

APPROPRIATION (RECURRENT 2020–21) BILL 2020
APPROPRIATION (CAPITAL 2020–21) BILL 2020

Cognate Debate

Leave granted for the Appropriation (Recurrent 2020–21) Bill 2020 and the Appropriation (Capital 2020–21) Bill 2020 to be considered cognately.

Second Reading — Cognate Debate

Resumed from 3 November.

HON DR STEVE THOMAS (South West) [2.36 pm]: I do not intend to take a lot of the house's time; I just want to make a few points about the appropriations process. Members will be aware that any attempt to spend money on the government's behalf requires an appropriation bill approved by the Parliament. It is interesting to note that there are a fair few appropriation bills on the *Daily Notice Paper*. In fact, if we look at the appropriation bills that have been introduced but not debated to the point of assent, by my calculation we will see there are eight. We have the Appropriation (Capital 2010–11 to 2015–16) Supplementary Bill 2017 and the equivalent recurrent bill; there is also the Appropriation (Capital 2016–17) Supplementary Bill 2017, and the related recurrent bill. They were introduced on 13 September 2017 and 29 September 2017 respectively, so they have been sitting there for quite a long time, looking for an opportunity to be approved. The Appropriation (Capital 2017–18) Supplementary Bill 2018 and its equivalent recurrent bill were third read, but do not appear to have been assented to. Also, the Appropriation (Capital 2018–19) Supplementary Bill 2020 was introduced into this part of the Parliament on 11 March. Eight appropriation bills are sitting on the notice paper, as well as the two that we are here to briefly debate today—the Appropriation (Recurrent 2020–21) Bill 2020 and the Appropriation (Capital 2020–21) Bill 2020.

I would suggest that it would be useful to get some of those out of the way, but I suspect that we have again run out of time over a four-year period of government. Maybe we need to put a system in place under which, if bills have not been dealt with within a certain period, a bit like a disallowance motion, we have to then somehow get the appropriations. Some of these bills go back to 2010–11 expenditure, which is now effectively 10 years out of date. Members will be aware that governments are sometimes required to spend money that is not in a budget bill or an initial appropriation because something comes along, like COVID-19 or an election, and the government needs to spend a bit more money; we all get that. I am absolutely fine with that. But these bills then need to be debated and approved at some point, and I think waiting 10 years is a little slack, to be honest. I would have thought that the government might have made a bit bigger effort to get some of these appropriation bills off the notice paper. I just make that point. Maybe a number of them could be dealt with concurrently. I suspect that if the eight capital and recurrent bills were rolled into one bill, we could all do one good budget speech on the eight bills and get them out of the way. That is a helpful hint as we come to the end of this Parliament. Putting them all together and giving us all one opportunity to say a few things about appropriations would be useful. That is a helpful tip, because as part of the opposition, we are here to help. I think that would be a great thing to do to get these bills out of the way.

I want to make a couple of comments on the existing bills and the process we have gone through to get here. I will reinforce a point that we might call my PFAS of 2020—that is, a demonstration of the iron ore price in Western Australia and how it has impacted on the state budget. I was very pleased to get an answer on 3 November, not that long ago, to a question I have been asking for 18 months. Initially, I sought the government's projection of the iron ore price for the budget. For the last 12 months, I have sought, effectively, what the impact has been historically. Every time in response I have been asked to wait for the next tabling of a document, be it a budget paper or a midyear review, and the government has not come up with the answer. Very rarely do we get an answer saying, "This was the budget. This is what we budgeted for and this is what we got." I was very pleased to get this answer from the Minister for Environment representing the Treasurer. Perhaps as the Treasurer re-announced his retirement, he finally gave in and decided to give us a bit of information. We finally have this answer of 3 November, a couple of weeks ago. In 2018–19, iron ore royalties were \$1.722 billion higher than the budget expectation. In 2019–20, they were \$2.199 billion higher than the budget expectation. That is just about \$4 billion higher than the budget expectation.

I note that in February 2019, I asked what would happen to the state budget if the iron ore price remained above \$US90 a tonne, as it has done ever since, not quite universally. I noted today—it should probably be noted for the record—that the current price is a bit over \$US123 a tonne, well ahead of the \$US96 a tonne in the current budget. The price per tonne of \$US96 plus \$US27 is an additional \$US83 million to \$US85 million a tonne, but let us round that down to being an additional \$US80 million a tonne. That is another couple of billion dollars over this financial year, so the government's finances are already \$1 billion up pretty much since the beginning of the new financial year 2020–21. The government's finances are therefore \$5 billion above budget over the last three years, and guess what? The government's COVID response package is \$5.5 billion and the price of iron ore today is \$US123 a tonne, and it is unlikely to go down to the estimate of \$US96 a tonne any time soon. Two major forecasting

houses have put the price at \$US110 and \$US105 a tonne. This government's entire COVID response will be paid for in higher iron ore royalties.

Good luck to the government and good luck to the departing Treasurer. Sometimes governments get to take advantage of these windfalls when they come, but a little bit of honesty in the process would have been very, very good. It would have been nice if the government had said, "Guess what? We did well because a dam burst in Brazil and that pushed up the iron ore price. In response to its COVID crisis, China spent more money stimulating its economy and producing more steel and that pushed up the iron ore price." The alternative markets will eventually drive down the iron ore price to where it has traditionally sat, which is probably in the \$US60 a tonne region. In my view, that will probably come in in about 12 months, as other sources come on. At that time it is reasonable to think that it will all go back to normal. The government is right: it should budget low and reap the rewards if they are high, but the government should be honest and say, "It is not budget management that has given us a surplus these financial years, it is not because we are good financial managers, but it is because we have been lucky. We received a floor price in the GST that gave us a million and a half dollars a year for a couple of years and we received iron ore royalties at over \$2 billion in excess of what we budgeted for." Guess what? That has given this government budget surpluses to play with, and it should be thankful, rather than suggesting that this is some plan. I do not think this government planned for a dam bursting in Brazil—although I hope this government planned for a dam!—so I do not think it can claim credit for it and I do not think it can claim credit for China's economic response. I just make that point. It is nice to have the numbers out there. I appreciate the honesty of the Treasurer in providing those numbers. It took me almost 18 months to get that level of commitment out of him, but I am very pleased that we can now acknowledge the true reason that the McGowan government's economic management has looked good.

Before I sit down, I would just like to make one other point, which is, in my view, very, very careful budget manipulation. It is obvious to all who read pages 238 and 239 of budget paper No 3 of the *Western Australia State Budget 2020–21* that the government has shifted a significant amount of revenue from 2019–20 to 2020–21. We found out through budget estimates that this government gave an edict to all government trading enterprises that it would hold the vast majority of the dividends, which they generally pay to government, from 2019–20 to 2020–21. What difference did that make? Let us just run through it. In 2018–19, the total dividend from GTEs was \$1.95 billion, in 2019–20 it dropped significantly because of that edict to \$1.1 billion, in 2020–21, the current budget year, it is \$3.677 billion, before it drops to \$2.1 billion, \$2.2 billion and \$2.2 billion. The government receives roughly \$2 billion. It has effectively taken \$1 billion out of 2019–20 and shovelled it into 2020–21, and with a bit of manipulation added \$1 billion into that year. The year 2020–21 does very well. At \$3.677 billion, it is \$1.68 billion above the average of GTE revenue. That is very interesting when we consider the total budget. According to the budget papers, the actual budget surplus was \$1.6 billion-odd in terms of its operating statement—that is, its accrual accounting system—and the estimated budget for 2020–21 is \$1.2 billion. It has received at least \$1.1 billion and potentially up to \$1.6 billion in a handover from 2019–20 to 2020–21. If things had gone as they normally did, there would have been a significant budget surplus of nearly \$3 billion in 2019–20 and a budget deficit in 2020–21, which I would imagine was not the position that the McGowan government wanted to take into the election. I do not imagine the government wanted to suggest that there was a budget deficit this year, so it very cautiously transferred it over. In budget estimates, I asked whether the money would be sitting in a GTE bank account versus the consolidated fund and whether there was a reason that it might be better off there. The GTEs all receive their revenue through the financial year and then they make two payments generally. They make a preliminary payment, if you will, and then over the next financial year they make a final payment, but the money is generally sitting in the account. This has happened for many years. Is there a difference in the interest that might be earned in the GTE versus the consolidated fund? The answer is no. There is no advantage in sitting that money in the GTE fund. When I raised this with the Treasury officers during the estimates hearing, the answer was that they were concerned about the impact it might have on loans. Unfortunately, the transcript of the estimates hearing is not online yet, so I cannot give members exact quotes from it, but I will go through it in some detail to work out whether that is a real concern. When there is extra money in the bank and it is simply being transferred from the government trading enterprise savings account to the consolidated account, it is really hard to see why that impacts on the loan capacity of the state. I suspect it might be one of those very good answers that Treasury is required to give. As acknowledged by Treasury, it is government policy to hold this money over from one financial year to the next in the GTE account until it goes into the consolidated fund. In my view, it is absolutely the case that without that, the government would have gone into deficit in 2020–21.

It will also be interesting to look at the cash budget in the budget papers, as much as it is the accrual budget. As I have said, the accrual budget suggested a surplus of \$1.67 billion in 2019–20, \$1.2 billion in 2020–21, which would have disappeared, and then down to \$360 million in the year after, before some degree of recovery. However, the cash flow statement is a little different. The cash flow statement has a surplus of \$402 million in 2020–21 before going into a deficit of \$429 million in 2021–22, so that is even tighter. It would have demonstrated that the government was dealing with a genuine budget deficit in 2020–21, the election year, and I do not think it was convenient for the government to be in that position. That is why I think there has been a fairly careful manipulation to make sure

that those numbers come in at the right time for the government's convenience. I do not think it is anything apart from political expediency, but I will look carefully at the Treasury answers to work out whether there is a genuine problem with the loans that might be taken out and whether a simple transfer of cash from the GTE account under the auspices of government to the consolidated account, which is a government account, would have had any significant impact. I think that will be very interesting.

The last thing I want to say is about the estimates process itself. I make the suggestion that I have made a number of times in this chamber: the Standing Committee on Estimates and Financial Operations should call in government departments as frequently as possible to appear at its sitting week meetings and allow other members of the house to have greater access during the week-long estimates committee hearings. This is what happens much more obviously in the Senate. At Senate hearings, departments, departmental heads and ministers are called in regularly and some of the senators on both sides of politics do an absolutely forensic job. Those committee hearings are absolutely when oppositions cut their teeth on good estimates process. It would be worth a future Parliament looking at a different process so that government departments could be dragged in far more regularly and be subject to the scrutiny of the committee. That would leave the estimates process available to all other members. I understand the difficulty of the estimates process, as there might be eight members in the room with departmental officers who are there for one hour.

The Chair of the Standing Committee on Estimates and Financial Operations is generally extremely generous with my time, so I certainly do not cast any aspersions on the management of the committee. I think the chair and occasionally the acting chair are immensely tolerant of my actions and activities during the estimates process, so it is not a criticism of the way it is chaired. However, I understand the problem when there are eight members who are each seeking to run a line of investigation, and the first four of those are committee members. I think they should be given an alternative opportunity, separate from the opportunity given to other members of the house. Potentially, that would be more work for the Standing Committee on Estimates and Financial Operations. If I am lucky enough to be back in the next Parliament, maybe I will put my hand up to sit on that committee. I will have to try to roll Hon Tjorn Sibma, who is a formidable member! We will have to see where that one ends up. It would be a far better way for this Parliament to operate, even though it requires greater work, because it would allow more members off the floor, including Labor members, who could then be encouraged to write their own questions, which would be an excellent suggestion!

I will divert for one minute. When I sat in the house that shall not be named during the Gallop–Carpenter governments, it was not uncommon for members of the opposition and government backbenchers to conspire to ask questions of ministers and parliamentary secretaries whom they did not like very much. I remember when the Parliamentary Secretary to the Minister for Agriculture and Food—I think Hon Kim Chance was the minister at the time—was forced to try to answer a question on brucellosis in sheep; something he had absolutely no idea about, having never palpated the appropriate part of a sheep! It gave us a great deal of humour at the time.

It would be an opportunity for backbench government members to have greater access to the estimates process and it would give others who are not committee members greater access to the committee process. I know that I have made that suggestion before. It probably will not be taken up, but I take the opportunity to make it one more time because occasionally people can be nagged into things! With that, the appropriations process in this particular leap year, from my perspective, will be finalised.

HON COLIN TINCKNELL (South West) [2.56 pm]: I take the opportunity today to talk about the Appropriation (Recurrent 2020–21) Bill 2020 and the Appropriation (Capital 2020–21) Bill 2020 and also to make what is commonly known as a budget-in-reply speech. Up until this stage, I have not had the opportunity to do that.

Hon Dr Steve Thomas made some very interesting comments about where the budget lies and where it ended up, considering the iron ore figures, the GST and many other items. I was a little disappointed in this year's budget. We had to wait a while for this budget to come out and I was expecting the battle-weary citizens of Western Australia to be given something a little more uplifting, something that they could really clutch in their hands and take advantage of. I did not think this budget had the imagination it needed. It did not have the vision. There was a lack of hope and inspiration, especially for strugglers. They are the areas in which I think the government failed. I understand that leading up to an election, the government wanted to hold the fort and keep things as best as possible. However, I think it has missed an opportunity. The government had time to really construct this budget and make it something that a lot of battle-weary and struggling citizens of Western Australia could really get their teeth into.

Looking at some of the announcements that have been made and some of the things that happened during the budget, a lot of these things had been announced beforehand. There were not a lot of new things in this budget. If they had not been announced, they were already on the books. That is understandable for a government that is seeking re-election. However, doing that provided a bit of wriggle room for pork-barrelling before an election. That is the way I see it. As far as I am concerned, that is the way the government has operated. This is one of the reasons that a committee that I was on recommended a certain avenue to look at election promises, especially after we inquired

into the Local Projects, Local Jobs program. Obviously, we believe that things could have been done a lot more professionally and planned better. When we look at the way the Local Projects, Local Jobs program was presented, we can see that it just does not pass the pub test; it really does not. There are many recommendations—I believe, 32—that call for a parliamentary budget office. I am hoping that either this government or an alternative government, in its wisdom, will seriously look at that. It would also be a very worthwhile resource to the whole house and for members who want to cost their policies. I think that would help not only the government or an alternative government, but also the crossbenchers, and I think there would be a lot more honesty in the way we go about those things.

To me, a few things in the budget are crippling. We still have a lot of unemployment in Western Australia. There was an opportunity in this budget to help make the jump and provide a lot more, larger infrastructure projects that would have taken it to the next stage. A lot of these projects have been announced, but they have not commenced, and that is the problem; there are plenty of announcements, but not as much action.

I also want to mention that the charges that were laid upon the public when this government first came into power back in 2017 were crippling. I mentioned this at the start. They were crippling to Joe average out there, who has to pay these fees and charges. Yes, the state was already in debt and yes it was struggling, but so were the people; not just the government and the Treasury coffers—the people were struggling as well. Electricity prices in 2017–18 went up by 10.9 per cent and a further seven per cent the year after in 2018–19, water went up by 5.5 per cent, gas by 1.9 per cent, public transport by 2.1 per cent, registrations by five per cent and the emergency services levy by 10 per cent. It is no wonder the government decided to not add any increases this year leading into the election. The government had already taken the money off the public. It would have been nice to have seen some cuts, not just hold it as it is, because that would have made a big difference to the members of the public who are struggling out there. Many people who are on the dole, JobSeeker or JobKeeper are nervous right now because they know that the federal government is trimming back on these things. There is no endless pot of money, and it cannot continue forever, but where are the jobs coming from? That is what people will be thinking about in the coming months.

I also want to mention the increase in the hardship utility grant scheme. I brought this up over the last three and a half or four years in Parliament. I would not have expected the government to make it harder for people to get HUGS, but it did. The government actually made the criteria harder for people to qualify for that payment. I think that lacks compassion and is very tough on the general public. Only \$5.47 million of the \$30 million allocated to the residential rent relief grant scheme was used, and only around half of those who applied for it were successful. Once again, it looks as though it was too hard to qualify for that payment when we think about the \$30 million that was allocated in the time of a pandemic. I expected the government to make it easier to access that funding.

Western Australians should be thanking the federal government for keeping things afloat financially in this state while the borders have been closed. I am not a fan of this federal government, but that is one move that it has done well. If that had not happened, I hate to think where we would be now. The McGowan government is riding high on its popularity. As I and most members on this side of the chamber have mentioned before in this house, the government did a good job of closing down the borders when it was needed. It did a good job getting the facilities and all the materials required for this pandemic and supporting the medical fraternity, and we applaud it for that. We made sure that the emergency bills were passed in this chamber. When the people of Western Australia look at the emergency bills that were passed, they should thank Parliament, as well as the government, for making the process easy and ensuring the bills were passed in enough time to be successful and to work for this government.

Mr Deputy President, I want to look at some of the areas where the government has done well and some where I think it has maybe failed. I will start with the foreign buyers' tax. The government brought in a seven per cent foreign buyers' tax. I would have liked to have seen a foreign buyers' tax somewhere in the region of 15 or 20 per cent, which is something we took to the last election, but I applaud the government for doing that. I am very, very happy that the government brought that in. I know other members of this house on this side of the chamber do not agree with that, but I think it was a good move.

When we look at the stimulus for homes and other building, we see that some of it has caused more difficulty. The government has provided stimulus for the building and construction industry in some of the wrong areas. Simply providing stimulus so that development companies can build new apartments in a market already flooded with apartments is not the right way to go about it. Also, apartments are not homes. Young Western Australians need homes that they can live in and bring up their family in. Yes, we are a modern Australia now and maybe the old quarter-acre block is no longer the ideal, but from what I have seen for people planning a family that is still possibly the best thing we have going for us in Australia. When we travel the world, we see that people are compacted, big cities are overcrowded and playing spaces and parks, especially formal sporting arenas and that, are limited and access to them costs a lot of money. Over the last 30, 40 or 50 years, people have been lucky to be brought up on a quarter-acre block with a football ground or school oval down the road, but that is becoming less and less available in the far northern and far southern suburbs. That wonderful family home is still very important to Western Australians.

The other issue I want to look at is stamp duty for retirees. This government missed an opportunity here. The Parliament decided 17–10, with every party except the Labor Party voting to reduce stamp duty for retirees. That would have been a real bonus for the people of Western Australia. It would have freed up family homes closer to the city, not 100 or 150 kilometres away. Obviously every time our city grows, the infrastructure needed and the cost to the taxpayer grows. There is the cost of transport and building schools and hospitals in areas where it can take an hour and a half to two hours for people to get to work. A person may get a job in the suburbs, but when they move on and their employment changes, which is common in today's society, they probably cannot get themselves to Perth because of the travelling distance. I think it would have allowed seniors to centralise and get themselves closer to facilities, and it would have stimulated a house sale. There would have been a house sale, so the purchasers would have been charged stamp duty. Despite agreeing with the concept, the Labor Party was the only party that did not support the motion, as I mentioned. All other—I think six—parties in this house supported the motion. Retirees have been around for a long time, and it is a great thing, even for those who have some wealth, when they can sell their home because it has become too large and too hard for them to maintain because that helps them to finance their retirement and, in turn, they become less of a burden on the taxpayer. That was a missed opportunity for this government.

Another missed opportunity was payroll tax. It was not completely missed because the government did lower the payroll tax threshold. One of the first meetings that One Nation members had with the Premier about three and a half years ago was about payroll tax. The Premier's eyes lit up when we raised the issue. We could see that he wanted to lower payroll tax. I have also spoke to the Treasurer about this in the past. He said that payroll tax is the biggest tax the government receives and he was looking at ways to reduce the threshold on payroll tax. Payroll tax is a tax on employment; we already have high unemployment. Payroll tax makes it especially hard for small businesses to employ extra people. Given the pandemic and what the world, this country and this state have been through, more could be done. When all is said and done, our party policy is to demolish and get rid of payroll tax, but we understand that that may need to be done in incremental stages. That area was also a lost opportunity for the government. Small businesses should never be asked to pay payroll tax. It is a very negative thing for those who own restaurants or recruitment agencies and it costs people jobs. We pay for those people on the dole or for other services so would it not be better to have them working and paying income tax to the government? In August 2018, we moved a motion in the house to reduce the rate and increase the threshold. The government did that, as I mentioned before, but it brought that measure in a year later. We would have liked the threshold to have been higher, but the government raised it, and I thank it for that.

The government has completely failed in the next area. It is a tough area; I am not saying that it is easy. I do not think that any government in Australia, let alone in Western Australia, has got this covered. All sides of Parliament need to work together on the issues of social housing and homelessness. I will talk about social housing first.

The availability of social housing has been reduced. I cannot believe that since coming to power four years ago, the Labor government has reduced the number of social homes that are available to the public. That does not make sense when social housing is one of its core issues. The government has made many announcements about social housing. About this time last year—a little bit later; it was December—the government announced its Housing First policy, which I had been banging on about three years before. It was a massive announcement. I was very pleased to hear about it, but it has not happened. It has been 12 months since the announcement but nothing has happened. The only excuse I have heard from the Minister for Housing and others is that COVID came along. Surely, given the pandemic, more needed to be done, not less. Housing First should have been rolled out and the government should have allocated it more money. The program works all around the world and has a proven 50 per cent success rate. It is run in Newcastle, the United States of America and Europe. It has been announced in Western Australia, but it is not happening, and that is very disappointing. There has been the expenditure of \$13.8 million on 32 apartments. I wonder where the money is coming from. It looks as though those apartments will not be used for social housing. I hope they are, because we desperately need them. If they are not, once again, that is pretty poor form on behalf of the government.

As I mentioned before, a lot of people out there are struggling. They were struggling when this government came into power and they are still struggling now. There should be a lot more social housing. There are more than 1 100 fewer dwellings and social housing stock today than when the government came into office. Another fact is that the government made a fanfare of building 250 homes and refurbishing another 1 500 dwellings, meanwhile closing 1 600 dwellings. The government is treading water and going nowhere. That is very disappointing. People out there are suffering.

I have talked about homelessness a bit. Homelessness figures have gone from 7 000 to 8 000 over the last few years up to 9 000 and growing. I know this is an issue that the Lord Mayor wants to talk about, but this is not about getting elected. Great societies always look after their most vulnerable people, and we are not a great society until we can achieve that and be better at what we do. Once again, it is a very difficult issue and I would say to the government to continue to work hard in this area and get the Housing First program going; it is an action that works that has

been proven to work. It is a really tough issue. We have been looking for years to find a program that works and this is one that works. I have seen the government demolish temporary shelters in Bunbury, and that is fine because those shelters were not great, but there was nothing ready to replace it. Therefore, once again, more people are on the street. That is the only real action that I have seen over the last few months—plenty of announcements; not enough action.

The government has done a bit recently regarding drugs and rehabilitation, but I think it got off to a very slow start. One of the areas that we can all hang our heads in shame over is the state of drug use in WA. Drug use rates in this state are abysmal. We are one of the worst areas in the world, especially the western world, for drug use. This state leads Australia, and the area that I am a member for, the South West Region, leads Western Australia, so I have been banging on about this issue for three and a half years and I have not seen enough action. I have seen plenty of announcements on meth—arrests and things like that—and meth use has gone down a little, which is great. Of all the drugs, meth is the worst. It is a complete family destroyer and one of the reasons that crime and violence is so prevalent in our society. It is an area in which we must keep up the work. It does not matter who wins power in the election, we need to get better in this area. I have seen the rise of cocaine use by 150 per cent. I have said this before and these are the facts: MDMA use is up 85 per cent and heroin use is up 75 per cent. There are areas that are good and there are areas that are very poor, and the government has progressed very slowly. It started late in this area.

I look at drug offence statistics. Police stats have drug offences down 13.8 per cent. That reads great on paper, but consumption is up. It does not correlate to me. Something is going on with those figures. I do not know how figures on this are manipulated, but it just does not make sense to me.

I support our WA Police Force. It has had a tough time. It will now be given 800 coppers over the next four years to help on the beats, and that is a good thing. But, gee, talk about getting onto that late! For four years now, the police have been struggling against high drug use, high violence and homelessness. There was so much going on, yet its policing numbers were reduced and reduced. The police were then asked to help out with COVID, which took other coppers off the beat. Those policemen have done a fantastic job in responding to COVID. At the last estimates hearing, I thanked the police for the job that they have done on that. I take my hat off to the policemen of Western Australia and the leadership of the Western Australia Police Force. I hope this government follows through on the announcements that it has made, because a bit of follow-through has been missing in the last four years.

I want to quote the Penington Institute's "Australia's Annual Overdose Report 2020". It is the country's most comprehensive source of data about drug-related deaths and it has shown that Western Australians continue to die from overdose at higher rates than residents of any other state or territory. This report also reveals that for the first time on record, Western Australia has the highest rate of heroin-induced overdose per capita. It has just overtaken Victoria. That is not a great first for us. As I said, I know it is hard to tackle drugs—it has been an issue for the world for the last 40 or 50 years—but we have to keep working very hard. Part of that would have been having more coppers on the beat earlier. As I mentioned before, One Nation went to the election asking for a thousand police officers. The government will put on 800. It did a few announcements before that, so, in the end, it will put on that thousand, but it will do it at the end of its term and over the next four years. That was something the government should have done at the start of its term. As I said, coppers have been fighting a losing battle in many areas and they have done it tough.

I also heard an announcement just yesterday about a comprehensive program to look after policemen and officers who succumb to injury or mental issues. I do not know any details of that—I read about it only yesterday—but it is good to see. I think that has been wanted for about 30 years. People say that coppers chose wages and whatever. Once again, they are in an exceptionally dangerous position. They do jobs that no-one else wants to do. We need to support them fully and not play around with things.

We also called for 24-hour police stations. I think there needs to be more funding in that area. The estimates hearings last week really highlighted to me that we do not do the changeover well. There are many good operators in Communities, for instance, who deal with at-risk youth, but come Friday, the workers are off for the weekend. The at-risk youth are still out there and the coppers have to try to take over, with very little knowledge of what has happened in the past. When there are not enough police and violence and drugs are involved, it is very, very hard. I think the police do a fantastic job, but 24-hour police stations would enable them to handle that situation a lot better than it has been handled recently. One Nation also called for better resources and accommodation for our police in the regions. I think things are getting better in that area, but it has been lacking over the last four years.

On health matters, if we go back to the debate on the voluntary assisted dying legislation, many members of this house, on all sides of Parliament, talked about palliative care and the lack of it in regional areas. I really do hope that the government honours the commitment it made during the debate on the 57 amendments to that bill that we passed in this house. Those amendments made that bill safer. It could have been a lot safer had another five or six been passed, but they were defeated by one vote. They would have made that bill even better, but they did not get through. I really hope the government takes up the initiative on palliative care in the regions, not just because

of VAD, but also for many other reasons. We have a long way to go. We cannot use the fact that we are in a big state. Western Australia has been a big state forever. Most of the money, resources and funding for all these things comes from the country. We should return it to those people because they are just as important as anyone in Floreat or Cloverdale.

I have not seen much action on the medihotels. I believe that construction on the first medihotel in Murdoch is yet to even start. The project is more than a year behind now. It was a big announcement at the last election.

We have had ambulance ramping at hospitals in the middle of a pandemic. That is a bit scary! I would hate to see what would happen if we were to have another breakout of COVID-19. Our hospitals are already under pressure and there are no real numbers in the pandemic. I would like to see improvements in that.

As I said, in the lead-up to the 2017 election, the Labor Party published a glossy brochure in which it touted its plan to introduce urgent care clinics to reduce pressure on our hospital emergency departments. These were supposed to adopt the St John Ambulance urgent care clinic model; yet, to date, as far as I know, all we have seen has been a trial. I would like to see more done on that. St John Ambulance figures reveal that there has been major ramping and that patients are waiting up to 30 minutes before being handed over to the emergency department. That increased across the metropolitan hospital system to a record of 3 704 hours in September—I was going to make my budget speech in October. They are not good figures. The government should be putting in more resources, and it should have done it in the last budget.

Infrastructure and transport—wow!—do we have some disagreement on this. I have talked about the need to put more rail lines in certain areas. That would not only save lives on the road, it would also, I believe, make transport so much more efficient, especially in certain areas, if we could just get some trucks off the road. We have had an awful week. In the last week, a couple of people have been lost at sea, there has been a shark attack, and five people have died on our roads in the south west region. I am not saying that bad roads are the cause of those accidents. Some of them could be, but I have talked about the wheatbelt having the worst record for road deaths per head of population of just about anywhere in the world. That is not something to be proud of and we need to do more. We need to get those massive trucks off some roads—some are still needed. But if we are going to leave them out there, the roads need to be fixed so that those roads can handle the big trucks. Many regional roads in the wheatbelt cannot handle those trucks. That is a fact.

There has been a cost blowout on Metronet yet not a single centimetre of rail has been laid. Gee! When I first heard Mr Gallop and the Labor government talking about Metronet I had not even thought about running for Parliament. After four years, this government has done nothing, but the costs have gone up. If the government is having problems in this area, it needs to be honest. It needs to state the facts and get on with business even if that means spending spend more money to get the job done. Everyone knows that this was the Labor Party's signature policy at the last election—it has been a signature policy for 12 years, maybe longer. It is not good to see budget increases when not one line has been set down. So far, almost all Metronet projects have missed every major milestone.

The government has abandoned Roe 8 but is still buying property for it. A lot of the funding for Roe 8 came from the federal government. In the region of 10 000 jobs could be created if Roe 9 were built. We are coming out of a pandemic, hopefully—let us hope that we do not bounce back into one. There is an opportunity now for the government to create more jobs. As a person who uses that road three to six times a week, it is a nightmare. I am not talking about just that road; I mean that all the roads in that district, including Leach Highway and Roe Highway, can be a nightmare because of the bank-up of trucks. That problem needs to be sorted out. The outer harbour needs to be built. Most of the money for the project will come from the federal government. It would be a fantastic development, alleviating the chaos and the traffic mayhem in the southern suburbs. The government wants to build the outer harbour. That is fine. It could be built in 30 or 40 years when it is needed. That does not change anything about Roe 8 and Roe 9. They are needed now because we have chaos on the roads in the southern suburbs.

I want to quickly look at a few things related to education. Early in the piece, I believe that the Minister for Education and Training got off to a bad start when she made some announcements that were not well thought out. That has now gone; it has passed. In the past three or four years, it has been smoother sailing, but some schools have done it pretty tough. Derby District High School was forgotten about for a while. It has wobbling old asbestos walls and scary toilets—I think there are only two in the whole school. Eighty-five per cent of the students at that school are Indigenous, which is the highest proportion of Indigenous students in any school in WA. Things have to get done in that area. Once again, removing asbestos is difficult, but the government needs to get on with the job. The Labor Party wanted to be the government. It has a responsibility to the Western Australian public, especially the school students. It should get the job done, make this school safe and ensure it looks after schools in regional areas. We got off to a bad start. We know about that. Plenty has been said about that. That has finished.

I want to conclude by talking about some of the ways in which this government and an alternative government have let us down over the last 30 to 40 years. They relate to areas that are important to One Nation. I would like to see

more money put aside for these areas in coming budgets. Unfortunately, not enough has been spent. As a matter of fact, the Water Corporation and other organisations have been saving money and not spending it in many areas when they really should have been. I would like to highlight some of those areas. Farmers in many areas are struggling. We know that the climate is drying at the moment. I do not know for how long it will stay dry. However, we need to do a lot more to capture water and help farmers go about their business and produce the fantastic crops that provide wealth for our state. Even in dry years, they still produce fantastic crops and support the mining industry, making this state and this country the great state and country that they are. At times, I do not think we are supporting them well enough. In certain areas, dams, weirs and standpipes need to be repaired, yet certain departments are returning money to government coffers and the job is not being done. That is very disappointing. Irrigation programs should be established in certain areas. The CSIRO has investigated the possibility of a weir system in the Fitzroy catchment. That would help irrigate the area and provide more employment for the locals in that area, especially the Indigenous people, who make up the majority of the population up that way. We are not talking about a dam; we are talking about retaining and using that water for the wealth of Western Australians and creating jobs for people who need jobs. Everyone knows how bad the social situation is in the Kimberley. This is a chance to make a difference.

Making government payments and giving people money is not the answer. It never has been and it never will be. We need to allow people to find independence and make the choices that most of us have been afforded by our parents, uncles and aunties, and contacts in high school and university. Many Indigenous people in the remote areas in the Kimberley do not have that opportunity and the jobs are very few and far between. Not everyone wants to be a ranger or a dot painter. We need to look at ways that we can provide those jobs. This is one way. Water is needed in the Kimberley. There is an industry there that wants to grow, but it is being hamstrung and held back. I have talked to the Minister for Regional Development many times about the salinity problem in Australia, and Western Australia in particular. As a member for the South West Region, which borders the Agricultural Region, salinity is a major issue for us. A lot of work needs to be done over the next 20 or 30 years. Salinity is another important issue that we often stay away from and do not get our teeth into. That is because we know that we will not be patted on the back for it at the next election. However, if we want the responsibility of government, we need to govern for all the people of Western Australia, not just those who vote for us. There are many experts on salinity. When I arrived in this Parliament three and a half years ago, I brought some of those experts to this Parliament and talked about it. I would like more respect to be paid to this issue. Those experts have some great ideas. It is not just one program; we will probably need three, four, five or six programs to solve the salinity problem in our state. That is a lost opportunity.

We also need to cut red tape. That is another lost opportunity. When One Nation first brought that issue to the attention of this house, we did not get support from anyone, other than a few crossbench members. We knew that what we were asking for was massive. We were probably asking for too much. However, we decided to go ahead anyway. We tried to negotiate with the parties about areas within which we could cut red tape, green tape or blue tape, whatever it is. However, no-one was willing to give an inch. Again, that is one of the things that gets put into the too-hard basket. We have just gone through a pandemic. A lot of businesses were shut down and not operating. That would have been the perfect time for this government to reduce red tape in this state. The government has missed an opportunity. The federal government has also missed an opportunity. The government had made some cuts. I know about streamlining. However, it has not gone far enough. I am not saying that the previous government did a good job in this area. In fact, that may be one of the reasons that we have so much red tape and green tape. The pandemic was an opportunity. This pandemic may be with us for many years to come; I hope not, but who knows? Red tape has been put into the too-hard basket. We need to put our heads down and work with business to reduce some of that red tape. Why would we want to do that? It is too expensive to do business in this state. Yes, the big mining companies can afford it. However, most small businesses cannot. Farmers cannot afford it either. We need to look at that and do more.

I want to finish by talking about the role that One Nation has played in this state. We were in the wilderness for 16 years. I remember the three guys who were in this place from 2001 to 2003. They voted against Clive Palmer having a state agreement with the Greens. Those members made some good decisions in this house. They were contributors to this house. I know that in working with my fellow colleague Hon Robin Scott, we have made some great decisions. We have made a positive effort to work with all parties and the government in this house. We have saved thousands of jobs through some of the hard decisions we have had to make. We led the fight on certain issues when other members of the conservative parties were a bit unsure about which way to go. I think about the gold tax. Hon Robin Scott led the fight on that. He did that because he was worried—not about the goldminers, but about the employees of those goldminers. At that time, Western Australia had 19 goldmines, and 11 of those were marginal. In the region of 3 000 or 4 000 people would have lost their jobs if the gold tax had gone through. At that stage, most of the money would have been gobbled by the eastern states in GST, anyway. That was a badly thought out bill. We opposed it. We asked the other conservatives to join our fight, and they did. I thank them for that.

I also want to talk about the lobster industry. It is going through another tough time because of what is going on with China. I will leave it up to the federal government and the Premier to continue to work together and not snipe against each other and to continue our relationship with China. We want to trade with China; One Nation wants to trade with China. We just want this country and this state to have options. We need to have more options so that we are not

blackmailed or bullied by China, as has been going on just recently. We need to be diligent in that way and we need to find alternatives. It is not just India; many nations have millions of people: Bangladesh, Vietnam, Malaysia, Thailand and Indonesia. They want our produce, too. It is about doing the hard work and making sure we have other options besides working with China, because that is not going to work. It will go on forever. It is not about to change its regime; its regime will be there for a long time. The Chinese people have an awful time with their government, and that is something that they will hopefully sort out in the coming years. We have seen what has happened in Hong Kong and the threats that Taiwan is under. Now China is mucking around with the South China Sea and threatening the Philippines and other countries—even Vietnam. We know that that is not going to go away. We do not need to go back to China and just cave in; we need to go back and work out how we can deal with it under our values. We should never, ever lower our values. If it does not want to do business with us under our values, we should already have done our homework and found other trading partners—alternatives to the Chinese. Yes, once again, that is hard work. It is not just the government; industry needs to get off its backside and look for alternatives.

I mentioned the lobster industry. Once again, a badly thought-out bill was put to this house, around Christmas time two years ago. I remember not spending much time with my family because I was spending most of my time up and down the northern coast, at the Abrolhos Islands, you name it. I went everywhere; I spoke to small operators and large operators and they all said that the consultation had been pretty similar to most consultation they had had with the Labor government. They said the government had said, “This, this, this—this is what we’re going to do”, and then it just left it and came back and announced things without any secondary follow-up. We spoke to the people at the highest levels of the industry and to the mum-and-dad operators, and they all said, “This is a bad bill. We’ve been through a tough time over many years, and we’ve fought tooth-and-nail to make this probably one of the most successful lobster industries in the world.” The industry is now going through another tough stage, but I know these guys, and they will get through this because they will look for alternative markets and they will find them. They may not be as lucrative as what they have now, but it will mean that they can continue to do business because they have worked hard to find alternatives. That was another bill that this government came up with, and luckily the conservatives on this side of the house got together and defeated it, which saved many jobs.

I turn now to general areas. I have heard many speeches from this side of the house and the other side about One Nation being racist, which is quite amazing when we think of the members of One Nation in this Parliament and the contributions they have made in all areas. I would say to those people, “You got it wrong. You are talking about a speech that was made 26 years ago.” People make mistakes; my federal leader made mistakes. She expressed her views, but these days she has learnt a lot. That is one of the reasons I came back into Parliament—because I saw growth in her and in the party, and I was proud to run as a leader and member of this party. Hon Robin Scott and I will always stand up for people less fortunate than us, whether they are Indigenous people or new immigrants into this country.

We have strong views about immigration and how it should be handled. We agree with immigration but we do not agree with the rate of immigration into this country. Why? It is because we put this country’s citizens first. Many citizens of this state and Australia miss out when money is being spent in other areas. Of course, millions of people are waiting in the wings in refugee camps for an opportunity to come to this country because it is one of the best or the best in the world. Boats arrive or people try to sneak in in other ways and certain sides of politics want to support them. Why would we want to support them? We want to support the people who have done it tough and are waiting in line for their opportunity to come to this country, New Zealand or other great western countries. They want to come because of our great rules, regulations and governance and because they can be free in this country to practise their own religion. However, they still need to obey the rules and regulations that have made this country great. That is all we stand for. How we can be called racist for that, I do not know. I think it is just a bit of politicking and people trying to throw stones, but it did not worry us; that is why I have left that issue till now. We are strong enough guys to stand up to that rubbish.

We know that we have created a party that will be better prepared at this coming election than we were for the last election. We had very little time to get our act together, but we still got three members elected. Close to a quarter of a million Western Australians decided that One Nation was a good bet. When they look at our performance over the last four years, they can be proud of what we have achieved in this house. One Nation would love to have members in the lower house. Maybe one day, future One Nation members will be there. It may happen this election. Everyone has wishes for high ideals, and we are no different.

I want to mention that I am very, very happy with what we have achieved in this house. It has been hard work. We have not opposed just the big bills. We spoke to the community resources centres. Members might remember the CRCs that were to have their funding cut or were to be done away with. The government changed its decision on that. Part of the reason for that was that members from One Nation spoke to each individual CRC, as especially I did in the south west. People from the CRCs said that they could not believe it because their communities did not have a bank or places such as libraries where people could go. They said that the CRCs were the lifeblood of their communities and they needed them to continue to exist. In a country town, young people would often get their

first-ever job at a CRC. It may be that because the farm is not doing too well, the farmer's wife needs two or three days' work at a CRC. That is where some jobs are, so it was very important that we supported them.

It goes on. I remember Hon Rick Mazza bringing forward a motion when I first sat in this Parliament. He had learnt from his previous four years that taxes alone were not the way to go. Even shires in country regions would have been negatively affected if they were charged for their road maintenance vehicles and that sort of thing. We defeated that with a disallowance motion. I and the other One Nation members were happy to support that disallowance motion.

The other members on the crossbench are not here, but I want to say thank you for working together. As I think most of us know, it is not easy for three or four parties to work together. I have worked for many years with the Nationals WA. Sometimes they have been in a coalition with the Liberal Party and sometimes in an alliance. Of course, the Greens and Labor possibly have more in common so they work reasonably closely, but there are differences. We need to be able compromise and work together. We have done that and we have worked hard to make this a better state.

I will finish my comments on these appropriation bills and say to all in this house and all party members, good luck in the election. We were not ready last time but we are ready this time.

HON NICK GOIRAN (South Metropolitan) [3.49 pm]: I rise to speak on this cognate debate on the Appropriation (Recurrent 2020–21) Bill 2020 and the Appropriation (Capital 2020–21) Bill 2020. This year, once again, an appropriation has been made, quite rightly, for the work of the Chief Health Officer. For those stakeholders and members of Western Australia who are unaware, it is the ordinary custom and practice of the Legislative Council for members to take note of the budget papers, which are tabled in this place at the same time that the budget bill is read in in the other place, and thereafter to consider these appropriation bills when they arrive in this place. Often, in the interim period, the Standing Committee on Estimates and Financial Operations facilitates a process that enables members to attend hearings with certain agencies found in the budget papers and ask questions. I have been on the record in previous years and, indeed, previous Parliaments as saying that with the process in this place we regrettably miss something that is available in the process of the other place insofar as we do not have the opportunity to ask questions of all the agencies that appear in the budget papers but only a select group. That said, one of the groups brought in during the estimates process last week was WA Health, and one of the witnesses was the Chief Health Officer, whose office receives a proportion of the recurrent funding paid by the taxpayers of Western Australia.

I find the estimates process invaluable, and this year was no exception. I draw to members' attention some stunning revelations that took place last week on 17 November, but by way of background, I remind members that as recently as Wednesday, 4 November this year, the Legislative Council made an order in these terms —

That Hon Sue Ellery, Leader of the Government in the Legislative Council, be ordered, and is hereby so ordered, to lay on the table of the house not later than seven days from the day on which this order is made, on behalf of the government of Western Australia, the information and documents described below, and that such documents be tabled without excision, alteration or defacement —

Copies of all communications between 13 October 2020 and 20 October 2020 inclusive, including but not limited to letters, emails, telephone notes, text messages and file notes between any of the following relating to advice or information on COVID-19 pandemic restrictions —

- (1) the Premier, Hon Mark McGowan, MLA;
- (2) any staff member of the Office of the Premier or Department of the Premier and Cabinet, including contract, temporary or seconded staff;
- (3) the Minister for Health, Hon Roger Cook, MLA;
- (4) any staff member of the Office of the Minister for Health or Department of Health, including contract, temporary or seconded staff;
- (5) the Chief Health Officer, Dr Andrew Robertson; and
- (6) any staff member of the Office of the Chief Medical Officer, including contract, temporary or seconded staff.

Again, by way of background, it is important to note that the motion was agreed to as amended, including it being narrowed in scope because of the protestations of the Leader of the House. Ironically, *Hansard* reflects the fact that the government opposed the amendment I moved to narrow the scope. We had the unedifying spectacle of the government protesting about how wide the scope was, and when I moved an amendment to narrow it, the government opposed it. It was quite stunning. Nevertheless, the vast majority of members of this place agreed to the motion, as amended—that is, a lawful order of the Legislative Council to the government's most senior member asking that certain documents be tabled within seven days. That is the background.

Seven days later, Hon Sue Ellery, the Leader of the Government in the Legislative Council, made a statement and tabled some documents. The Leader of the House's statement on 11 November, which in typed form is almost two pages in length, includes the following introductory remarks —

Further to the motion agreed to by the house on 4 November, ordering me to table various documents, I now table the following documents. These documents include all the advice received by the Chief Health Officer and his staff within the dates stipulated, with the exception of cabinet-in-confidence documents, duplications and documents prepared for national cabinet.

She then went on to make various other points and, effectively, further protestations about the scope of the motion and the order, despite the fact that the government opposed the amendment to narrow the scope.

That said, I now move to 17 November. We had an order of the Legislative Council. Again, for the people of Western Australia and those who are not keen observers of politics and our democratic system, it is important to underscore the fact that an order of the Legislative Council has the same significance and gravity as an order of a court of Western Australia. It is my contention that if Hon Sue Ellery were to receive an order from the Supreme Court of Western Australia, her heart rate would increase, and quite rightly so, as it would for any other reasonable Western Australian, because receiving an order of a court is a serious matter and it needs to be treated with the correct amount of respect and it needs to be complied with. That same level of seriousness applies to an order of the Legislative Council. It is fundamentally incorrect for anyone to think that an order of the Legislative Council somehow has lesser significance than an order of the court. That is how serious an order from this place is. It is not an option to decide whether to comply with it; there is a lawful obligation to comply with the order. That is the context.

As I say, the motion that was moved by my good friend Hon Peter Collier, the Leader of the Opposition, as amended by the house, required—in fact, ordered—the Leader of the House to provide certain documents, including all the communications between the Chief Health Officer and the office of the Premier and the office of the Minister for Health. It even specifies, without necessarily limiting the scope of those communications, things like telephone notes. In fact, the actual phrase is “telephone notes”, and it goes on to refer to file notes and the like. It is very specific. Anyone who is capable of reading the order—I know that the Leader of the House has a great enthusiasm for reading and encourages all members of this place to read documents—need understand only two words: telephone notes.

What happened last week, on 17 November? In fact, today is the one-week anniversary of the stunning revelations. The Standing Committee on Estimates and Financial Operations requested the attendance of WA Health. Various WA Health officers were in this chamber. I was also one of the members present. One of the officers who was present as a witness was the Chief Health Officer. Ironically, he was sitting in the very chair that is ordinarily occupied by the Leader of the House. What transpired on that day can be found in the uncorrected proof of that hearing; session 3 on 17 November 2020. One of the various questions that I asked was —

... why was no communication tabled between the Premier and the Chief Health Officer for the period 13 October to 20 October?

There was an interim response from Hon Alanna Clohesy, who was representing the government at that time. I will say this with respect to the honourable parliamentary secretary, and the record also reflects this: at least the honourable parliamentary secretary made some efforts during the course of the hearing to take advice and guidance from the expert witnesses who surrounded her. I compare and contrast that with the approach reflected on the record whenever the Leader of the House was in the estimates sessions last week. The Leader of the House took the complete opposite approach. Indeed, in my opinion, she took a very obstructive approach to the work of the committee. The parliamentary secretary at least sought guidance from the witnesses; in contrast, the Leader of the House's approach was explicitly not to seek advice and not to allow those other witnesses to provide evidence. That in itself is a conversation for another day and it is a flaw in our system when a minister of the Crown can block and obstruct the work of the estimates committee by simply refusing to allow another witness to provide evidence, and, worse still, to constructively refuse to answer the question themselves. Nevertheless, with all due respect to the honourable parliamentary secretary, she did make reasonable efforts to invite the Chief Health Officer to provide a response; quite rightly so and to her credit.

In response to my questions, the Chief Health Officer went on to say —

Through the parliamentary secretary, over that period, yes, there would have been a number of meetings that I attended with the Premier and provided updates at those meetings. Having seen this question being raised previously, I did not receive any correspondence from the Premier during that period, but there would have been meetings, as I have outlined.

I then asked —

So no correspondence between the Premier and the Chief Health Officer between the period 13 October and 20 October?

The honourable parliamentary secretary provided an interim response, and then we went to the Chief Health Officer, who said —

Through the parliamentary secretary, we have looked at what emails have been received during that period. I believe that they have come to the Legislative Council, but we have not been asked what correspondence I may have provided to the Premier or the minister during that period.

I then asked —

So you have only been asked to provide the emails that you received during that period of time; you have not been asked to provide correspondence that you have provided to the Premier during that period?

The honourable parliamentary secretary said —

I cannot actually recall the substance of the motion ...

I will pause there for a moment to simply remark that I find it odd that a senior member of the government cannot recall the substance of the motion, given how significant it was. It is exceptionally rare for the Legislative Council to order the government to provide documents of this sort, yet a senior government member has said that she cannot recall the substance of the motion. Nevertheless, the parliamentary secretary goes on to say —

and therefore the substance of what information was provided, because the information that was provided was a substantial amount.

I pause again to say that I have in my possession the documents that the parliamentary secretary refers to as a substantial amount. It is anything but a substantial amount. Nevertheless, that is my subjective opinion in contrast to her own. The honourable parliamentary secretary then says —

Let me see whether we have anything about that. We do not have that information with us, so we cannot give an accurate and reliable answer.

I said —

Parliamentary secretary, I think the Chief Health Officer knows what he has been asked and what he has not been asked. I am just clarifying the evidence that he has just provided to the committee. I understood him to indicate that he has provided documentation—being emails—that has been received by his office during the period 13 October to 20 October. That is not in dispute. The question I have is: has he been asked to provide communications—correspondence, emails—that he provided to the Premier’s office during that period of time?

The honourable parliamentary secretary did the right thing and asked the Chief Health Officer to respond, and he said —

Through the parliamentary secretary, I am not aware of being asked for that. As far as I am aware, the request was for information that I had received from the Premier and other parties, not for information I may have provided to those parties.

The Leader of the House, in her protestations to the motion moved by Hon Peter Collier, consistently tried to attack the opposition by saying that we were somehow impugning the integrity of the Chief Health Officer. As Hon Peter Collier said on that day, that was absolutely not the case. But for the purpose of this exercise, let us all join with the Leader of the House in being absolutely clear that the integrity of the Chief Health Officer cannot be impugned; therefore, the evidence that he has provided to the Standing Committee on Estimates and Financial Operations must be correct. The Chief Health Officer has obviously not lied on 17 November 2020. We will simply apply the standard that the Leader of the House requires us to comply with; that is, that the integrity of the Chief Health Officer must never be brought into doubt. We agree with the Leader of the House. Therefore, the evidence of 17 November 2020 stands. That means that you, Leader of the House, despite the fact that you are under a lawful order, have failed to seek the information from the Chief Health Officer despite what the Legislative Council ordered you to do. It cannot be both ways. Either the Chief Health Officer is a liar—we, the opposition, say that that is not in doubt; we absolutely support the evidence that he has provided and have every confidence that every word he uttered was correct—or the Leader of the House has fundamentally breached the order of the Legislative Council, and I would like the Leader of the House to provide an explanation. There is no point having the title “Leader of the House” when she is thumbing her nose at an order made by the house. It gets worse, because later in the hearings I asked —

... can the witness indicate whether there were any verbal communications between him and the Premier in that same period of time?

Again, there was a little interchange, and verbal jousting and dancing took place between me and the parliamentary secretary, which members can read another time, but, ultimately, it led to the Chief Health Officer saying —

As highlighted with the meetings during that period, there would have been discussions at those meetings. I would have to check the exact details of what documents or advice I provided.

I asked —

Chief Health Officer, is it normally your ordinary custom and practice to keep notes of conversations that you have with the Premier of Western Australia?

The transcript continues —

Dr ROBERTSON: Through the parliamentary secretary, I generally keep notes of all conversations that I have.

Hon NICK GOIRAN: Are they kept in the form of a diary or some other manifest?

Dr ROBERTSON: They are generally kept in the form of a diary.

Hon NICK GOIRAN: And you have not been asked by the government to provide copies of those diary notes?

Dr ROBERTSON: No, I have not.

I remind members that the order of the Legislative Council to the Leader of the House very specifically included telephone notes. The Chief Health Officer said that those telephone notes are contained in his diary. He said that he had not been asked by the government. Who in the government has the responsibility to ask him? Who is it? Somebody is responsible. The name of that person is Hon Sue Ellery. She is the Leader of the House and the person under lawful obligation to comply with the order. No doubt a senior minister with a large number of responsibilities will have other people to assist them in facilitating their lawful obligations, but, ultimately, the person with the responsibility for asking for this information is the Leader of the House, and the evidence from the Chief Health Officer is that that never happened.

I ask members to consider for a moment schedule 4 on page 140 of our standing orders, which, under the heading “Contempts of the Council”, lists the criteria to be taken into account when determining matters relating to contempt. In particular, example 9, “Disobedience of Orders”, reads —

A person shall not, without reasonable excuse, disobey a lawful order of the Council or of a Committee.

It is not in doubt that the Leader of the House has disobeyed an order of this place. That is not in doubt. It might be available to the Leader of the House to argue a defence of reasonable excuse. I would like somebody to explain to me, Mr Acting President, how it can be a reasonable excuse for the Leader of the House to fail to ask the Chief Health Officer for information—never asked him. Either that or he is a liar. We know that the Leader of the House does not think he is a liar; in fact, she said that his integrity is beyond reproach. I am paraphrasing her, but I understand that is the Leader of the House’s view, which is shared by the opposition. He says that he was never asked for this information—that being the likes of telephone notes and the information that he provided to the Premier’s office and to the Minister for Health. He was never asked by the government.

Is that the standard members are prepared to accept? As I said earlier, if the Leader of the House or any other Western Australian received an order of the court—let us use the Supreme Court as an example—they would take it very seriously and not thumb their nose at the authority of the Supreme Court. That same standard applies to the Legislative Council. It is utterly unacceptable for the Leader of the House—the most senior member of the McGowan government in this place—to disobey the order of the Legislative Council, and worse still, without a reasonable excuse. What could possibly be the reasonable excuse for not asking the Chief Health Officer for the information? He said that he has been asked for only a certain type of information, that being the information that he received during that time, not the information that he sent. He was also not asked to provide copies of his telephone notes, which we now know are contained in his diary.

The Leader of the House had the opportunity to correct the record. Earlier today, just after two o’clock, as is our normal custom and practice, we commenced with our formal business. There was an opportunity at that time for the Leader of the House to rise from her chair and correct the record. She could have said, “I am aware of what took place in the estimates hearing last week. I apologise to the house for not providing all the documents, and I do so now.” This happened a week ago. The house ordered the Leader of the House to provide information within seven days. The Leader of the House did not do it.

Seven days ago, further information confirmed that the Leader of the House disobeyed the order. Seven days later, there has been no change to the Leader of the House’s attitude to the order. She is quite happy, seemingly, to go along and continue to be in breach of an order of the Legislative Council. That is the standard of the McGowan government. It has no regard for the rule of law.

The rule of law is a crucial principle in our western democracy. It means that no person in Western Australia is above the law, and that includes the member for Rockingham and the Leader of the House. It does not matter whether a person's surname is McGowan or Ellery or any other surname; in Western Australia, they must comply with the law of the land—that is what the rule of law is about. However, these particular individuals, including the Leader of the House, seem to think that they are above the law and can simply do as they like. When a lawful order is made, they will comply to the extent that they feel they want to. When it is drawn to their attention that they are fundamentally in error, there is no change of attitude; there is the continuing arrogance. They continue to operate in the mode that we have talked about before, with their love affair with Henry VIII. In history, all these powerful individuals have thought themselves to be above the law. Here we have Premier McGowan and his most senior member in this chamber acting in exactly the same fashion. As far as they are concerned, “Who cares what the Legislative Council thinks? Who cares if it wants documents to be tabled? We’re not going to do it. We’re going to run off into the recess and pretend that this never happened.” That is the standard of this government. Can members imagine what would happen if the Leader of the House were on this side of the chamber and somebody from the conservative party had done the same thing? The Leader of the House would lose her mind over that and we would be dealing with all kinds of rhetoric about it. But, seemingly, this is acceptable.

During the last Parliament, I served on a committee with the honourable Leader of the House when she was the Leader of the Opposition. I served on that inquiry because the honourable member raised a concern about information that had been provided during question time. It was subsequently found that the information was incorrect. What was the approach taken by the Barnett government at that time? It was to correct the record. Indeed, without delay, my friend Hon Peter Collier corrected the record and apologised to the house—not that it was even his fault, but he took responsibility for it because he was the Leader of the House. That was the standard that was applied then. At the time, Hon Sue Ellery, who was in opposition, quite rightly railed against that. She was outraged, so there was an inquiry by the Standing Committee on Procedure and Privileges, quite rightly, which came up with some unanimous findings and recommendations. Members can read that report if they choose to do so. That was the standard applied in the thirty-ninth Parliament. The standard in the fortieth Parliament is that the Leader of the House can do whatever she likes—do not worry about an order by the Legislative Council and do not worry about trying to get the information from the Chief Health Officer, the Premier and the Minister for Health. The Leader of the House will do as she pleases and act as though she herself is Henry VIII.

That is what is happening in the fortieth Parliament. Those are the standards of the McGowan government. This is an absolute disgrace. The fact that a whole week can go by and we can have formal business today and there is no correction of the record only adds to the disgrace. It is an utterly contemptuous attitude to the rule of law and the authority of the Legislative Council. It would not matter to this administration. It is quite happy to allow this kind of systemic, contemptuous attitude to continue and seep into the last few days of the fortieth Parliament. What an absolute disgrace! I can only hope that those members in the government who have a shred of integrity, decency and respect for this institution will ensure that this matter is remedied forthwith. They should be dropping everything—do not worry about Facebook, Twitter or media releases. For goodness sake; remember that this whole matter deals with important Health matters and the Chief Health Officer, yet we have the Minister for Health putting out press releases celebrating the fifth birthday of St John of God Midland Public Hospital! That is the priority of the McGowan government. It is going to send a birthday card for the fifth birthday of St John of God Midland Public Hospital.

This two-page media release was issued today by the Minister for Health, with various comments attributed to him. Instead of pushing this stuff out, I wonder whether his staff could have picked up the phone and talked to the Chief Health Officer and his staff and said, “Let’s get this matter right. Information was exchanged between our offices over that seven-day period and our most senior member is under lawful compulsion to provide it. Let’s get this moving!” Remember, members, that one of the defences put up by Hon Sue Ellery was to say that the scope was still too wide—even after it had been limited—and it would take too long to deal with these matters. Obviously, the Leader of the House and her government have a lot of time on their hands because they have time to be sending birthday cards to St John of God Midland Public Hospital. That is not a priority. I have no problem with the government recognising the achievements of St John of God Midland Public Hospital. I have no problem with the government doing that. But the government’s priority in Health on this day, 24 November, is to send a birthday card! Would actually complying with a lawful order of the Legislative Council not be a greater priority? Might that not be a matter of greater significance? It would be if one were a reasonable Western Australian but not if one were an arrogant Western Australian. It would not be a matter of greater significance for someone who thought they were above the law and continued to hold the rule of law and the Legislative Council in contempt. That is the record of this government. It must be very proud of the standards it has set!

This is the government that said, prior to the last election, “Vote for us, because if you vote for us, we guarantee that there will be a gold standard of transparency.” What rubbish! We have seen the exact opposite over the last four years. Government members call that gold standard of transparency; I call that a lie to Western Australians. It obviously had no intention whatsoever over this fortieth Parliament to adhere to any reasonable standard of transparency. Please do not even try to tell us that the government is trying its best to adhere to a gold standard.

A gold standard is yet again a subjective standard. Reasonable people could have a difference of opinion on what exactly is meant by “gold standard”, but no reasonable person could seriously suggest that the Leader of the House continuing to hide documents from the Legislative Council, despite being under a lawful order, is anything near a gold standard of transparency. It is the opposite of transparency. The Leader of the House hides these documents under lock and key, in some kind of safe somewhere—metaphorically speaking—but instead of picking up the phone and talking to the Chief Health Officer, who receives an ongoing appropriate appropriation from the government for his work and that of his staff, the government’s priority is to send out birthday cards to a hospital. That is the priority of this government. As I say, I hope those government members who have a shred of decency and integrity will remedy this by the end of this week.

I very much regret that there is limited time in this debate because there are a number of other health-related matters that I want to draw to members’ attention. Frankly, they are of far greater priority than sending birthday cards to hospitals. I could talk to members about the world record-breaking performance by this government in terms of ambulance ramping, but I do not have time for that. What I do want to talk about is the information that is contained in the report entitled “Palliative Care in Western Australia—Progress Report: Final Report of the Joint Select Committee on Palliative Care in Western Australia”, which was tabled at the start of today’s proceedings. In particular, I want to draw members’ attention to finding 33. I encourage members to read this report, which has 56 findings and 25 recommendations, but finding 33 serves my purpose at this moment in time. It reads —

The Committee was not provided with unredacted information to enable it to assess the progress of implementation of recommendation 8 of the Joint Select Committee on End of Life Choices, that the Minister for Health ensure that community palliative care providers, such as Silver Chain, are adequately funded to provide for growing demand.

I encourage members to read the background of that finding. Yet again, the McGowan government has an obsession with secrecy. The parliamentary committee asked for information, but it was not provided with unredacted information. Some members might quite reasonably say that it might be appropriate for the government to redact that information. Paragraph 5.54 on page 114 of this report reads —

The Committee requested and received from the Department of Health a copy of its current contract with Silver Chain. Despite providing a copy of advice from the State Solicitor’s Office that the Department was able to disclose to the Committee the pricing of the palliative care service under the contract, all pricing information was redacted in the documents provided to the Committee.

There we go members—that is the standard of the McGowan government. A parliamentary committee asked for information. The government got advice from the State Solicitor’s Office and the SSO said that the government could provide the information. What did the McGowan government decide to do? It decided to hide it. Of course it did! If parliamentary committees are going to ask any further questions of the McGowan government in the remaining few days of the fortieth Parliament, they should just assume that they will not get the information. There is no point asking this government for anything. It hates transparency. When the government says that it wants to adhere to a gold standard of transparency, it is a lie. It has absolutely no intention of doing that. It has never demonstrated transparency at any point of this fortieth Parliament. It loves to hide information. The State Solicitor’s Office said that the government could provide the information, but the government said, “Too bad; we’re not going to. We’re going to continue to hide the information for as long as possible!” That is the standard of the McGowan government. There has been one example after another. The government was contemptuous in its attitude to an order of the Legislative Council and has been contemptuous to the Joint Select Committee on Palliative Care in Western Australia. How many more examples could we come up with in this fortieth Parliament if we had more time? It is one thing after another. It is staggering, Madam President.

I also want to quickly draw to members’ attention finding 47, which reads —

Notwithstanding the Government’s announcement that \$5 million of its five year \$41 million commitment for end-of-life choices and palliative care would be spent on the Carnarvon Aged and Palliative Care facility, it will result in two multipurpose rooms within the facility being ‘flexibly allocated to palliative care’.

It is unbelievable. The McGowan government previously beat its chest about this \$5 million announcement about palliative care in Carnarvon, but the inquiry by the joint select committee has found that the \$5 million means two multipurpose rooms that can be flexibly used for palliative care. What a disgrace to mislead the people of Carnarvon, to mislead the people of Western Australia and to boast that the government is somehow the hero of palliative care. In my view, it gave \$5 million to buy a few votes in the voluntary assisted dying debate and it has now been found out. That \$5 million does not mean much; it is for two multipurpose rooms. That is the standard of the McGowan government. It is an absolute disgrace.

Extract from *Hansard*

[COUNCIL — Tuesday, 24 November 2020]

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Hon Dr Steve Thomas; Hon Colin Tincknell; Hon Nick Goiran

I conclude by simply saying that I hope, once again, that those members of cabinet who have a shred of decency will fix this situation. They have a few days left to at least adhere to some kind of standard of transparency. I call on them to do that forthwith.

Debate interrupted, pursuant to standing orders.

[Continued on page 8209.]