed that funding. I am not arguing that at all. What we are saying is: show us. The government should be open and transparent, as per the second term of reference for the Langoulant inquiry that it commissioned. Show us.

Mrs J.M.C. Stojkovski: Show us the Roe 8 business case.

Mr S.K. L'ESTRANGE: I think the member for Kingsley is missing the whole line of argument that I am presenting. The member and her government have put a standard out there and now we are saying, “Okay; hold true to that standard.” It is that simple. This is the government and it sets the standard. Show us. That is the point here.

Mr M.P. Murray: So you’re putting a line in the sand and we’ll go forward from here; is that what you’re saying?

Mr S.K. L'ESTRANGE: That is what the government is saying. On the topic of open and transparent decision-making and accountability, Premier McGowan was reported in the ABC news on 25 January 2017, in the lead-up to the last election, as saying —

“The first thing the Government should do, release every email, every report, every briefing note. Release them all,” ...

... if we’re elected, I am going to release them all no matter how uncomfortable it is.”

So, member, that is what we are saying today: release all the information that led to the decision-making about \$39 million of taxpayers' money for the Local Projects, Local Jobs program that the member and her government have been doling out cheques for all year. It is her Premier's standard and her government's commitment. Show us. Show the people of Western Australia. If the government does not fully understand the Westminster system, as I mentioned earlier in question time today, it is our job to tell it to do that. It is part of our system of government in the Parliament of Western Australia that, when the government commits to something and promises something and it sets its own standard, we stand here and say, "Do it; show us." And when the government does not do it, member for Kingsley, it is our job to say that it is not good enough. That is what we are saying today. We are simply asking for exactly the standard that Premier McGowan set for himself to be adhered to—nothing more than that.

I will move on. The second part of the question in that other place from Hon Michael Mischin to Hon Sue Ellery was about how the due diligence process and the checks were conducted. Her answer to the second and third parts states —

These were election commitments promised to community organisations in the lead up to the March 2017 State election.

The Department of the Premier and Cabinet has directed all agencies to deliver grants in accordance with relevant procurement processes and requirements, before grants are paid.

Show us. Table it. Table all the documentation from the decision-making process for every single one of the cheques that went out. I believe it was reported in *The Sunday Times* by Gareth Parker or by Paul Murray in *The West Australian* that there were over 600 projects —

Dr M.D. Nahan: Seven hundred and fifty.

Mr S.K. L'ESTRANGE: Or whatever number there were. Table the 750 dossiers or portfolios of decision-making on each and every one of those decisions and then the government will be complying with the standard that the Premier set going into the last election. Do it.

Let me move on. The other place had another interesting bit of question and answer time, but this time in a question from Hon Tjorn Sibma to the Leader of the House representing the Premier, he asked —

I refer to the *Local Projects, Local Jobs* funding program, and ask:

- (a) (a) which Minister is responsible for administering the \$39 million program and what do those responsibilities include;

That is a fair question. The Premier's answer through Hon Sue Ellery was —

The Premier appointed Mr John Carey MLA, Parliamentary Secretary to the Premier to oversee the Local Projects, Local Jobs program. Mr Carey has liaised closely with all relevant local members to clarify the detail of each commitment.

This is a little different from a departmental grants program; this is the then candidate for Perth liaising with candidates coming up to an election to determine who got what cheques. That is very, very unusual. I find it very unusual that an unelected member would lead a project on how \$39 million of taxpayers' money was going to be spent after the member for Perth won his seat. How does that happen? I do not believe he was an official in the Department of the Premier and Cabinet at the time. In fact, I believe—correct me if I am wrong, member for Perth—that he was the City of Vincent Mayor. Is that correct?

Mr J.N. Carey: Yes.

Mr S.K. L'ESTRANGE: That is correct. We actually had a highly unusual situation in which the Mayor of Vincent was running the Department of the Premier and Cabinet's process for assessing and analysing the needs of metropolitan and regional Western Australia on the "local government project, local votes program".

Several members interjected.

Mr S.K. L'ESTRANGE: I look forward to government members' contributions, because I am very keen to hear exactly why this government decided to appoint an unelected member to run this program.

Mr C.J. Tallentire interjected.

Mr S.K. L'ESTRANGE: This is disgraceful, member for Thornlie. I know the member for Thornlie and he would not have allowed this to happen.

Several members interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Members, I am starting to have a bit of trouble hearing the member. I would appreciate it if you could keep your interjections to a minimum. Member, you will help me if you address your comments to me.

Mr S.K. L'ESTRANGE: Where was term of reference 2 of the McGowan–Langouant inquiry applied in this program? We have not seen it. It is highly, highly dubious. I hope to be corrected by the Parliamentary Secretary to the Premier, who ran this program, tabling in this place all the documents in and around the decision-making processes and all the business cases linked to every one of those cheques handed out by every one of his colleagues on the government bench. I look forward to seeing that documentation tabled in Parliament as soon as possible.

We move on. There has been a fair bit of commentary on this particular topic. Paul Murray, a great investigative journalist, has seen this project for what it is. In his article dated 7 February 2018, he stated that he sees this project as being very, very similar to that infamous event of the Keating government minister Ros Kelly and the whiteboard. Under questioning, at an inquiry into how she spent \$30 million of taxpayers' money, she said, "We just put it all up on a whiteboard." This is an interesting situation. If the Parliamentary Secretary to the Premier, and member for Perth, cannot table the documentation, does that mean that it was a whiteboard exercise? If it was a whiteboard exercise, the answers given in the other place misled Parliament. The only way to prove that the answer given in the other place is accurate is for the member to table all the documentation in and around the decision-making process. The government owes it to the people of Western Australia to show rolled-gold transparency in its due process and table that information. If the government does not do that, I am afraid we can only draw the conclusion that it was a whiteboard exercise, in which case somebody should fall on their sword and say, "I have misrepresented the people of Western Australia and acted inappropriately. I should not be in this place." I will leave it to government members to work out whether that should be the Premier or the parliamentary secretary or somebody else. It is, quite frankly, unacceptable.

We will move on from that and, of course, we have that other investigative journalist and talkback radio jockey, Gareth Parker, a fantastic, intelligent man who loves digging into the detail. He gets right in there and there we have it, his headline, "Cash For Votes". That is how he saw it; he did not see it as Local Projects, Local Jobs. He saw it straight up as cash for votes.

[Member's time extended.]

Mr S.K. L'ESTRANGE: The article actually has a lot of pictures in it. It has a picture of the member for Willagee holding up a big cheque with his name on it for \$55 000. I think the member for Morley has a \$50 000 cheque. It looks like the member for Mandurah has a cheque for about \$80 000. I could be wrong because it is very faded. There are a lot of pictures of people with cheques all through that article.

Mr M.P. Murray: You ought to go down to Collie where there is an article on the wall. They are so proud of getting the money that they put an article on the wall.

Mr S.K. L'ESTRANGE: There you go! It is good to have that interjection from the member for Collie–Preston because he knows it was just a big cash-for-votes campaign. When we look at the numbers, it really is quite staggering. Balcatta got \$798 000, Belmont got \$510 000, Bicton got \$606 000, Bunbury got \$991 650, Forrestfield got \$560 000, Joondalup got \$1 097 930, Kalamunda got \$456 000, Morley got \$673 500, Murray–Wellington got \$1.1 million and Pilbara got \$1.026 million. These are big numbers that Labor paid out for its victory. The member for Pilbara thinks he did very well out of this government, and he did. The list is amazing. I think just about every single club or facility got a cheque from the member for Pilbara. The list goes over two pages!

Mr M.P. Murray: That shows there was no bias.

Mr S.K. L'ESTRANGE: There is certainly no bias; they stacked up their cheques in the entire electorate of Pilbara! Although we can jest and have some robust debate, there is a serious message in all of this. The serious message in all of this is about not only the accountability aspect, which I have already outlined, but also the responsibility to the people of Western Australia and the need for the government to not turn its back on its own citizens. It should not matter how they voted. This state's citizens require good government, and that is this government's responsibility.

I will use an example: while this government was handing out all these cheques to people in an effort to win seats at the last election, it ignored some key groups that are in need. In my electorate of Churchlands, a group was ignored that should not have been ignored. The member for Perth, who at the time was running this program with the whiteboard, should have identified this group without the need for any intervention from me. He should have just gone out there and run a proper process. I am talking in particular about the donations of cheques that have gone to schools throughout Western Australia.

There is a school in my electorate, which, when you look at the Index of Community Socio-Educational Advantage, is actually quite a disadvantaged school—that is, Lake Monger Primary School. It sits in the suburb of Glendalough, which was in the electorate of one of Labor's former Premiers—Carmen Lawrence back in her day. That school has an ICSEA scale value of 1 059. To put that in context, we can compare it with Kyilla Primary School, in the member for Perth's electorate, which has a value of 1 134. The scale value of Mount Lawley Primary School is 1 120—again, Lake Monger Primary School is 1 059. There is a significant difference in the value. It is

worked out based on background, economics et cetera. To give an example, with some of the other statistics, the top quarter of performing students from Lake Monger Primary School is 30 per cent. Compare that with Kyilla Primary School, which has 60 per cent, or Mount Lawley, which has 54 per cent. Those are big differences. If we look at the Indigenous student population, there are two per cent at Lake Monger and zero at Kyilla and Mount Lawley. If we look at students with a language background other than English or English as a second language, Lake Monger Primary School has 80 per cent. Compare that with Kyilla at 20 per cent and Mount Lawley at 27 per cent. I highlight that and put it on the record that Lake Monger Primary School has not contacted me; it just gets on with the job. It has a wonderful principal. I got my electorate officer to give the school a call and see whether it has requested any grants for anything. I said, "Just find out for me." My electorate officer did that and found that it had. At the end of last year, it put in for a nature playground. I said, "Look, that is fine." The school did not ask me to intervene or to seek assistance in trying to get that grant, it just did it through the normal official channels. Good on them. I hope the education department, as it should, will do its due diligence on that grant request for a nature playground and will make its decision of yes or no about whether the school needs it or not.

I use that as an example because a large number of Local Projects, Local Jobs grants were delivered to nature playgrounds in different seats. I have to say that some of them went to seats with a very high index of community socioeconomic advantage and with a very high number of students sitting in the top quarter. I ask the members opposite, because this is their government: in determining who should get grants for schools, is it fair and equitable to base it on getting an election result? Members opposite know in their hearts that that is not the right way to go about business. Members opposite know that they should be looking at the needs of communities in Western Australia, regardless of who their local member of Parliament is. They know in their hearts that that is how the government should apply the funding to where it is needed.

I share that little anecdote because there is a serious message in this for people in the community. We are hearing it, members opposite are hearing it and it is being reported in the media. That message is for the government to not turn its back on sections of the community just because it does not have a sitting Labor MP representing it in this place. I tell members that because in my electorate of Churchlands, even though members consider it a very safe Liberal seat, a percentage of Labor voters put Labor first in that seat. I can tell members now that a large percentage of the Lake Monger Primary School booth voted Labor ahead of Liberal—a majority. The government is letting down those people. I put that out there, because it is something that the government needs to reflect on and that all members opposite, as members of Parliament, need to remind their Premier about. They need to say, "Hey look, thank you, but let us not turn our back on all the needy people in Western Australia and the needy groups in Western Australia."

Mrs R.M.J. Clarke: Did you look after them in your eight years?

Mr S.K. L'ESTRANGE: We did.

Mrs R.M.J. Clarke: No, you didn't.

Mr S.K. L'ESTRANGE: I can tell the member what we did. We did not write up cheques with our names on them and go around making out that the electorate has this money because it voted us in. We did not do that. The former member for Murray–Wellington was an absolutely passionate representative for his local area to the point—members all know this—that it often upset the Premier of the day. The former member for Murray–Wellington fought very, very hard for his community, as we all should.

Nobody is denying that it is our role and responsibility to fight for our communities. But this government has rolled out a \$39 million program that seems to have ignored undertaking a proper due process and needs analysis process to determine where that funding should go. It has taken the responsibility of allocating that funding away from public servants, the Department of the Premier and Cabinet and other departments. The government should have broken it down by going to, for example, the Department of Education and asking it what it thinks should happen, regardless of the sitting member in that seat. If the government had asked the department of sport and recreation for its assessment of where it thought money should go, that would have been proper due process. The government could then have quite comfortably come into this place and tabled the information to support the decision-making on those programs. We have not seen it.

Mr M.P. Murray: What happened in 2008 in Collie when the major election promise was a new high school upgrade? Eight years later—nothing!

Mrs R.M.J. Clarke: You ripped the money out of Collie, and Pinjarra Senior High School hasn't got an undercover area! Twenty years they've been asking for it!

Mr S.K. L'ESTRANGE: Members, I took both those interjections and I listened to them carefully. Do you know what I say to those? Through the director general of the responsible department, I have no doubt the members fought very hard for that. I am saying that in this process all the Labor Party needed to do coming into the election was say, "Let's make sure that if we get elected, we will advocate to the correct director general for a grant." That

director general should have then worked through the machinations of government to demonstrate whether that grant was appropriate or not! If the director general determined it to be appropriate, then the grant would have been applied to where the need exists. That did not happen here, members! I will tell members why: because the cheques were committed without the input of the relevant departments that should have overseen the spending of that money with the relevant government minister of the day on behalf of the taxpayers of Western Australia. That is what should have happened; it did not happen, and that is what we are holding the government to account on.

Mr M.P. Murray interjected.

Mr S.K. L'ESTRANGE: I have to wrap up, member; I have two minutes left.

The McGowan-led Langouant inquiry's terms of reference make very clear, as do the report recommendations, that the government owes it to the community to be open, transparent and accountable in its decision-making. The only way to truly get an understanding of whether that has taken place with this \$39 million local projects, local votes program is for the Auditor General to be appointed to look into it, run his microscope across the entire program and submit a report on the \$39 million program. He can then tell us whether all the decision-making protocols and business cases existed for it. If they did not, the Premier should be the first person to stand in this place and apologise for not holding true to his standards he took into the 2017 election.

MR A. KRSTICEVIC (Carine) [5.33 pm]: I, too, would like to contribute to the debate on this motion that reads —

That this house notes the failures of the McGowan Labor government in project and financial management including Local Projects, Local Jobs; proper tendering processes; and undermining the intent of its own Infrastructure WA initiative.

The only difficult part of this is noting all the failures. We can only, unfortunately, mention some of the failures in the time available to us today.

I start by applauding nearly all the recommendations in Langouant report. They outline how we can better do things, and the openness, accountability and transparency necessary for governments. Prior to the election the then Leader of the Opposition, now Premier, indicated there would be gold-standard transparency and open and accountable government. As we conclude the first 12 months of this government, we can see there is no gold-standard transparency and no accountability or open and honest representation to the people of Western Australia. As a matter of fact, we got a big fat sorry—sorry for making up all these things prior to the election; sorry for going back on all the election promises that we made that no longer suit us. Of course, the government will deliver on the ones that suits it, but the ones for which the community has to pay, the Premier is saying, “Sorry.” I think that is very, very disappointing. We have seen in the Local Projects, Local Jobs initiative, plenty of examples that have already been debated in which jobs have not been created. There are no local jobs and in some cases there are no local projects. I believe that a band from Armadale has been paid to go interstate to perform. There was no local project or local job; it was just an opportunity for them to perform interstate. We know that \$39 million has gone to Labor electorates for 750 projects, apart from three Liberal electorates in which Labor was hoping to get some traction.

Mr F.M. Logan: Former Liberal ones, you mean?

Mr A. KRSTICEVIC: That is right; former Liberal electorates, now Labor electorates. That is where the money has gone. I think only a small number of seats not under control of the Labor Party—Dawesville, Geraldton and Kalgoorlie—received funding. Apart from them, all other Labor seats received something. There are many seats that received no promises as well, which the Labor Party obviously did not win. Those communities, even those people who actually voted Labor, have been disregarded. The government has just said, “Sorry, we're not helping you.”

I have mentioned previously that the Carine Riding for the Disabled group, a very worthy organisation, has been overlooked. It caters for the entire metropolitan area and it would have been a worthy candidate for a Local Projects, Local Jobs handout. I am surprised that not one Labor member, including upper house members, considered Riding for the Disabled, which caters for everybody in the northern suburbs, even for people living as far away as Fremantle and Midland. They have people coming from everywhere. It would have been great if a few dollars had been put toward that program. Of course, we know that when it comes to the Labor Party, slush funds are never at an end—there is always money there for the right cause. I am putting it out there that Riding for the Disabled in Carine is a worthy organisation. It has progressed some very worthy projects; I have assisted it to progress some of them. But, of course, money is in short supply.

As we know, a lot of community groups received Local Projects, Local Jobs money that they did not really need. They did not know it was coming and were surprised that the cheque was not in the mail but was being personally delivered by the local member. I am sure that if we went to some of those groups and asked, “Look, there is this organisation called Riding for the Disabled and this is what is going on, do you think some of the \$39 million you've received might be better spent in that area?” I am sure that some of them would say, “Yes, we support giving up this grant. You don't need to buy our vote, because at the end of the day this money that the government

is throwing at us won't actually get our vote." If anything, it is causing disunity in the community because not every single club and organisation is getting money. Within some electorates, some are getting the money and some are not. They are looking at each other, asking, "Well, hold on! Why did you get \$25 000 and I'm next door to you and I got nothing? Why has the Labor member not bought my vote as well? Why is my vote not appropriate enough to get that sort of money?"

It is very interesting hearing that debate going on in the community—that is, that some clubs have got it and others have not. We have heard about the example in the member for Bateman's electorate. Two clubs in the same facility, managed by the same people and under an umbrella organisation, got it and three did not. They are saying, "Can't we just use the money collectively, because it will actually benefit all five of us?" But the government is saying, "No, you can't do that because we're not trying to get your vote; we're trying to get their vote," assuming that those people do not live in the electorate just because the name of their club does not reflect the electorate that they participate in.

It is very interesting. I do not know whether that process will necessarily work for the benefit of the local members, because the community wants to see transparency and accountability. People voted for that at the last election. They were told at the last election that they were going to get that, but do members know what they got? They got a dud. They got a cheque. I still write out cheques and every time I write a cheque, people tell me that cheques are on the way out and ask why I keep writing cheques. I say the Labor Party still does; Labor members hand-deliver them, and they are massive cheques! Obviously, cheques are still in vogue and there are plenty floating around. I have an array of photos here of Labor Party members with massive cheques. I will not hold them up and show them to members, but they show lots of people smiling. I am not saying that some of these causes and organisations are not worthy. Of course they are. At the end of the day, lots of projects and initiatives that are worthy of funding come across our desks, but guess what? There is not enough money to go around for everybody, so we have to pick and choose based on a range of criteria.

As we know, this is a grants program. A grants program has criteria. I think we know the criteria for this. Were you lucky enough to be picked by a Labor candidate? Were you lucky enough to be in a Labor seat? It goes to show how bad the Labor candidates in so many seats were. Maybe it also had something to do with how well people got on with the member for Perth because, as we heard earlier, the member for Perth was the man who coordinated all this and made all this happen, supposedly.

Mr J.N. Carey: You just made that up. You misled Parliament.

Mr A. KRSTICEVIC: Supposedly—I do not know. I heard that reference made before. I am not sure, but the member for Perth has a lot of influence in this area and I might have to talk to him afterwards about the Riding for the Disabled Association of Western Australia in Carine, because it also caters for people in the City of Perth in his electorate.

Mr W.R. Marmion: You missed out Robertson Park Tennis Centre.

Mr A. KRSTICEVIC: Yes. As we have heard, I am sure that the Mount Lawley Tennis Club is very grateful for the money and will use it well to upgrade its facilities. I am not sure which facilities it will upgrade, but I am sure that it will find something to upgrade. It has a beautiful facility there and I congratulate it for the great work it does. I am sure that the club will use the money wisely and maybe next time it will have to ask for it rather than just be given it. There are plenty of problems with this supposed grants program for which there was no criteria. As we know, not one job has been created. We talk about fiscal restraint and tough economic conditions. I think the Bassendean Tennis Club may have got money to upgrade to a computerised booking system, so more than likely someone lost their job. Someone was probably employed to fill in the booking system and now the whole process has been automated and the club probably does not need anyone there anymore. It may have cost jobs, rather than made jobs.

Mr J.E. McGrath: Labor got the database for the tennis club!

Mr A. KRSTICEVIC: Yes, Labor got the database—exactly.

We have heard about Infrastructure WA, this sort of entity that will be the panacea; it will be all that is good and successful and will offer this opportunity of transparency and accountability and assess projects according to their economic merits. "Return to the community" and "value for money" and all these terms are used, but nobody believes that for a second. It is just smoke and mirrors —

Mr D.C. Nalder: For the Premier.

Mr A. KRSTICEVIC: — for the Premier to work his magic behind the scenes, as he does. He does not want people to know the truth and exactly what is going on.

Obviously, I look with interest at the statement issued today about the special inquiry and the implementation of the recommendations. It refers to "recommendations already implemented" and "recommendations already underway". It is like, "Hello!" Please. We talk about Roe 8 and Roe 9. It has been mentioned already that that has been 50 years in the making. It is important. People stop me in the street in the electorate of Carine and say,

“Tony, we have driven down that way. It’s a mess. What are you guys doing? Where is the plan to fix it?” I say, “There is no plan.” I tell them that \$1.2 billion is sitting on the table to fix a real problem and create 3 000 jobs. It is the number one infrastructure project for Infrastructure Australia. Members opposite talk about projects being assessed and having business cases; this project has everything and, not only that, there is money on the table. We talk about being ripped off by the GST share and not getting enough money from the federal government. Guess what? It has given us \$1.2 billion and it is sitting there. There is no valid reason we will not be spending that money. People south of the river will turn their backs on government members because of that.

Mr F.M. Logan: Get over it! Move on; it’s over!

Mr A. KRSTICEVIC: It is over only if the land is sold. It is over only if members opposite destroy the future of that project.

Mr F.M. Logan: You lost!

Mr A. KRSTICEVIC: At the end of the day, members opposite have to remember that we lost for many different reasons, but it was not because of Roe 8 or Roe 9. We did not lose because good projects —

Several members interjected.

Mr A. KRSTICEVIC: Everybody wants the project!

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Mr A. KRSTICEVIC: Everybody wants the project. It is 3 000 jobs that members opposite do not want to create and \$1.2 billion they do not want. We will not even talk about the fact that the federal government initially gave members opposite the \$1.2 billion that was allocated to the project, but they have just thrown it around like confetti, asking, “Who would like this money? Spend it! There are no requirements to make any plans, submissions or business cases! Just line up and we’ll give you the money, as long as you don’t complain.” As the member for Cockburn said, if people do not complain or make an issue, the government will look after them; if they make a fuss or a noise, they will not get anything.

Mr F.M. Logan: Remember, you’re looking for money for riding for the disabled!

Mr A. KRSTICEVIC: I am, but the member for Cockburn is not the go-to man; the member for Perth is the go-to man for the money! I am going to the man with the money over there, the member for Perth. I want him!

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Mr A. KRSTICEVIC: I am going to get the Riding for the Disabled Association of WA to call the member for Perth to ask him to come to my electorate to have a look at its program. I want to see some money. I will also invite the members for Burns Beach, Joondalup, Kingsley and other surrounding electorates in the northern suburbs to come out to the riding for the disabled centre in Carine. I will talk to them about organising an afternoon tea.

Mr J.N. Carey: Why didn’t you make an election commitment?

Mr A. KRSTICEVIC: It does not need to be an election commitment. It needs to happen; these things do not need to be done as election commitments, they just need to be done.

Mr J.N. Carey interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Member! I do not mind the odd bit of interjection but if it is all of you at once, I cannot hear anything and I am sure that Hansard is struggling. Member, would you carry on and keep the interjections to a minimum, please.

Mr A. KRSTICEVIC: Thank you, Mr Acting Speaker. You are right; it is very difficult to express the importance of the debate if I keep getting yelled down.

Mr J.N. Carey: Can I ask, will you take one interjection?

Mr A. KRSTICEVIC: If the member for Perth is saying that he has the money coming, then I am happy to listen; otherwise, talk is cheap! Put your money on the table!

Mr J.N. Carey: Why didn’t you make an election commitment; that’s what I want to know?

Mr A. KRSTICEVIC: It does not need to be an election commitment. It just needs to happen because it is a good project and it is important for the community. An organisation should not be discriminated against because it is situated in the electorate of Carine but caters for disabled people in the whole of the northern suburbs. Members opposite are saying that just because the head office is located in Carine, the organisation will not get any money and that disabled people in other electorates are not entitled to any money.

Several members interjected.

The ACTING SPEAKER: Sorry, members! I will have to start calling people soon.

Mr A. KRSTICEVIC: It is discriminatory to say that because organisations are located in a particular seat, they will not get any money even if they cater for people throughout the state. I wanted to put that on the record again, at the forefront for the member for Perth. If the member for Cockburn has some influence on funding, he can feel free to help out as well. As a matter of fact, the minister can come and take a photo. It is no problem! He can come to my electorate and take a photo—the bigger the cheque the better!

Mr F.M. Logan: On only one condition: I want to see you on the horse!

Mr A. KRSTICEVIC: I am not someone who rides horses as a general rule, but I am happy to do that if the organisation will get some funding. Like I said, I do not even need to be in the photo. The minister can issue a press release, talk about it and take all the credit. I am more than happy for that to happen because the organisation deserves that level of support and I am happy to do whatever it takes to make sure that it is looked after.

We know that the government is making a huge investment in public transport with the Ellenbrook rail line, the rail extension to Yanchep, and the Cockburn–Thornlie line. We know also that there have been no business cases and no financial assessments of the benefits of those rail lines, with the exception of the Ellenbrook line, because some work has been done on that. It is important that these sorts of projects are assessed by Infrastructure WA to see whether they will deliver value for money. We keep hearing that state debt is heading towards \$40 billion. Now that the Labor Party has been elected to government, state debt is heading up to \$43 billion. I am scared that if the government does not put on the brakes and take seriously the recommendations in the Langouant report, state debt will not stop at \$43 billion but will keep going up. We will then find ourselves in a much worse situation. We already know that this government has no plan for debt reduction. The government put forward some scheme that if iron ore prices and the GST were to return to a certain level, it would start a savings account to help pay off debt. However, that has now disappeared from the radar. The government has given us a lot of talk but it has not put anything concrete on the table.

It is great that the Labor Party has finally come on board with the establishment of a parliamentary budget office. The Treasurer talked about that prior to the election, as did the Leader of the Opposition. However, everyone else was reluctant to come on board with this initiative. I think it is a great idea. We need more transparency, accountability and openness in government. Anything we can do to achieve that is a positive. The government should stop hiding behind cabinet confidentiality and contracts. The Premier has talked about cabinet confidentiality and the need for the Auditor General to make assessments of government projects.

[Member's time extended.]

Mr A. KRSTICEVIC: I will not take much longer. Today the Premier said, in his response to the Langouant special inquiry, that the government is instilling a culture of value for money. Those words sound familiar to me.

I think the Western Australian Jobs Bill refers to giving local jobs to people who give value for money. I am pretty sure the word “local” in that bill means anybody in Australia and New Zealand. Therefore, if someone from Australia or New Zealand were to tender for a job in Western Australia and show that they could give value for money, they would get that job. Good luck to New Zealand, Victoria, New South Wales, South Australia and other states when they are supported by the Labor government to win a tender for local jobs, just because they were able to show that they could give value for money. I am not sure how this document will create local jobs. It is a bit like Local Jobs, Local Projects. That has not created local jobs. That is \$39 million that could have been spent more wisely. Therefore, I am a bit perplexed by that statement from the Premier.

In closing, the Langouant inquiry examined a lot of great projects that were undertaken by the former government. The inquiry was a political witch-hunt and was focused primarily on reaching a certain outcome. It looked at only 31 projects, in a very small time frame. It did not look at projects that were commenced under the former Labor government. It does not matter which government we look at and in which period of time; we can find projects that failed in some way, shape or form in ticking all the boxes. That does not mean they were bad projects. I have never been a member of cabinet, so I cannot talk about the discussions around that process. All I can say is that I will support anything that is introduced by the Labor government that enforces accountability and transparency. I will not support anything that appears to be accountable and transparent but in reality is not. I look forward to those bills coming to this place.

I also look forward to some open and honest discussion in this Parliament about why things are or are not occurring. During this debate, we have heard plenty of stories from this government that are way off the mark. The current government does not seem to understand that it is in government and not in opposition. Government members behaved in a certain way when they were on this side of the chamber, but they should not have the same approach on the government side of the chamber. I do not understand why members opposite have not raised the bar a bit. It amazes me that they talked all this stuff when they were over here, but now they are not delivering on it. Backbenchers should be very, very careful because ministers are very tricky.

Dr A.D. Buti interjected.

Mr A. KRSTICEVIC: They are working in their own interests. I quote the member for Cannington, who frequently said, “Don’t trust the executive government; they’re not your friends. Your members of the Labor Party—the executive—are in another world of their own and they are not necessarily working in your best interests.” I am sure now that the member for Cannington is part of the executive, he understands firsthand exactly how it operates and is continuing to apply those principles. It is up to backbenchers to hold him accountable to make sure he does not end their future in this place too early. I think some of them will struggle at the next election because they are not standing up to ministers. They have not stood up to cheques being handed out willy-nilly under the Local Projects, Local Jobs banner. People out there are judging them. They are. Members opposite may not believe it; they may live in a bubble.

Dr A.D. Buti: All the last election, you told me you were going to win.

Mr A. KRSTICEVIC: I well and truly knew what was happening in the last election.

Dr A.D. Buti interjected.

Mr A. KRSTICEVIC: People in the street told me every day. They said, “Tony, you’re going to be okay, but I’m not sure about the rest of them.” I heard that all the time. As much as that gave me comfort during the election, I still worked bloody hard. I was out there doorknocking at the last election and that was the message I was getting from people all the time. I knew what was going on, but I was not sitting on my laurels, I can tell members that. People are very, very quick to pick up these things, so members opposite need to be very careful.

Mr F.M. Logan: There’s one more speaker.

Mr A. KRSTICEVIC: All right. On that note, I think I have made my point that there is not enough time in this debate to cover all the McGowan government’s failures. I hope I have been able to highlight a small number that are important to the Carine electorate. I hope the member for Perth and the member for Cockburn lobby for the Riding for the Disabled in Carine, and I will make the members of that association aware that they have both indicated a level of support.

Mr R.R. Whitby interjected.

Mr A. KRSTICEVIC: The local member is very good, do not worry about that; he is doing all right. On that note, I look forward to hearing what the next speaker has to contribute.

MR Z.R.F. KIRKUP (Dawesville) [5.57 pm]: I, too, join the opposition in speaking to the motion moved by the shadow Treasurer, which states —

That this house notes the failures of the McGowan Labor government in project and financial management including Local Projects, Local Jobs; proper tendering processes; and undermining the intent of its own Infrastructure WA initiative.

I have to say that it always gives me great pleasure to follow the member for Carine, who encourages me and tells me his will be a very short speech only to find that he takes about 27 minutes at any one time.

I think one of the biggest mistruths ever peddled by the Leader of the Labor Party, now Premier, was in the first week after he was elected when he said that he would govern for all Western Australians. That is absolutely not the case. We can see that already in the most recent state budget. Needless to say, how many times has it been mentioned in this place that the government has forgotten Mandurah time and again? Clearly, it does not support districts that did not support Labor members. We have seen that borne out in Local Projects, Local Jobs. Before I get into this again, I find interesting the “Special Inquiry into Government Programs and Projects: Final Report” under the previous government. Recommendation 6 reads as follows —

Information about Government programs and projects should be open for scrutiny. Based on shared principles, the Government should develop a transparency framework for reporting details of major projects. The framework must require continuous disclosure.

Recommendation 7 reads as follows —

It is recommended that Government establish a Parliamentary Budget Office to enhance transparency and public understanding of election commitments, and the budget and fiscal policy settings.

If we listen to the government opposite, of course Local Projects, Local Jobs —

Dr A.D. Buti: When did the report come down—yesterday?

Mr Z.R.F. KIRKUP: Yesterday.

Dr A.D. Buti: It relates now to recommendations for the future.

Mr Z.R.F. KIRKUP: I am sorry; it reflects, of course, member for Armadale, as a very learned individual, the previous government and makes recommendations for the future. He is quite right. However, as the Premier has noted, he obviously has a commitment to transparency and accountability. I suspect that this program is still operational and that the Local Projects, Local Jobs fund has not been entirely exhausted. I could be wrong, because there is not a whole lot of transparency when it comes to this program and this so-called funding of election commitments.

I have gone through the Langoulant inquiry report and it is of interest. One of the special inquirer's recommendations is to move to what I think is a New Zealand model of disclosure of projects, milestones and the costs associated with them. That means there will be active disclosure by government for each project. I have had a look at the New Zealand model. It specifically features key milestones; the corporate and business plans that sit behind them; the budget and expenditure; the agency's independent assessment of projects, which cannot be interfered with, such as where it is at in the life cycle; and an independent comment by agencies on how that project is going. That is the New Zealand model, which the special inquirer recommends the state government move towards. I would be very interested to see whether that will happen as part of the Premier's ongoing commitment to transparency and accountability. So far we have heard only of moves towards the Auditor General. I am very keen to see whether that will actually be the case and whether that same rigour could be applied to Local Projects, Local Jobs. From the comments of those opposite and the contributions from the member for Churchlands and others, we know that a lot of the Local Projects, Local Jobs funds that have been expended already relate to election commitments. I find it really interesting. Having been a deputy state director of the Liberal Party and having been involved in various government processes, I find interesting some of the quantum amounts that have been committed to as part of the election campaign right across Western Australia.

I am very glad that my good friend the member for Bunbury is here because when I look at the election commitments that must have been agreed to during his campaign, I see that he had all and sundry. A significant number of election commitments were made during his campaign.

Mr D.T. Punch: Because I talked to my potential electorate!

Mr Z.R.F. KIRKUP: Indeed. I am not here to suggest anything other. It is very clear that the member for Bunbury was elected because he did the hard yards and found his place here.

I suppose my point is that when I looked through the commitments that were made as part of the member for Bunbury's campaign, I noted that there is quite a variation. There was some funding for the Returned and Services League of Australia and the men's shed. That makes quite a lot of sense to me. They are routine election commitments that would be made. In that case it would be in the order of tens of thousands of dollars. Again, I think that most members in this place would make similar local commitments. For example, I look to grants in my own district such as \$10 000 for the Port Bouvard Life Saving Club. These are commitments that would often be made.

The unusual thing to me is that there is very little record of a lot of these commitments having been made. Members opposite all maintain very active social media profiles. The clubs that they have gone to also typically maintain active media profiles. I suspect that during election campaigns there would usually be some evidence of these commitments having been made in the paraphernalia and election material that we all produce—something online, perhaps, or maybe some reference in the local paper. I cannot corroborate much of what has been given out in Local Projects, Local Jobs funding. An example is the \$750 that was given to the Bunbury Masters Swimming Club for its carnival. It seems unusual to me that during the campaign a candidate of the Labor Party would go through the process of committing a whole \$750. All of us in this place know that it is likely that if we were going to give some commitment of funding to a local group, I imagine that at least we would offer a couple of thousand dollars. That might be part of a competitive process that is open to scrutiny through Lotterywest. That is the usual way these things happen. Candidates encourage community organisations by supporting their application for funding. The reality is that \$750 for the Bunbury Masters Swimming Club for its carnival seems like an unusual amount to me.

The member for Collie–Preston was quite vocal before. He has secured a significant amount of funding. It is somewhere in the order of \$697 000 for the district of Collie–Preston. Again, there is not a lot of public evidence that Labor actually made these commitments. I welcome the opportunity for any member here to disabuse me of this notion. After I spoke about Local Projects, Local Jobs last week, I tried to find more information about where these commitments had been made and I cannot find any evidence of it. Collie is a very good example.

Mr F.M. Logan interjected.

Mr Z.R.F. KIRKUP: The member for Cockburn is quite right. Let us be honest here; these commitments did not originate during the election campaign. This was absolutely a victory lap that was authored by the member for Perth in conjunction with those members opposite who, in most cases, secured seats from the Liberal Party.

If I look to the seat of Collie–Preston, I see that it was allocated \$697 000. It is most unusual that during the campaign the Labor Party would see fit, noting that it suggested that we were in the worst economic environment possible, for some election commitments around funding for Collie–Preston. We had a very good candidate in that seat. It is a shame that she did not win that seat. I hope that she returns to the Liberal Party. The reality was that the swing was coming to the Labor Party away from the government. I cannot imagine that a particularly safe seat like Collie–Preston would warrant more than half a million dollars in local grants—\$697 000 of such commitments—being made. The commitments that were made in that district are very interesting to me. A total of \$5 000 was allocated to Collie Golf Club. There is no evidence that I can find—again, I welcome the opportunity

to be disabused of this notion—of such a commitment being made. Similarly with the Labor Party, there is quite a lot of monitoring of opposition commitments from the Liberal Party during election campaigns. You guys did the same to us. We have no record of that \$5 000 but it is here. This system was above any sort of accountability and transparency. There is no way to check it but we have to be assured by the government that its expenditure of \$39 million is all aboveboard and meets election commitments.

Dr A.D. Buti: I just want you to clarify your argument here. You are saying that Collie was a relatively safe seat so why did you need to make that commitment? Is that what you are saying?

Mr Z.R.F. KIRKUP: Very clearly, the Labor Party thought the seat of Collie–Preston was at risk, and made a number of commitments, which I found unusual.

Dr A.D. Buti: They didn't think Armadale was at risk, did they?

Mr Z.R.F. KIRKUP: The member for Armadale managed to secure \$548 900.

Dr A.D. Buti: I managed much more than that.

Mr Z.R.F. KIRKUP: Someone should ring Gareth Parker and let him know. I am sure he will be interested.

Dr A.D. Buti: It wasn't due to the need to win the election. The commitments were made because, in my situation, the previous government had neglected Armadale and I was given the opportunity by my party to support my local community. So that's why I did it.

Mr Z.R.F. KIRKUP: I welcome the member for Armadale's interjection because I looked at his commitments. I appreciate the \$548 900, and he has secured more, so good on him.

Dr A.D. Buti: I went through it. You weren't here.

Mr Z.R.F. KIRKUP: The member for Armadale has secured more. It is one of the more marginal seats—more so than seats over here.

Dr A.D. Buti: That's because I'm a local champion!

Mr Z.R.F. KIRKUP: They will get there.

I looked at some of the commitments that were made in the district of Armadale. I found them very interesting. Quite rightly, an Armadale dog park was given \$40 000 for fencing. Clearly, that was an issue during the election campaign and the member for Armadale felt the need to make an election commitment towards that. A total of \$2 000 was committed to the Armadale Cricket Club. Again, that makes a lot of sense. It is a local group. I am sure that the member made those election commitments the whole way through. Is that right?

Dr A.D. Buti: Yes, they were definitely disclosed. Everyone knew what I was committing to; don't worry about that.

Mr Z.R.F. KIRKUP: I am sure that is the case. I appreciate that. In a lot of other cases, I cannot seem to corroborate the information. In any case, I find it interesting. I am glad that when I look at those overall tallies, I see that perhaps more has gone out to those seats because what has been reported is possibly only a smaller amount than was expended by Local Projects, Local Jobs. I have gone over it a number of times. I note that it is very clear to me once again that the Labor Party has made a concerted effort—perhaps, as the member for Churchlands pointed out, a whiteboard effort—to make sure that it looked at specific seats that need saving.

Mr D.T. Punch interjected.

Mr Z.R.F. KIRKUP: I say to the member for Bunbury that it is obvious to me and perhaps it is part of the member for Perth's whiteboard exercise that he gave it according to people who sit closest to him in Parliament. I see that the member for Bunbury secured nearly \$1 million—\$991 650.

Mr D.T. Punch: It's hard work.

Mr Z.R.F. KIRKUP: It is hard work. He sits right behind the member for Perth. Behind him is the member for Pilbara, who secured more than \$1 million under Local Projects, Local Jobs. He already got \$1 billion out of the budget. Well done, member for Pilbara, for securing another \$1 million under Local Projects, Local Jobs.

I look around at the members who do not sit so close to the member for Perth, such as the member for Kalamunda. He secured less than half a million dollars. He secured only \$100 000 more than I secured and I am not even a member of the Labor Party. It seems to me that as part of these so-called election commitments, for some reason only \$456 000 was committed to the seat of Kalamunda, which the Labor Party thought it was in the hunt with, and it was agreed to. Unusually, for safe seats such as Collie–Preston, as I previously mentioned, a significant amount more is being spent.

Mr C.J. Tallentire: You miss the point that it's really about the degree of engagement that a member has with the community, so in your example of Kalamunda, unfortunately we had a situation in which a candidate pulled back, so there was a limited amount of time for the now member for Kalamunda to achieve that level of engagement to know where the funding needs were.

Mr Z.R.F. KIRKUP: I take the member for Thornlie's point, which is why I will immediately direct his attention to the member for Burns Beach who got less than that, \$297 000. By the member's line of consideration, the member for Burns Beach had less community engagement—is that the case?

Mr C.J. Tallentire: There are probably some major projects that are going his way, so that would be another funding stream going to that electorate.

Mr Z.R.F. KIRKUP: I appreciate the member's ardent support of the program.

Mr C.J. Tallentire: It's all based on need.

Mr Z.R.F. KIRKUP: Indeed. I should note at this point that I realise there was a great Liberal candidate in Thornlie. It was reported that \$380 000 went there, so perhaps the member benefited from larger projects that exist in his electorate, or, as the member for Armadale points out, perhaps more money was going in there that has not been reported.

Mr C.J. Tallentire: Recognising that there were many years when the state budget gave us nothing.

Dr A.D. Buti: That's right, nothing.

Mr Z.R.F. KIRKUP: I find it interesting when the member for Armadale comes in here and claims that the Liberal Party in government did nothing for his electorate. As an opposition party member, I appreciate —

Dr A.D. Buti: You are wrong. If you were here for my speech last week, I praised the former Minister for Education for two of my schools, and the former Minister for Police for the new justice centre, so there you go.

Mr Z.R.F. KIRKUP: My apologies; I correct myself, in that case. I note that more often, the member for Armadale says that the Liberal–National government did very little for the electorate of Armadale —

Dr A.D. Buti: You didn't even run a candidate against me in the by-election because you didn't care about it!

Mr Z.R.F. KIRKUP: — aside from two schools, a police station and, of course, a child and parent centre, which I imagine is very beneficial.

Dr A.D. Buti: Our idea, yes.

Mr Z.R.F. KIRKUP: It was the government's idea? They were rolled out right across electorates that were, more often than not, not Liberal-held districts. That was a government that governed for all Western Australians and, as I said at the very start, the same cannot be said for the current government.

It bothers me, when we talk about the quantum of funds, that \$39 million is not an insignificant figure. A lot of the time a lot of money, in some cases hundreds of thousands of dollars, is going to organisations and I just wish there were a better opportunity for all Western Australian organisations to apply for that money. I realise Local Projects, Local Jobs exists as a fund and I realise that, in a lot of cases, it has more often than not benefited members opposite. I just wish there were an opportunity for organisations that, as the member for Carine has quite rightly pointed out, might offer services across Perth and that might be situated in a safer Liberal seats, to have the same equal and fair access to that program. It is worth pointing out that it has at times been a point of attack by members opposite that Lotterywest was used by the Liberal–National government to perform a similar function—that is, to go into Liberal-held seats and prop up the local members for whatever purpose. That is absolutely not the case. Lotterywest was always ferociously independent of executive government. I am sure that members of the government under the former Premier would have wanted the system that government members now have access to, where they can just cash out their election commitments that were not really committed to, but which they can use to gain some support from their organisations. No such fund existed under the previous government because we were a government with integrity, accountability and transparency.

Mr F.M. Logan: So clearly you haven't read the Langouant report.

Mr Z.R.F. KIRKUP: I have gone through it, member for Cockburn. It made very interesting reading. I look forward to this being considered a blueprint for the governance of members opposite, because I suspect there are a lot of recommendations in the report that the government cannot achieve, albeit that if it does, it may compromise itself politically.

I would like to make one other point about the large quantum of money that has gone to organisations. At no time have I suggested that a lot of organisations in receipt of these grants have done anything wrong, and there is no suggestion by me that there is any impropriety on the part of those organisations. But it would seem unusual to me that if members opposite were in my position and they came across what I am about to talk about, they would not make an issue of it. I am giving the benefit of the doubt to the organisations and members involved, but if there were a Liberal Party volunteer and donor who was very active in the party, going to fundraisers right through the campaign, and the Liberal Party was then re-elected, members opposite would be sitting here in uproar if that same individual or organisation had then got a significant grant from the government to support their business. I think that would be of great interest to members opposite. It is something I have uncovered as we have gone through

this. I do not seek to name the organisation; I do not seek to name the seat. Indeed, I do not even seek to name what the money went to. There is \$100 000 here of taxpayer funds that went to an individual. I have photos here, but, again, I am conscious of not wanting to bring them into it.

[Member's time extended.]

Mr Z.R.F. KIRKUP: I note that there are a number of pictures on this individual's Facebook page. Here is a picture with the Premier. Here is a picture with the member for Mirrabooka. Here is a picture at the member for Burt's fundraiser. Here is a picture with the Minister for Tourism. Here is a picture of the person campaigning for a local member. Here is a picture of the person campaigning for another local member. Here is a picture that states the person will vote for McGowan, that other people should too and to share the picture. There are a number of pictures with a number of volunteers right across some southern metropolitan seats. This is someone who is very clearly in support of members opposite. That was part of their support prior to the campaign. It seems that subsequent to their support they got \$100 000 given to the organisation that they themselves created. I investigated this organisation myself and it seems it was started with the greatest of intent.

Dr M.D. Nahan: The Arab association is a very good association.

Mr Z.R.F. KIRKUP: The organisation has a very good intent, from my perspective. Indeed, it was said that the money went towards a mechanism that could help train some young people. It was a coffee pop-up. The concern I have is that if that was a Liberal Party volunteer or, indeed, donor or someone who went to a number of fundraising events and then the Labor Party saw that the government of the day gave the individual \$100 000 to start a small business up, there would be a lot of questions about the rigour of how that went. Again, as I said at the very start, I am conscious of not wanting to name the organisation or the individual, or indeed the seat. I am conscious that I think this is a good example of where there could be a lot more need for accountability and transparency in the process. I am sure that the funds the organisation received have gone towards a good cause, but there is absolutely no way for the Parliament to assure itself of the fact. There is absolutely no way to quantify the number of jobs generated out of this project, and I hope there are some.

Mr C.J. Tallentire: It is actually not jobs, it is training. It is a training program. It is for people who are disengaged youth. That is the whole purpose of it.

Mr Z.R.F. KIRKUP: Quite right.

Mr C.J. Tallentire: There is full accountability around that.

Mr Z.R.F. KIRKUP: Sorry, there is?

Mr C.J. Tallentire: Of course there is.

Mr Z.R.F. KIRKUP: I am interested in what that accountability is. It is not clear.

Mr C.J. Tallentire: The number who are on the training course.

Mr Z.R.F. KIRKUP: Is that the accountability measure?

Mr C.J. Tallentire: We can publish that.

Mr Z.R.F. KIRKUP: Sure. When I asked the minister —

Mr C.J. Tallentire: It is an ongoing program.

Mr Z.R.F. KIRKUP: Sure, I appreciate that. When I asked the Minister for Sport and Recreation in estimates about Local Projects, Local Jobs, the rigours that were placed on it and the accountability mechanisms, I will tell members what the minister said. He said in effect that there were none. It was supplementary information A3. I wanted the guidelines that dictated where grants from Local Projects, Local Jobs were expended and the minister came back with an answer. It states —

Local Projects, Local Jobs ... are election commitments that fund projects in the local community, supporting grassroots sporting clubs operated by volunteers in this state.

These commitments were pledged after extensive community consultation whilst in opposition, with the intention creating local jobs ...

If they do not create local jobs, member for Thornlie, it seems that perhaps that grant was not placed in accordance with the guidelines that the minister gave me. Maybe that is something that needs to be —

Mr C.J. Tallentire: You train people so they can get jobs as baristas in this case.

Mr Z.R.F. KIRKUP: Indeed, if that is the case. On that organisation's website it is noted that that pop-up is available for hire and can be used at any sort of function.

Mr C.J. Tallentire: Yes, because they want to go to events. It is all part of the training. It is real life experience.

Mr Z.R.F. KIRKUP: Member for Thornlie, the whole point of this is that it should not take this strident defence to justify the expenditure of \$100 000. The people of Western Australia should assure themselves through rigour, transparency and accountability that there is some way to reconcile the taxpayer funds that were spent, in that case, to help support an organisation and what they deem is a very worthwhile cause.

Mr C.J. Tallentire: I think that organisation is well known to both sides. At their events we saw the former Minister for Citizenship and Multicultural Interests given great profile and I think he has always been held in high esteem by the organisation. It is a mutual respect across the chamber, so I do not think there is a problem.

Mr Z.R.F. KIRKUP: I appreciate that that is the case, but, again, my concern is with the lack of accountability and transparency from any member in this place in scrutinising those projects and ensuring that there was value for money. The reality is that \$39 million of taxpayers' money has been spent and we should have some satisfaction, some guarantee or some assurance that that money has gone towards more local jobs and that all community organisations right across Western Australia have had equal and fair access to it.

I wish that government members were more up-front about this expenditure. We all know it is a victory lap fund. We all know this money went to satisfy districts that had newly acquired seats from the Liberal Party, although the member for Collie–Preston got nearly \$1 million, while the member for Burns Beach got \$257 000, so sometimes the government wants to support the member for Collie–Preston but maybe not the member for Burns Beach. I appreciate the interaction with the member for Armadale and the member for Thornlie in the debate this evening, but the government should not rely on those members to justify the expenditure in their districts. If the government is going to align with the Langoulant special inquiry's recommendations, it is incumbent on the government to be open, transparent and accountable to Parliament and, indeed, to the people of Western Australia about the expenditure of their own money.

MR F.M. LOGAN (Cockburn — Minister for Emergency Services) [6.20 pm]: After listening to the members for Bateman, Churchlands, Riverton, Carine and Dawesville speak, I have a feeling that there is this seeping jealousy about what has happened. They are sitting there thinking, "Damn, I wish we had thought of that." I can just see it oozing out of them.

Mr J.E. McGrath: It was a good tactic!

Mr F.M. LOGAN: It was a great tactic. It was a brilliant tactic, member for South Perth: "I wish we had done the same thing."

What members of the opposition do regularly, as do members on our side of the chamber and the Nationals, who are the worst of all of us, as everyone in this chamber knows, is make election commitments. That is what political parties do; they make election commitments. If they are in opposition, they say that they cannot deliver on the election commitment unless they are in government. That is what we say. Members opposite say it and we say it. What is the issue? Members opposite are only upset that ours was better organised than theirs. That is all it is. The member for Burns Beach quite rightly supported me in that proposition. Ours was better organised. It is not just that the Labor commitments on Local Projects, Local Jobs won us the election; that was a minor part of the swing, as everyone knows. Labor won with astounding numbers because people were sick to death of the Barnett government and, in particular, unfortunately for the former member for Cottesloe, they were sick to death of him. They told members opposite that as much as they told us that. They were sick to death of him and they wanted him and his party out. Whether or not members opposite like it, people saw how they spent money and they saw it as a waste. That has been framed perfectly for government, particularly for us, but we are learning lessons from the Langoulant inquiry. Unfortunately, it appears members opposite are not.

Mr A. Krsticevic: Yes, we are.

Mr F.M. LOGAN: No, they are not. Only one person in the Liberal and National Parties has had the guts to apologise for wrecking the state's finances—Hon Dr Steve Thomas from the upper house. Only one person has had the guts to say to the general public of Western Australia and, in his case, the people of the south west, "We are sorry for what we did; it should not have happened."

When it comes to Local Projects, Local Jobs, and to support my proposition that this is no different from what happens in any election, here is what happened at the last election. Here he is in an advertisement—remember this went in the newspaper—smiling Mike Nahan, the member for Riverton. The advertisement states —

Investing In our sporting teams

If elected, we'll invest \$120,000 into brand new facilities for the **Rossmoyne Netball Club** & \$75,000 into refreshing the **Corinthian Park Tennis Club's** kitchen facilities, and to upgrade lighting for the courts!

Tell me, how is that so different from Local Projects, Local Jobs? It is not different at all.

Dr A.D. Buti: In the 2013 election campaign, the then Premier was promising funding for a number of community gardens. Where's the difference?

Mr F.M. LOGAN: I am sure that Mr Nahan, the member for Riverton, did not go out to tender for this project, as the member for Carine suggested we should.

Mr I.C. Blayney: But he put an ad in the paper, so everyone knew about it.

Mr F.M. LOGAN: He put an ad in the paper! I am sure he did not draft a grant application before he made this promise. All the things that members opposite are suggesting we should have done in Local Projects, Local Jobs—this is only one example of a number of examples I am just about to give—the former government did not do. Members opposite are suggesting that we should have done all these things when making election commitments —

Mr A. Krsticevic interjected.

Mr F.M. LOGAN: Member for Carine, the opposition is asking us to carry out a standard of accountability that it did not apply when in government at the last election. Members opposite are asking us to apply a standard of accountability that the previous government did not do at the last election. The argument is ridiculous. It is pathetic.

The member for Carine also asked, “How can you guarantee there’re any local jobs in this?” I go to another one of the former government’s commitments to the Leeming Bowls and Recreation Club in Jandakot. Unfortunately, the member for Jandakot is not in the chamber. He is a very good member for Jandakot compared with the last one. The member for Jandakot asked the bowls club what it would like and whether there were any matters he could help with if he was elected. The bowls club talked about shades and barbecues. When the current member for Jandakot committed around \$140 000 to assist the club if he was elected, what happened? The then member for Jandakot went down there as quickly as he possibly could with the then Premier, Colin Barnett, and the then Treasurer, the member for Riverton, and promised more than the member for Jandakot had promised. They said, “We can give you more than that. He’s offered you \$140 000; we’ll give you \$160 000.” I ask the member for Carine, as he disappears out the door: where was the accountability in that? It is ridiculous. The argument is an absolute sham. However, I will refer to my notes and quote Colin, the president of the Leeming Bowls and Recreation Club, because in due course the club received the money promised to it as part of the election commitment. Colin said, “We are using all local manufacturers and suppliers. The shades and the barbecue area are being fabricated and erected by a local patio builder.” He continued, “The lighting is being installed by a small local contractor and the poles are being manufactured locally. Landscaping is being done by a small local contractor, and essentially everything is local.”

I cannot give a better example at the moment of how that whole program worked, but I can certainly take the member to examples in my electorate and show him how those jobs have been created and the money distributed. We have done nothing more and nothing less than what the Liberal Party does on a regular basis with election promises. It was no different whatsoever, even at the last election. To actually put forward these suggestions about the type of standards and accountability that we should hold our ourselves to, but at the same time, not holding themselves to account, I find trite and unacceptable. That argument goes to the behaviour and statements we have heard from the various members—the members for Bateman, Churchlands and Riverton, and the member for Carine in particular—about their response to the Langoulant inquiry. The argument that we have just heard from the member for Churchlands and others is, “We will hold you to account. We will hold you to the standards that have been set down in the Langoulant inquiry and they are the ones that we will put against you over the next three years.”

Mr S.K. L’Estrange: But won’t you do that to yourself?

Mr F.M. LOGAN: Does the member for Churchlands not see the irony of what he is saying? The report is not about us. It is about the Liberal Party’s term in government. It was in government for eight years and that is what the report is about. It is about the fact that the Liberal government should have had those standards in place. The irony of it is that the opposition is now saying to us, “You should hold yourself to these standards of good governance that have been outlined.” The irony of this is that the report is about the Liberal government. It blew \$42 billion and the report states, member for Churchlands, that the Liberal Party failed on governance. It failed appallingly.

Mr S.K. L’Estrange: I have a simple question: are you going to hold yourself to that standard?

Mr F.M. LOGAN: Has the member has seen the recommendations that have come out?

Mr S.K. L’Estrange: Yes.

Mr F.M. LOGAN: Has he seen the responses that we have already provided? We are already working our way through those recommendations.

Mr S.K. L’Estrange: So you need to do it on this program—a \$39 million program.

Mr F.M. LOGAN: Unlike the member for Churchlands’ government, which blew \$42 billion and unfortunately put our government into this state that we have to deal with, we will gradually work our way through those recommendations. For some reason, when the member for Bateman was talking about something related to the Langoulant inquiry, he went on to talk about the Roe Highway issue and argued, “They’ve taken the money and they distributed it and we don’t know where it’s gone.” I wish the member for Riverton would drive a little bit further down the freeway and past the turn-off that goes to Leeming. He would then see where that money has

been spent. It is being spent on projects that his government endorsed—for example, the freeway bridge linking Armadale and North Lake Road. The work that is being done, member for Churchlands, on that project, was done under the previous government. It drafted the plans!

Mr S.K. L'Estrange: Don't verbal me on the member for Riverton's comments.

Mr F.M. LOGAN: I know that, but the member for Churchlands is the most senior opposition member here. The rest of them have all taken off. The member makes these claims and he cannot back them up.

The other project that money is being spent on is the expansion of the freeway. Who promised to expand the freeway when it comes to business cases? The members opposite did. They promised the freeway expansion and that is what we are doing. They promised the Armadale Road duplication. We all supported that. They went to the federal government and got money from it. The money from Roe Highway is being spent on delivering that project, member for Churchlands. The money from Roe 9 is also being spent on the Cockburn–Thornlie rail line. The previous government committed to it. On the argument about where the business cases are, I could say to the member for Churchlands that we have taken that money from Roe 8 and Roe 9 to spend on projects that the former government developed. If there are no business cases there, it is because the former government never created them in the first place. I can assure the member for Churchlands and the house that those business cases to back up those projects will be there. The projects are good; that is the reason we are continuing with them. It is not as though the money is disappearing. The money is being spent on projects that will support the road and rail infrastructure of the southern suburbs of Perth, supported by the previous government and continued by the McGowan Labor government using the funds from a dud road, Roe 8 and Roe 9. I will not go into it now, but at a later stage I will go into one of the issues that the member for Bateman failed to mention—much—in his analysis of the Langoulang inquiry report, and that was the stadium bridge and his role in it. In the report under the headline “Swan River Pedestrian Bridge”, it states —

“Once the contract was awarded to Bianco Engineering Services–Toyota Tsusho to construct the bridge in Malaysia, the fate of the project was sealed.”

That, as members in this house know, is a \$95 million project instead of a \$35 million project because the previous government decided to secretly send the contract for the fabrication to Malaysia. The person who was responsible for it was the former Minister for Transport, who has disappeared.

Mrs R.M.J. Clarke: Where are they all?

Mr R.R. Whitby: They've given up; they've lost the argument.

Mr F.M. LOGAN: Exactly. This is the opposition's time to raise these issues, and there are two opposition members in the house.

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine!

Mr F.M. LOGAN: The member for Bateman forgot to mention that part of the report. Why was that? It is because of his own grubby role in awarding that bridge contract to Malaysia. The only reason the bridge is costing more is the incompetence of the previous government and the role that the then minister played in ensuring that that bridge went to Malaysia. Over 18 months I asked 12 times in this house and the other house, in questions on and without notice, whether that bridge was going to Malaysia. Each time, the member for Bateman, the then Minister for Transport, stood up and said, “I don't know at this stage; we have not made our mind up.” The bridge was gone! As the report states —

“Once the contract was awarded ... the fate of the project was sealed.”

The previous government sent it to a company in Malaysia that was taken over by another company from South Korea that was only interested in manufacturing wind farms. When the South Korean company turned up to run the fabrication facility in Malaysia, it said, “What's that bit of steel over there?” The response was, “I don't know; I think it's a bridge for some project in Perth.” The South Korean company said, “Oh, well, throw it up the back.” That was the project. I am talking about the member for Bateman's wonderful project, the bridge for Malaysia. I was saying that when the South Korean company took over the fabrication yard in Malaysia, it was interested only in manufacturing wind farms. When it asked what that little bit of steel was, it was told, “We think it's a project for some place in Australia, in Perth. We think it's a bridge”. That was the end of it.

Mr D.C. Nalder interjected.

Mr F.M. LOGAN: You personally have to be held responsible for the blowout on the costs of that bridge —

Mr D.C. Nalder: On what basis? No!

Mr F.M. LOGAN: The blowout on the costs of that bridge—you, personally.

Mr D.C. Nalder: Then you'll support an Auditor General —

Mr F.M. LOGAN: How many times did I ask you about that contract? How many times? Twelve times, and you misled the house every single time!

Mr D.C. Nalder: You'll support the Auditor General assessing and following the money!

Mr F.M. LOGAN: You misled the house every single time, and look at the state of it!

Mr D.C. Nalder: Let's get the Auditor General in to have a look at it!

Mr F.M. LOGAN: You owe the people of Western Australia an apology —

Mr D.C. Nalder: What for?

Mr F.M. LOGAN: — for your mishandling of that bridge in your role as a minister. You are a disgrace!

Mr D.C. Nalder: You don't want the money followed.

Mr F.M. LOGAN: You are a disgrace!

Mr D.C. Nalder: Get the Auditor General in!

Mr F.M. LOGAN: So now —

Mr D.C. Nalder: Go on! Back it up! You make some claims, now back it up!

Mr F.M. LOGAN: — thank goodness—read the report! Read the report!

Mr D.C. Nalder: Then get the Auditor General to have a look at it and follow the money! Where's the money gone?

Mr F.M. LOGAN: Read the report, Bateman!

Mr D.C. Nalder: Where's the money gone?

Mr F.M. LOGAN: What does he say? When the contract was given to Malaysia the fate of that bridge was sealed —

Mr D.C. Nalder: Where's the extra \$40 million gone?

Mr F.M. LOGAN: — and you know it!

Mr D.C. Nalder: That's a disgrace! You guys are hiding something, and it stinks!

Mr F.M. LOGAN: You misled Parliament 12 times and you should be hauled before the committee!

Mr D.C. Nalder: Get the Auditor General in to have a look at it! You won't do that!

Mr F.M. LOGAN: Anyway, that is a classic example of how this opposition treats the Langoulant report. It comes in here and says, "Oh, we should learn from our mistakes. We're going to hold you as a government to account about the matter."

Mr D.C. Nalder: Yes, you don't want to be held to account!

Mr F.M. LOGAN: And what about you? You were the minister.

Mr D.C. Nalder: I said put the Auditor General in. Hey, then I'm in there.

Mr F.M. LOGAN: Read the report!

Mr D.C. Nalder: No; he hasn't followed the money. He hasn't looked at where the money has gone! Get the Auditor General in and have a look at where the money's gone!

Mr F.M. LOGAN: The money disappeared, just as Langoulant said. As soon as you signed that contract and it went to Malaysia, that is where the money went.

Mr D.C. Nalder: Let's get the Auditor General in to tell us where it exactly went! Where has it gone? Where has it gone?

Mr F.M. LOGAN: Anyway, thank goodness we are having a new bridge built in Australia, by Australians. It will be a far better project than the absolutely disastrous project that was organised, or attempted to be organised, by the former transport minister. Members, I will finish up now because I want to let these other guys have a go.

Mr A. Krsticevic interjected.

The ACTING SPEAKER (Ms S.E. Winton): Member for Carine, I do not think he is taking your interjection. Thank you.

Mr F.M. LOGAN: I will repeat what I just said, not about the bridge but about the overall argument that has been put by the opposition. The opposition's argument is false on the basis that it is arguing that we should be held to standards about election promises that it will not hold itself to. The opposition made exactly the same promises as we did, and there will be more coming to show it.

Mr D.C. Nalder: You're a hypocrite, minister.

Withdrawal of Remark

Mr D.A. TEMPLEMAN: It has been ruled before that that word is not appropriate, and the member should withdraw it.

Mr D.C. Nalder: I don't think it has.

The ACTING SPEAKER (Ms S.E. Winton): Thank you, member. If I could ask you to withdraw.

Mr D.C. NALDER: Withdrawn.

Debate Resumed

Mr F.M. LOGAN: The opposition's ridiculous motion asks us to hold ourselves to standards that it will not hold to itself. It has failed to acknowledge the disaster it caused in the government's finances. It is all set out in the Langoulant report, which the opposition quoted at length. I believe this will go on for a long time, unfortunately, and it will go up to the next election. We will ensure that the people of Western Australia are regularly reminded about the member for Bateman's behaviour, which he has not learnt from, and what he did to the state's finances.

MRS L.M. O'MALLEY (Bicton) [6.43 pm]: I rise to add my contribution to the debate on this motion. I begin by saying that I will not take interjections.

I am appalled at the attack by the Leader of the Opposition on an organisation that I am personally committed to and have been an active supporter of for several years. Men's sheds play a vital role in supporting the mental health of men by providing a place to come together, overcoming in many cases social isolation, to work on worthwhile projects that support the local community. I am a proud supporter and long-time advocate for the Bicton Men's Shed. I have been involved with the Bicton Men's Shed since 2012 in various capacities, including as manager of Palmyra Western Farmers Market, where its members often came for fundraising opportunities, and as coordinator of the Palmyra Together community newsletter in which I wrote at least two stories on the wonderful work the Bicton Men's Shed does. Also, when I was a local government councillor, I worked to help the shed, which needed to find a new home. I attempted several times to assist the Bicton Men's Shed in its communications with the City of Melville, seeking an alternative location, because one of the major challenges facing the men's shed is the need to relocate some time in the near future.

I would like to talk more about the Bicton Men's Shed and what it does. It works extensively with various community organisations. For example, one of its more recent activities was the building of bat boxes that are being used at Piney Lakes Reserve. It donated a movable chook tractor to Palmyra Primary School. That occurred a while ago now, possibly when I was P&C president at the Palmyra Primary School, another role I am incredibly proud to have held over the years. It engages with other local organisations and plays an active role in mentoring youth at risk. The men are always particularly welcoming when I come to visit them. Generally speaking, it is recommended that I arrive at around 10 o'clock because that is when the men stop for morning tea, and they always have some lovely scones and other things on hand.

I have spent a good deal of time over the years getting to know the members of the Bicton Men's Shed and learning about their successes and their challenges. It has been an honour to have supported them in branching out into metalwork with the Local Projects, Local Jobs initiative. To work in metalwork is a long-held desire of the members, which was hampered by their inability to fund the purchase of the necessary and much-wanted equipment. In particular, I would like to acknowledge and congratulate the past president, Trevor Taylor, and the current president, Bob Coventry, on their efforts for the members of the Bicton Men's Shed and the exceptional work they do in our local community.

I would also like to take this opportunity to bring some much-needed balance to this debate. I would like to share with members three election commitments made by the Liberal-National candidate for Bicton, Matt Taylor, as reported on his Facebook page. Posted on 2 March 2017, it stated that a re-elected Liberal government would contribute \$150 000 to a feasibility study for East Fremantle Football Club. Posted on 18 February —

Mr J.N. Carey: Where's the business case for that? Are we going to lodge a business case for this?

Mrs L.M. O'MALLEY: I am getting to that.

Several members interjected.

The ACTING SPEAKER: Members! The member for Bicton is on her feet.

Mrs L.M. O'MALLEY: I do believe I said at the start that I would not be taking interjections.

Mr A. Krsticevic: Tell the member for Perth.

Mrs L.M. O'MALLEY: Posted on 18 February —

Point of Order

Dr A.D. BUTI: Member for Carine, the member for Bicton is speaking. She is not asking for interjections. Can you please show her some respect?

Mr A. Krsticevic interjected.

Dr A.D. BUTI: I am talking about you, mate.

The ACTING SPEAKER (Ms S.E. Winton): Thank you, members. Let us hear —
Several members interjected.

Ms L. O'Malley interjected.

The ACTING SPEAKER: Thank you. Members, we do not have —

Debate Resumed

Mrs L.M. O'MALLEY: In a post on 18 February 2017 on that same Facebook page, it stated that a re-elected Liberal–National government would provide \$1 million to upgrade the Bicton foreshore. I note that this was not particularly well received by the residents who live in that area because there had been no consultation regarding that commitment.

In the *Melville Times* community newspaper of 16 February 2017, under the headline “Liberal Govt pledges \$10m to Melville SHS”, the lead line states —

THE Liberal Government has more than doubled WA Labor’s commitment to Melville Senior High School, pledging \$10 million for a new performing arts centre ...

Member for Perth, I now come to my questions: Where were the feasibility studies for these local commitments? Where were the business cases? What was the process behind these promises?

In closing, my commitment is to the people of the electorate of Bicton. The member for Bateman in his comments earlier seemed to have an expectation that I should look after the electorate of Bateman as well.

Several members interjected.

The ACTING SPEAKER: Members! Members on the government side, your fellow member is on her feet. Please give her the opportunity to conclude.

Mrs L.M. O'MALLEY: To conclude, I am very happy with what the Local Projects, Local Jobs program has delivered for the people of Bicton and so are the people.

MR R.R. WHITBY (Baldivis — Parliamentary Secretary) [6.50 pm]: The Minister for Corrective Services stole a lot of my thunder, but I guess this comes down to a very simple issue: we on this side are now being attacked for having excellent candidates who engaged their community, sought feedback from sporting clubs, schools and community organisations and sat down and spoke to those groups and asked what they were working for and what their aspirations were. They told them that maybe they could help; that is what happened. The flip side of that coin, of course, is the electorates where candidates did not do that. I think of the seat of Perth. I refer to a primary school in the electorate of Perth called Kyilla Primary School. Earlier tonight we heard a criticism from the opposition that that school got a Nature Play playground but one of the member for Churchlands’ primary schools missed out.

Mr S.K. L'Estrange: There was no criticism of the outcome. There was a criticism of why due process was not followed through the education department and to table the due process.

Mr R.R. WHITBY: At Kyilla, the Labor candidate promised —

Mr S.K. L'Estrange: I am not saying that Kyilla shouldn't have got anything. I am saying show us the policy, the framework, the processes and the business case for how you choose one school over another. That is all.

Mr R.R. WHITBY: If that is the case, we are still waiting to see the business case and the modelling and the explanation for the then Liberal member for Perth’s promise of a Nature Play facility for Kyilla Primary School.

Mr J.N. Carey: For \$100 000.

Mr R.R. WHITBY: Both the Labor candidate and the Liberal candidate made \$100 000 commitments. The Liberal candidate delivered no business case and no modelling.

Mr S.K. L'Estrange: Yes, but the money has been spent by this government.

Mr J.N. Carey: It’s different between Labor and Liberal.

Mr S.K. L'Estrange: You have got to back up your election commitments with a business case. You cannot write the cheque and not have a business case. That is a fundamental outcome and recommendation of the Langoulant report. Either you hold true to the Langoulant report that you commissioned or you do not.

Mr R.R. WHITBY: I am looking forward to the next election when every Liberal candidate will come to the government with their business cases for their local commitments. I am looking forward to the time when the Liberal candidates give the government of the day the permission to tick off or deny certain commitments. I am looking forward to that day, because that is what the opposition is saying should have occurred at the last election. It is absolute nonsense. If Liberal Party members want a Nature Play facility in their schools, I suggest they fight for it. They should make the case, engage the community and go to their party and seek funding support.

Mr S.K. L'Estrange interjected.

The ACTING SPEAKER: Member for Churchlands, I am really having a hard time listening to the member for Baldvis.

Mr R.R. WHITBY: It is up to individual members and candidates to do the very best they can for their community and, overwhelmingly, Labor candidates engaged their community and sought commitments that they could fund, and they are now delivering on those. If any member across the aisle is complaining about missing out, I suggest that they work harder and seek to engage with their stakeholders and go to their respective party and seek support for commitments locally.

We heard the member for Carine talk about the Riding for the Disabled Association of WA—a very good organisation. In fact, the difference between the member and I is that there is an organisation called the Riding for the Disabled Association in Peel, which is located near Baldvis, and I engaged that organisation, worked with it and managed to secure a commitment, and it is now being funded. I suggest that the next time the member for Carine is a candidate, he goes out there and does the same with the people in Carine.

Mr A. Krsticevic: I will be meeting the organisation with all the local members in the area because it services more than the electorate of Carine, and I am sure Labor members will be very supportive.

Mr R.R. WHITBY: Yes, member for Carine, and the Peel riding for the disabled group is located just outside the Baldvis electorate. It serves people in Rockingham, Kwinana, Warnbro and Baldvis and people from a wide area. The government made a fantastic commitment to that organisation. We know the value of the organisation and that is why I fought hard and sought a commitment, and why that commitment is being delivered now that the Labor Party is in government. My advice to the member for Carine is to represent his electorate, work hard and get a commitment next time.

Mr A. Krsticevic interjected.

Mr R.R. WHITBY: That is the answer for the member.

There are lots of good stories to tell from the Baldvis electorate. I could also mention the Baldvis Children's Forest, which is internationally recognised. It has an award from the United Nations for its work in environmentalism. The government has also supported that organisation. The Baldvis Brumbies is one of the great football clubs in the local competition in the southern corridor. It was the scene of a young Hayden Ballantyne and it feeds into the Peel Thunder Football Club. Such is the demand for football facilities in Baldvis that its main oval was in very poor condition. My colleague the member for Warnbro and I managed to get a commitment of money to pay for irrigation and resurfacing for the Baldvis Brumbies football club ground. The funding is being matched dollar for dollar by the City of Rockingham. In these ways, we are engaging with the community and we are leveraging taxpayer money with ratepayer money for good outcomes for the community. That is what happens when good members and good candidates do the work and get things delivered.

Can I make some comments about people across the chamber who have sought to denigrate John Langoulant for his inquiry. In my mind, John Langoulant is well known to many Western Australians. He has been a fixture —

Mr A. Krsticevic: People have not denigrated him; that's a misrepresentation.

Mr R.R. WHITBY: No; members opposite have accused this man of conducting a witch-hunt. They have undermined his findings. They have poured scorn on his report.

Mr A. Krsticevic interjected.

Mr R.R. WHITBY: This man was head of the Chamber of Commerce and Industry of Western Australia for nine years. He is also a former —

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine!

Mr R.R. WHITBY: He is also a former Under Treasurer of Western Australia. He has a lot of financial acumen and a lot of experience in the public service, and he should be respected. Because members opposite do not agree with the findings of his report—because the truth is so uncomfortable—they seek to denigrate the author of this report.

Mr A. Krsticevic interjected.

The ACTING SPEAKER (Ms S.E. Winton): Member for Carine, I call you to order for the second time.

Mr R.R. WHITBY: I would like to bring to the house a matter that was raised in an article that was published online some years ago when Mr John Langoulant retired from the Western Australian CCI. This is the man whom members opposite are undermining. This is the man whom members opposite have accused of leading a witch-hunt and being engaged in political motives.

Mr A. Krsticevic interjected.

Mr R.R. WHITBY: No, I am not. This is the man to whom members opposite have given a political motive.

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Members! Member for Carine!

Mr R.R. WHITBY: I will read out what used to be the view of John Langoulant within the Liberal Party. I go back to the time when he retired from the CCI. I quote the then Western Australian Leader of the Opposition, Paul Omodei, who stated —

... Mr Langoulant would be a welcome addition to the Liberal Party if he was to consider a career in politics in the future.

“Where there’s life there’s hope, you never know he may see the light yet,” Mr Omodei said.

“He would be an excellent addition to the Liberal Party team and there’s been some speculation about that but you never know, time will tell.”

Unfortunately, time did tell. Unfortunately, he did not make the move to the Liberal Party, because had he done so, we might not be debating his report about the incredible damage that the Liberal Party has done to this state.

Debate adjourned, pursuant to standing orders.

House adjourned at 7.00 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

MANDURAH POLICE STATION — POLICE GRADUATES**2442. Mr Z.R.F. Kirkup to the Minister for Police:**

Since 1 January 2017 have any police graduates been stationed out of Mandurah Police Station, and:

- (a) if so, how many graduates broken down by gender and ethnicity; and
- (b) if not, why not?

Mrs M.H. Roberts replied:

West Australian Police Force advise that there have been 18 Probationary Officers based at the Mandurah Police Station since 1 January 2017.

- (a) The gender breakdown for these officers is 11 female officers and 7 male officers. The provision of information relating to an employee's cultural background (ethnicity) can only be requested on a voluntary basis, therefore the Western Australian Police Force cannot provide this information.
- (b) Not Applicable.

POLICE — ADLER A110 SEVEN-SHOT SHOTGUNS**2455. Mr Z.R.F. Kirkup to the Minister for Police:**

(1) Have any Adler A110 seven-shot shotguns been confiscated by Western Australia Police, and:

- (a) if yes, how many?
- (2) Were any Adler A110 seven-shot shotguns handed in to Western Australia Police as part of the recent amnesty, and:
 - (a) if yes, how many?

Mrs M.H. Roberts replied:

- (1) As at 31 October 2017, the Western Australia Police Force have not identified any record of an A110 seven-shot shotguns being confiscated.
 - (a) Not applicable.
 - (2) No.
 - (a) Not applicable.
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