

GOVERNMENT ACCOUNTABILITY

Motion

HON DR STEVE THOMAS (South West — Leader of the Opposition) [10.08 am] — without notice: I move —

That this house notes the McGowan government's inability to —

- (a) accept proper oversight of its activities;
- (b) deliver gold-standard transparency; and
- (c) deliver its project on time and on budget, and

calls on the government to provide accurate and timely information instead of trying to avoid proper scrutiny.

The PRESIDENT: Members, the Leader of the Opposition has moved that motion and the question is that the motion be agreed. Leader of the Opposition.

Hon Dr STEVE THOMAS: Thank you, President.

Several members interjected.

The PRESIDENT: Order!

Hon Pierre Yang: No-one in your team wants to help!

Hon Dr STEVE THOMAS: No; there are plenty of people who are interested in the scrutiny of the government.

Several members interjected.

The PRESIDENT: Order! Please allow the honourable member to at least commence his contribution. Leader of the Opposition.

Hon Dr STEVE THOMAS: Thank you, President. They are already sensitive on the other side. They know that accountability is an issue of concern in the community and they know they are not very good at it. They are very good at keeping secrets. They are not very good at transparency. They are not very good at telling the community. The crowd on the government benches are a bit sensitive. We are back to a normal Thursday with the sensitivities of the government on display.

The tricky part is there were so many opportunities and so many examples of the government's willingness to hide its activities to cover its embarrassing performance and to ensure that nobody is allowed to find out what is truly going on that I was a bit spoilt for choice this morning. There is too much I could have put in. I have had to contain my excitement and reduce it to one or two really good examples, because, otherwise, we could be here all day. I could have spent my unlimited appropriation speech time talking about the obfuscation that the government runs into, but I still would have been talking about it this morning. I would have still been standing here giving the same speech.

I want to give another couple of good examples of this, because there are far too many opportunities to discuss where the government is not good at accountability. There are a couple of really simple ones. I will get to my substantive one in a little bit. I am really interested in what government members think about taking 100 000 tonnes of coal to Collie, most of which have not been burnt yet because it does not burn all that well. It has been imported to Collie to try to keep the lights on. If we look at the statements of the minister at the time, he said that we have to import this coal to make sure that we can guarantee supply in January and February this year. It started coming in around Christmas last year for January and February this year. How are we going to keep the lights on? Government members do not like it when it gets a bit more to the point. How are we going to keep the lights on? "We have to import some coal to Collie. We better get some New South Wales coal and bring it to Collie." If the government's handling of the coal industry is so bad and so appalling that it needs to import Newcastle coal to Collie, let us say so. Fair enough; fair cop.

I would have thought we would then put it on the table and ask what it is likely to cost. How will we manage it, because we might need to do it again in the future? But the government is so embarrassed by its performance that it will not tell anybody what the impacts of this are. The government will have people listening in. Let us have a little number. For 100 000 tonnes of coal, is it \$300 million, \$400 million or \$500 million? Did the government spend half a billion dollars to cover its embarrassment? Was that the size of the McGowan government fig leaf—half a billion dollars? They are really interesting numbers that the government is very good at hiding. Accountability—I do not think so. We would love to see the Auditor General look into the performance of the government in its importation of coal and how quickly it is being burnt. It brought in 100 000 tonnes and less than half of it has been burnt. We managed to get that figure out. That is less embarrassing than the cost of it coming in, but we know the government is very sensitive about the Auditor General. It does not like being criticised by the Auditor General. It gets a bit stirred up and a bit cranky. It does not like the Auditor General saying that the

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government is not doing the job it is telling everyone it is doing. Far too often ministers' press releases get cut and pasted into things that suggest the government is doing a good job, and scrutiny is limited because the government is very good at making sure we do not know anything. We cannot see the detail of the poor decision-making process that goes on.

But there is an even better example. I am glad that the President is in the chair, because in the fullness of time we will have to work out whether representative ministers in this house have effectively misled the house given the various quotes of information. Let us go back to one of the issues that also significantly embarrasses this government. I refer to the Gold Corporation's handling of Perth Mint, overseen by initially the Treasurer and then the minister for resources—another hospital handpass. I will wait for Hon Darren West to say the government gives all the dirty, horrible jobs to someone who is competent. I am waiting for it. The hospital handpass recipient, the poor fella, the poor old Minister for Energy; Corrective Services and Perth Mint and resources, must feel like he is playing opposite John Worsfold on the footy field, just waiting to get knocked over next time because the "Smiling Assassin" is coming for him. He struggles along manfully, but it is a debacle.

One of the things we would like to see from this government is the gold-standard transparency that was apparently on offer at the 2017 election. It was apparently on offer when the then Leader of the Opposition, now Premier, said that his government would deliver gold-standard transparency. There are question marks about the standard of gold across the board, but we probably do not need to delve into too much detail. The only thing the government has not delivered in gold is gold-standard transparency. It has delivered controversy. It has delivered all sorts of other things, but the government has missed out on the transparency component. We will try to add in a bit of that.

Talking about struggling manfully, I have been struggling to get answers out of the government on this issue for months now. We have to look at the defence of the government. Let us look at this because we know, thanks to a question without notice asked on 28 March—a couple of months ago—when the Minister for Mines and Petroleum received briefings and briefing notes from the Gold Corporation and which of those briefings referred specifically to the Australian Transaction Reports and Analysis Centre investigation into Perth Mint. As I have said before, the substitution racket of Perth Mint is the little issue. That is the little one; it is not the big issue. The big issue is the AUSTRAC investigation and whether it was used for money laundering, which, despite the protestations of the Leader of the House in a previous debate on this when she said we are not allowed to know, I think not only is the government allowed to know, but also the government knows and it is just not telling the rest of the community or the Parliament about it.

We know that the Minister for Mines and Petroleum received briefings, starting on 27 June 2022. The minister, according to the answer provided by the minister through the parliamentary secretary—which is a bit dangerous, because the parliamentary secretary does not necessarily have all the information to provide the answer—said that on 27 June the minister received briefing notes on AUSTRAC's assessment of Perth Mint. AUSTRAC made this investigation public on 30 August 2022. Just remember: 27 June and 30 August; that is two months later. The government should have been on top of this and known what it was going to do. The government should have had its answers ready to go, but it did not. What happened then? The opposition was forced to try to pull out of the government and extract like a firmly embedded molar whatever information it could, because this government is entirely intent on hiding that from the scrutiny of both the opposition and the Parliament and, therefore, ultimately, the public.

The first question I asked on 15 March was: how often had the Gold Corporation board minutes been submitted to the minister and were they being looked at? They never had. On 16 March 2023, I basically asked why not. Hon Kyle McGinn, as the parliamentary secretary representing the parliamentary secretary—so he might be on the list of members who have misled Parliament, which we have to get to—provided an answer to the questions about whether the minutes had been provided to the minister and whether the minister had bothered to ask. Bear in mind, this minister was told a major investigation into the probity of this organisation was going on two months before it was announced, and the question was asked some six months after that. What did the government do? What sort of effort did the government make? This answer was provided by Hon Kyle McGinn —

Good practice for boards is for board minutes to be kept confidential to the board. Board minutes are available to the Auditor General and other proper authorities ...

I do not think that is necessarily true, but we need to work that through. Unfortunately for the hardworking Parliamentary Secretary to the Minister for Mines and Petroleum, he was asked a similar question on 22 March, a week later, also asking him to justify his position on the legislation. The minister's office did a cut-and-paste and, in parrot fashion, he said —

Good practice for boards is for board minutes to be kept confidential to the board. ... They are available to the Auditor General ...

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One more question was asked on 15 March. I asked how often the board minutes had been submitted for review. They had never been submitted, but the minister was able to go and seek them. I would be very surprised if nobody has looked at any of the documentation. Unfortunately, I do not have an hour or two to go through this in detail. We have been going through the Government Trading Enterprises Bill 2022 in the chamber. Guess what? The Gold Corporation is a government trading enterprise. It is not one of the 11 government trading enterprises being dealt with by this bill, but it is a government trading enterprise. I had a great opportunity to ask a minister of the Crown, the minister representing the Treasurer, surrounded by Treasury officials, about the process around minutes. Those who were present for the excellent debate on the GTE bill are probably listening in their rooms. The debate was fantastic. I am forced to reference the uncorrected *Hansard* because this debate occurred only yesterday. I alert the house to the fact that I am quoting from the uncorrected *Hansard*. Perhaps after we have this discussion, the minister and the government might be running around trying to see whether they can make a substantive change to it. I think it is interesting. During consideration of the bill, I asked, very specifically —

Will the minister be able to access, for example, board minutes to confirm that the discussions ... were appropriate?

This is in relation to the current bill. The minister responded —

I am told that the minister could ask for formal decisions or formal correspondence of the board. ... Obviously, there will be a director general or an executive ... but they will be separate ... The minister could certainly ask for copies of those decisions or to be briefed on those decisions.

Given what we were debating in the bill, yes, the minister has access to the board minutes. The minister can ask for any document, including the board minutes. I then asked —

Will the documents that can be obtained by either the portfolio ... or the GTE minister be limited? Are there any documents that the GTE may hold that the GTE could say will not be given to either the portfolio minister or the GTE minister?

The Minister for Emergency Services, surrounded by three Treasury officials yesterday, said —

Any document can be requested, but the GTEs may identify some documents that must not be shared ... things that may be commercial in confidence or subject to legal professional privilege.

That does not apply to minutes of boards in these circumstances. The bill before the house suggests, according to the advice of the minister and the three Treasury officials advising, that all documents can be obtained, including the minutes. I would think that is appropriate. What clause allows that? It is clause 88 of the bill, which states —

(1) A relevant Minister is entitled —

- (a) to be given, and to retain, information in the possession of a GTE or any subsidiary of the GTE; and
- (b) if the information is in or on a document, to be given, and to make and to retain copies of, that document.

(2) ... the ... Minister may —

- (a) request the GTE in writing to give specified information to the Minister; and
- (b) request the GTE to give the Minister access to specified information; and
- (c) for the purposes of paragraph (b), make use of the staff and facilities of the GTE or of any subsidiary of the GTE to obtain the specified information and give the Minister access to it.

Subclauses (3) and (4) basically set out the form in which the information may be obtained. That is almost word for word what currently happens in GTE establishing legislation, including the Electricity Act. Funnily enough, because I know members will be interested in this, it also exists in the Gold Corporation Act 1987, which states —

(7) For parliamentary purposes, or for the proper conduct of the Minister's public business —

- (a) Gold Corporation shall furnish to the Minister all information in the possession of Gold Corporation relating to the business of Gold Corporation or a subsidiary; and
- (b) the Board shall ensure that the Minister shall have and may retain copies of any documents requested.

Does that sound familiar? Section 9 states —

(9) For the purposes specified in subsection (7) the Minister may —

- (a) request Gold Corporation to furnish information to the Minister;
- (b) request the Board to ensure that the Minister is given access to information; and

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- (c) make use of the staff of Gold Corporation or of any subsidiary to obtain information and to furnish it to the Minister.

Section 10 states —

Gold Corporation shall comply with a request under subsection (9) ...

Honourable members, the bill that we are debating to try to provide a bit of clarity and certainty about government trading enterprises, on the advice of the Treasury officials advising the Minister for Emergency Services yesterday, allows the minister access to “all documents”. I deliberately introduced the discussion around minutes. The advice from the table through the minister was that yes, ministers have access.

When Hon Kyle McGinn, as the parliamentary secretary representing the parliamentary secretary, and Hon Matthew Swinbourn, the parliamentary secretary representing the minister, stood in this house and said, “Good practice for boards is for board minutes to be kept confidential to the board”, that is either a completely misleading statement plucked out of the air or pulled out of the private sector in a desperate attempt to cover the malfeasance of the government in hiding its embarrassment.

The legislation before the house says that ministers have access to this information. It is not the case that the government cannot get access to the information; that is not the problem. It is a shame that we have to come back to this house time and again to debate motions about the transparency and performance of this government because it is so poor. Government members come out with stuff to hide their poor performance. In the fullness of time, we will look at potential parliamentary secretaries and ministers representing. The Minister for Emergency Services, Hon Kyle McGinn and Hon Matthew Swinbourn cannot all be right. There is a direct conflict in what they are saying.

The only way we can get away with this not being a matter of privilege is because of very clever and careful wording. I accept that the government is very clever and careful. Its spin team is excellent. It is very good at making sure an answer is given that is not necessarily a contempt of the Parliament but completely obfuscates the truth and hides everything the government is ashamed of. It is a poor performance. The government has been embarrassed on many occasions by its performance but it is the one performance it is good at. It is a gold-medal performance—a top-of-the-dais performance. It is not the performance relating to services or financial management—we know that is accidental; we have been through that. The absolute gold-level performance for this government is how to hide the information that should be available to the Parliament and the people, which exposes the repeated poor performance of the McGowan government. Shame on all of you!

HON TJORN SIBMA (North Metropolitan) [10.28 am]: What a joy and privilege to be here this morning.

Hon Dan Caddy: Someone’s got to do it.

Hon TJORN SIBMA: I think the privilege is largely yours, but I will try to extract some enjoyment from it also.

Last Thursday I was away from the chamber on urgent parliamentary business, so I gave up the joy of attending non-government business Thursdays. However, I want to address this motion in the terms it has been put. Interesting observations have been made this morning along the lines that this is more of the same. I think that is, effectively, the argument that has been put by Hon Kyle McGinn and others. Indeed, it is. What strikes me, however, is that there is not a scintilla of self-reflection, self-awareness, intellectual curiosity or moral compulsion from any —

Several members interjected.

Hon TJORN SIBMA: I love it; they are very easy to trigger.

There is none of that from the government about why the opposition keeps talking about the lack of government transparency and about why the government gets very upset when individual officers of the Parliament criticise the government’s performance and why the government’s propaganda is not necessarily universally endorsed by people outside the caucus, if, indeed, it is actually truly supported within the caucus. I am not sure whether that is necessarily the case.

Hon Kyle McGinn: How is your caucus?

Hon TJORN SIBMA: I hear interesting things, but that is a conversation for another day. I will return to the motion in an orderly way to set a good example to the government in the conduct of its affairs. I will make an apology now to government members opposite, because I think this is the first roster of the day and my budget reply speech will not be until the afternoon, so I might get the second tranche.

Hon Kyle McGinn: I can’t wait.

Hon TJORN SIBMA: Hon Kyle McGinn might learn something. I hope he will be here for the second instalment. I try and try, but I cannot penetrate the consciousness of the honourable member.

Hon Kyle McGinn: Use small words.

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Hon TJORN SIBMA: Hon Kyle McGinn is an intelligent fellow. I do not doubt you for one second, you sharp character.

I think this motion is exemplified in the management of the Metronet project. Paragraph (a) of the motion refers to the McGowan government's inability to accept proper oversight of its activities. Proper oversight is an interesting concept. Proper oversight suggests an independence outside of government for its conduct. I think that the greatest loss of talent that the WA Labor government has experienced in the last few years was the exiting of Hon Ben Wyatt. He was the natural challenger to the Premier—a man of intellectual capacity, humour and verve. He once held dear the concept—a proposal that I hold dear as well—of an independent parliamentary budget office. What is the value in one of those institutions? One value is that it would cost political promises, irrespective of who made them. Last week, we were advised that the capital cost of the Metronet project had increased by another \$1.7 billion. Not all of that \$1.7 billion is fully funded, because there was a great degree of uncertainty around the degree to which the commonwealth would co-fund it. I find it extraordinary that some 12 months after the election of the Albanese government the Minister for Transport and her commonwealth counterpart have not reached an agreement. That is to be discussed.

What was Metronet initially? Luckily, I can refer to a document dated February 2017 that was co-authored by now Hon Rita Saffioti and the then shadow Treasurer, Hon Ben Wyatt. They trumpeted Metronet. They were very clear about what Metronet was. They said that WA Labor has made it clear that Metronet includes four new rail lines, the removal of four level crossings, two new stations and upgrades. I am on the record as saying that that was an ambitious but manageable and deliverable concept, but that original project discipline over the course of the last seven budgets has metastasised and grown like topsy. The full cost implication of that original concept was just shy of \$3 billion. Over the course of seven budgets—a term and a half of the McGowan government—the capital cost of Metronet is now at least over \$11.5 billion, representing an order of magnitude of between 3.5 and four times the original capital cost estimate. In any other terms, for any other government, that would be a complete and utter disgrace. There has been no justification for the expansion of the network, which is not to say that one should not invest in public transport infrastructure—of course we should—but what we have seen with Metronet is, effectively, a doubling of the rail network within Perth when there has not been a population increase to sustain it. The capital cost is one thing, but the operational subsidy and the servicing costs will eat into future budgets when economic circumstances might not be as happy as they presently are. That, frankly, is an act of gross financial irresponsibility. But does this government accept responsibility for growing its own project? The answer is no. When confronted by a journalist last week, and even more recently, on Tuesday this week, to explain the reasons for the almost threefold increase in the cost of the Yanchep rail extension, every excuse under the sun was trotted out for why that project, which was originally costed at \$386 million, was recorded in last week's budget as costing \$982 million. Every excuse was cited, from COVID, labour shortages and supply side pressures to the war in Ukraine. I will get to that in more explicit, granular detail in my budget reply speech for people who are interested, but I will say that the expansion of the Metronet cost is because of the expansion of the Metronet project concept. The person who bears responsibility for that is Hon Rita Saffioti, the Minister for Transport, whom I also understand is a very senior member of the Expenditure Review Committee. I presume that implies she is saying no to expenditure in the health portfolio and every other portfolio and shovelling the money into her pet project.

Hon Sue Ellery: You don't know how it works.

Hon TJORN SIBMA: No, I do not know. Tell me how well the health portfolio is going, because there are opportunity costs with prioritising any capital outlay, and the opportunity costs expand when the project is mismanaged. There is a reason that we still do not have a new hospital in Perth and that we do not have a women's and babies' hospital, which is another mismanaged project that I do not have time to go into. A large explanation for why that project has effectively been abandoned from its original concept is that all the intellectual effort and resources have gone into expanding Metronet at a time when the construction market in Perth is already heated. By all means criticise us for bringing back to the government its core sin, which is a lack of transparency and a sensitivity to criticism. The government should improve its game. I hope it does, but I suspect we will be returning to this motion again.

HON PETER COLLIER (North Metropolitan) [10.38 am]: I stand to support the motion, particularly with regard to the oversight of government activities. One area that I have been very consistent on over the last 18 months has been the government's mismanagement of the Banksia Hill Detention Centre. I intend to make a very extensive contribution on Banksia Hill in my budget reply speech, but I cannot allow the opportunity to go by today without commenting on the Premier's comments last week on the detainees at Banksia Hill and also the role of Banksia Hill itself. In no way do I condone the activities of the detainees at Banksia Hill Detention Centre, and I never will, but the Premier's comments last week were absolutely disgraceful. If the government—and, by extension, the Western Australian Labor Party, which is complicit in his comments—honestly thinks that the solution to Banksia Hill is to call the detainees "terrorists", "rapists" and "murderers", I do not know how far they have come

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in the last 15 years. It is a disgraceful indictment of where we are as a society, and we must stop this. I ask members: please stop this rhetoric, because it does not solve the problems at Banksia Hill.

Banksia Hill Detention Centre is an institution in crisis. There have been 11 riots or disruptions over the last 18 months and more than 500 of the detainees at Banksia Hill have attempted self-harm or suicide. There are constant staff shortages and staff are constantly under threat from the detainees. Its role as a rehabilitation facility has pretty much gone out the window. A group of detainees at Banksia Hill has now been shunted off to Casuarina Prison, as if that is going to solve the problem. That is like putting a bandaid on a broken arm; it is not going to solve the problem. One in four detainees at Banksia Hill goes straight from there to an adult prison. This is not solving the problem. The number one political figure in Western Australia labelling those juveniles as terrorists—a significant cohort of those juveniles are Aboriginal and come from disadvantaged and disengaged families—is not solving the problem; it really is not.

There are two arguments here. On one side is the Premier, the Minister for Corrective Services and the Western Australian Labor Party, and on the other side is the Commissioner for Children and Young People; the President of the Children's Court; the previous President of the Children's Court; the Inspector of Custodial Services; the previous Inspector of Custodial Services; former Western Australian of the Year Fiona Stanley; two former Labor Premiers, Hon Carmen Lawrence and Hon Brian Burke, whom I noticed entering the debate today; every social reformer on the face of the earth; and me, and we are all wrong. No matter what we say or what options we provide, we are wrong and the Premier is right. The Premier's "hang 'em high" mentality and rhetoric is just disgraceful. It is not solving the problem. However, I would bet any money that the Labor Party has done polling out in the community and knows damn well that to be tough on these juveniles is popular, but is it the right policy? No, it is not. If the government genuinely wanted these juveniles to be rehabilitated and to return to the community, it would not come up with this sort of rhetoric. It is fundamentally wrong.

There is an old adage, in politics and in life, that the best form of defence is attack, and that is why the Premier does this. Whenever he is cornered on this issue, he gets personal and goes on the attack; the juveniles are expendable. The government takes cameras into the detainees' cells to show the damage they have done and says, "Isn't this terrible? We'll shunt them off to Casuarina; that's what we'll do. Don't worry about Fiona Stanley; she's just an activist." I have to say, she is also Western Australian of the Year. What about the President of the Children's Court? What about the Inspector of Custodial Services?

Point of Order

Hon SANDRA CARR: I am just curious as to the relevance of the content of the honourable member's speech to the motion at hand, which is about gold-standard transparency.

Hon Peter Collier: No, it's not.

Hon SANDRA CARR: It states: "accept proper oversight of activities", "deliver gold-standard transparency" and "deliver its project on time" —

The PRESIDENT: Order! You have raised your point of order; there is no need to continue the debate. You have made your point. I have listened closely to the honourable member's contribution and his contribution is significantly around accountability, but I remind him to keep that focus. There is no point of order.

Debate Resumed

Hon PETER COLLIER: Thanks, President. None for 15 for that member.

Hon Pierre Yang: Ha!

Hon PETER COLLIER: It is true. Straightaway, the Premier says, "Let's go on the attack." Attack is his form of defence. We are dealing with people's lives. Let us draw from the Premier's comments last week in an article in *The West Australian*. It states —

The Premier said he would hold a crisis meeting with the Department of Justice, Corrective Services Minister Bill Johnston and Police Commissioner Col Blanch to "work out a way forward".

"Obviously, (it's) totally, utterly unacceptable. It's a form of terrorism," Mr McGowan said.

"They're engaged in, and they are behaving appallingly and have no respect for anyone.

"The reasons they are in Banksia Hill before people start making excuses is multiple, and I mean multiple armed robberies, burglaries, rapes. Some have killed people, stolen police cars, and driven at police. They've shown no respect."

When asked whether he accepted medical evidence that some of these detainees could not understand the consequences of their actions because of conditions like fetal alcohol spectrum disorders—the Premier said: "That's more excuse-making."

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Yet again, I cannot believe this. This is the same man who, as then Leader of the Opposition in 2014, said of juvenile detainees —

The consequence for lots of these young people throughout life is alcohol abuse, other substance abuse, suicide, contact with the justice system, unemployment, general unhappiness and probably a family breakdown. All these issues proceed through life. At some point we need to come up with solutions that work and that prevent a large proportion of people ending up in that situation. We know that many of these young people are born with conditions beyond their control. If a child's mother drank alcohol whilst she was pregnant, particularly to excess, that child is often born with foetal alcohol syndrome disorder. Therefore, it is very difficult for that child to go through life with all the expectations of someone without FASD. We need to find ways of breaking that FASD cycle. It is not easy to break that cycle.

Hear, hear! I could not agree more with the then Leader of the Opposition, but now he has changed his mind; FASD is just an excuse. Well, it is not, according to his government, because I asked his Minister for Health last week whether FASD was a condition recognised by the Labor government and the Minister for Health said yes. I asked what the symptoms are and the answer went through all the symptoms, which include central nervous system anomalies or dysfunction, developmental delay, learning and behavioural disorders, intellectual disability and microcephaly and/or other structural defects. No, it is not an excuse, but it must be considered. What are the issues with a child with FASD? We have to assume that there are there are numerous juveniles who have this and other neurodevelopmental conditions. They do not understand the consequences of their actions. We cannot use that as an excuse, but we must consider it. We do not just flippantly pass it off as an excuse. That is a disgraceful comment from the Premier—absolutely disgraceful.

We now have a situation in which the whole community associated with these juveniles—their families and communities—are highly offended. Word has got around that there is no empathy or support for these juveniles from the Premier and the Labor Party. Surely I can say —

Hon Pierre Yang: That's nonsense.

Hon PETER COLLIER: That is the perception, I said.

The PRESIDENT: Order!

Hon Pierre Yang: That's just nonsense!

The PRESIDENT: Order!

Hon PETER COLLIER: You stand up in a moment. I said that that is the perception.

Hon Pierre Yang: What's your suggestion?

The PRESIDENT: Order! I should not have to call order three times to get your attention.

Hon PETER COLLIER: Thank you, President.

The PRESIDENT: That includes you.

Hon PETER COLLIER: That is the perception. The government can change that by changing its rhetoric. We want to collectively do something for those juveniles. I stand proud of my record with disengaged youth as education and training minister, and I will talk more about that in my budget reply speech, but behaviour is a learned process. It involves parents, peers, teachers and the community, but we also have to consider the neurological capacity of the child; we must. Just placing them into a corner and calling them terrorists is simply unacceptable. That is saying that there is no hope. When one in four of these juveniles goes straight from Banksia Hill to a mainstream jail, evidently the rehabilitation work that is being conducted at that facility is not working.

As I said, I am a lifelong educator. As a former education minister, I stand proud of what we did with disengaged youth, particularly those who were involved with juvenile justice through the curriculum and re-engagement in education schools. I stand proud of that, and I will talk more about that when we return. I want a solution. If the Premier changes his rhetoric and the tone of his language, it would have an enormous impact. It would send a message to the community and those juveniles that the government cares about their rehabilitation. Unfortunately, the Premier is politically weaponised, and demonising those juveniles will not resolve the issue.

HON SUE ELLERY (South Metropolitan — Leader of the House) [10.49 am]: I want to address some of the issues raised today. I will start with Banksia Hill Detention Centre. I want to make this point. I have stood at media conferences with the Premier when he has explained the whole context of what is going on with young people in the juvenile justice system in Western Australia. Then I have watched the media reporting of the media conference I have been at, and none of that explanation has been provided in the media coverage. To put the facts on the table, here is the situation. In the last 10 years, the number of young people held in detention has halved. On any given day, about 1 400 young people in the juvenile justice system are being managed through a whole range of community

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supervision arrangements supported by not-for-profit organisations and government agencies, cultural support programs, and in family-based intervention programs. They are in the juvenile justice system because they have come into contact with the police, but they are managed in the community. There are about 100—it depends; right now I think it is something like 87—young people in Banksia Hill Detention Centre. I heard someone on the radio the other day say that there are 10 and 11-year-olds in there. No, there are not. The youngest in there is 13. Currently, about 87 young people are in there whom the courts have deemed so much of a danger to themselves or to others because they have been accused of either sexual assault, taking the lives of others or a whole spectrum of violent crimes. The courts have deemed that they are fit to plead, that they constitute such a danger to themselves or others and that while on remand they need to be detained, or they have been convicted—fit to plead—and need to be in detention because of the crime they committed and have been convicted of, and because of the danger they pose to themselves or others. Those are the facts.

The government is investing about \$100 million in therapeutic programs. The most recent piece of work is led by Tim Marney, as a former Mental Health Commissioner, who knows how to bring together the health and mental health people to deliver a new model of care at Banksia Hill Detention Centre. In addition, money is being spent on the facilities themselves to ensure that we actually reduce the ability of those young people, for whom their trauma or their foetal alcohol spectrum disorder or whatever else is the driver of that behaviour, from hurting themselves or others. At the same time, five cohorts of youth custodial officers are being trained, because we need to increase the number of staff at Banksia Hill. Anybody who is running a business or government agency knows that right now, whether it is teachers, nurses, police or whatever, we have record low unemployment. It is really hard to find people to do jobs. Magnify that by the prospect of working in an environment where there is a daily threat that they will suffer violence, and it is hard to recruit youth custodial officers; there is no question about that. The government is using the levers that it has, with five cohorts being trained over the course of this year.

I share the Premier's frustration that, when he tries to get that message out, the only message that gets out is a kind of shock-horror, and the stuff we are doing is just not reported. There are activists, whether Hon Peter Collier likes it or not, who say that despite the fact that some of those young people constitute a danger to themselves and others, they should not be held in detention. There are activists and very senior people in Western Australia who hold that view, irrespective of the danger those young people pose to themselves or others, who say they should not be held in detention. It is not possible to keep the community, staff and the young people themselves safe and not have some kind of detention. We need to look at the facts. There are half the number being held in Banksia Hill than there were when the Liberal-National Parties were in government, and we have increased resources and are putting in place therapeutic requirements that need to be put into place, but we have to manage what the community expects of us as well.

This week we have seen the awful images of a bashing on an oval in Broome. We have seen kids from another school turn up at Churchlands Senior High School wearing its uniform, and then committing really awful violent activity. I also want to add my praise to the two teachers who stepped in. The community expects us to respond to that and if those kids are a danger to themselves and others, some form of detention is required. The Premier's frustration is that those who will not accept that in fact we are investing more money, putting in place the therapeutic measures that they are asking for—increasing the number of staff, culturally appropriate programs and mental health support into Banksia Hill—will not hear a word said unless it fits their particular point of view. Irrespective of the action taken by those young people and in full recognition of what drives that, there are still activists who say that they should not be detained. That is the point of conflict.

I am really pleased at the work being done and the investment being made to improve the lives and support for those young people in Banksia Hill. If there were one single solution, that would be fantastic, but there is not. It is about early intervention and more Target 120 programs, which we are also rolling out to make sure that we intervene well before those young people get into the juvenile justice system and that we support those families, many of whom have intergenerational dysfunction because of a whole range of reasons, not the least of which is alcohol. Then we hear people screaming when we seek to put in place strict measures around access to alcohol, with the banned drinkers register and the like. There is not one single solution to dealing with why we end up with 14-year-olds behaving so violently that the courts determine they need to be detained. There is not one single solution. There are a whole range of things, and this government is doing those things.

I expressed my view last week, and there is not enough time for me to respond in 15 minutes to the range of issues raised. I keep hoping that one day Hon Dr Steve Thomas will start his contribution on a Thursday morning with something that is a bit meatier and demonstrates something that gives me hope that he has some strategic thinking going on inside his organisation at all about how it might best use this time on a Thursday morning to prosecute an argument, deliver a media story or perhaps come up with something it can use when its members doorknock or engage with the community, but Thursday morning after Thursday morning I leave this place disappointed. I have to say, Hon Dr Steve Thomas, that Hon Alannah MacTiernan used to love Thursday mornings. I kept thinking that

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this must be something to look forward to when we made changes to the rostering system. I come in here every Thursday thinking, “This is the morning that Hon Dr Steve Thomas is going to hit me with something more than a wet lettuce”, and it has not happened.

Hon Dr Steve Thomas: At least Hon Alannah MacTiernan could respond.

Hon SUE ELLERY: Well, honourable member, I am sorry that I am not Hon Alannah MacTiernan. I suspect this chamber is not big enough for more than one Hon Alannah MacTiernan!

I want to touch briefly on some of the issues that were raised. I want to talk about putting accountability measures in place. I also want to talk about the fact that, for example, we have increased the Auditor General’s budget by 79 per cent since coming into government, noting a seven per cent increase to the Auditor General’s budget when the last lot were in government. We funded a new forensic audit branch made up of multidisciplinary teams from a wide range of relevant professions to conduct forensic audits of state entities. The Auditor General’s *Audit results report—annual 2020–21 financial audits of state government entities* is an important document because it notes a significant shift in work that needed to be done during the course of that year in response to the COVID-19 pandemic. In addition to the issues that she identified in that report, the Auditor General also noted that despite the work pressures being felt by the public sector during that time, 78 per cent of government sector audits were ready within 20 days of the end of the financial year, which was the best performance in the last 10 years. She also noted the strong financial performance of this government and the sustainability of the state’s debt position, measured by debt to gross state product, that continued to improve after the terrible mismanagement by, of course, the previous government. We have put in place a range of financial measure to address the issues raised, for example, by the Paul Whyte corruption scandal that happened between 2008 and 2019. The bar has been raised across the public sector by improving internal governance and audit arrangements and doing a range of things in response to the Langoullant inquiry, which highlighted systemic issues across the previous government and a complete lack of accountability and transparency in decision-making. Another transparency measure that we have put in place is the agency capability reviews. These provide independent reviews of a number of agencies to ensure performance and accountability to drive improvement and to ensure government and public expectations are met, and those reviews are made publicly available. We passed the Financial Legislation Amendment Bill to make a range of changes to the Financial Management Act to enhance accountability, including requiring all FMA agencies to provide public annual financial estimates. The previous government did nothing with the first review of that act. In contrast, we have responded to both reviews that were undertaken over the last decade. We passed the new Auditor General Bill that responded to recommendations from several reviews to guarantee access to cabinet material, to rectify longstanding limitations on the operation of the current act, to create a clear right of access for protected and restricted access materials by the Auditor General, to regulate the disclosure of that type of material and to protect the operation of privileges and immunities in other contexts. We have put in place the policies and processes required to ensure transparency in decision-making. We continue to support the Office of the Auditor General far and above any of the resources or legislative frameworks put in place by the previous government, and we stand by our record of good governance.

I have a minute and a half to talk about the fabulous Metronet. Hon Tjorn Sibma would have us be embarrassed about the fact that we have used our good financial management and our good financial relationship with federal governments of both persuasions to get access to funds to increase the number of projects to improve access to public transport for Western Australians, wherever they live across metropolitan Perth. Somehow it is a bad thing that we got extra money out of the previous Liberal–National government and the current Labor government. It is a bad thing that we got those extra funds, that we got more of Western Australians’ taxes coming back to Western Australia to fund the outstanding—what is it now?—11 projects across Metronet. Somehow we should be embarrassed by that. Everywhere I go, when I engage with members of the community—I encourage people on the other side to do that occasionally—people are excited about the work that we are doing on Metronet. They are excited about the changes that are happening not only in the new suburbs, but also in getting rid some of the heritage lines that blocked up traffic every morning and afternoon for people. Metronet is an exciting range of projects and Western Australians have endorsed it.

HON JAMES HAYWARD (South West) [11.05 am]: I stand to support this motion. It is similar to many motions that have come here before. I wonder why the government does not get the message and why we do not see improvements in the government’s effort to be more transparent. I would particularly like to speak about answers to parliamentary questions. Each afternoon during a sitting day, we have the opportunity to ask the government questions and we get back a variety of answers. Those answers are about as useful as a lollipop rapid antigen test. Every now and then we will get an answer that actually means something, but the rest of the time we just get spin, an evasive answer or no answer at all. That is what happens every single sitting day.

Before I talk about that, I want to respond to something the Leader of the House said about the Premier’s difficulty in getting his message out, particularly around the Banksia Hill Detention Centre. I have some sympathy for the

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people who work in that space who are trying to get their messages out; they are not always picked up as intended. I got my staff to track through the Premier's Facebook page to see if any of the information presented here this morning that the Premier is battling so desperately to get out in the community, is actually captured by that page to share his side of the story, to make it clear that the statements he made were taken a little out of context and to get the message out that there has been a big reduction in the number of detainees held and some of those things. Some of those things were welcome messages and I was very pleased to hear about them this morning. But to my surprise, despite the challenges the Premier is having in getting these messages out, there is nothing on the Premier's Facebook page at all about these things. I do not understand why that would be because it is clear, from what the Leader of the House said, that these are important things that the community needs to know about. We know that the Premier has the most significant social media presence of any Premier in Western Australia's history. He has more social media followers than Channel Seven has viewers of its nightly news program. It is a significant channel available to the Premier to use and, for some reason, despite what the Leader of the House has told us—that the Premier was desperate to get his message out—there is nothing on his channel. These are the problems that we have with transparency. The McGowan government is absolutely fantastic at spin. In fact, it is better than probably any government that I have ever seen. It is incredibly good at it. The problem with spin is that it lacks substance. It is not the truth. It does not provide that transparency that we are looking for, and no doubt that is why Hon Dr Steve Thomas has brought this motion highlighting the challenges that we are having.

Yesterday during question time, I asked about the expansion of the Greenbushes lithium mine, which is an exciting project for the south west. It will provide a lot of jobs and future security for many people and families in the south west. It will also provide a viable resource for new technologies—batteries and others—to be developed and used, which is a terrific thing. I asked a question about the 1 146 daily truck movements along the South Western Highway through Donnybrook and whether the doubling of the mine site capacity would end up with a doubling of those truck movements, which, unless they are going to fly the lithium out, I presume is what is expected to happen. I was asking the question about whether any effort had been undertaken to perhaps consider it being put on rail given that a rail line already runs from Greenbushes to Bunbury. It exists. It is there, and it not being used. The answer to the question that I got back states, "This question should be directed to the mine operator." Where is the level of transparency in that? Is it the case that the state government in its assessment of whether it would approve this expansion did not ask whether more trucks would be on the road? Of course not. The government knows exactly what the impact will be, so why does the government not just answer it? Why does the government think it is acceptable to say that this question should be directed to the mine operator? Does the mine operator have any sense of obligation to answer questions on behalf of Independent members, opposition members or non-government members of Parliament? I do not think it has an obligation, but the government certainly does. It is certainly not an unreasonable question. It is not even a question that has a gotcha moment in it; it is just the reality of information. However, these things happen every single day. Referring questions that are asked by members of Parliament in this house to private businesses is, frankly, not transparent. That is not how the business of this house should be done. There may be times when somebody asks a question that is inappropriate or cannot be answered, and then the answer is that the government cannot answer it. The answer is not to go and talk to Chevron or somebody else. The question is put to the government; it is not put to those private parties.

I want to turn back to the questions on gold-standard transparency. I asked eight questions in this house to try to get to the bottom of some of the contradictions, evasions or outright refusals to answer the questions asked. I was trying to get some answers. I have established that sometime between 2017 and 2020, the Gold Corporation changed its refining processes. We know that. The changes resulted in an average minimum gold content of bullion being reduced from 99.996 per cent to somewhere lower than that. We know this because the Shanghai gold exchange complained that there was more than 0.005 per cent silver in the bullion that they bought from the Perth Mint. The only way to have that much silver in the bullion is if there is fewer than 99.996 per cent gold content—that is simple maths. Therefore, we know that the gold content was reduced, not that the government has ever admitted it, even though it is clear to everyone.

The minister advised that the Gold Corporation reverted to its former practice of ensuring an average minimum gold content of 99.996 per cent in 2021. He clearly stated that at one point the gold content diverted from an average minimum gold content of 99.996 per cent to something less than that, but above 99.990 per cent. We know that the gold content was reduced at some point after 2017. The question is: Why did this happen? Why did Gold Corp make a commercial decision to reduce gold content and put its brand reputation at risk on the international gold market? This is the critical question that needs to be answered to rehabilitate the Perth Mint brand, which suffered a massive hit when this issue was reported in international news. However, the minister refuses to answer the question. It has been put to him that he could request the board minutes to shed some light on this, and he has repeatedly said that the minutes are open to the Auditor General but that he is not able to do it.

Hon Dr Steve Thomas put it very plainly today that we know that the minister is able to request the minutes. The idea that there would be board minutes that may shed some light on this issue and that the government has not

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investigated those or is not aware of what is in those minutes is ridiculous. This government is good at spin. It is looking, as anybody would in government, to crisis manage the situation and to see what risks are there. The government already knows what is in those minutes, so why is there a reluctance to release them? The government tells us that we can talk to the Auditor General, and, no doubt, discussions with the Auditor General have already taken place or will be taking place to see whether she can find those answers. However, despite the heckles from the other side this morning, the reality is that there is no issue with those minutes. Why not make them available? Why not settle the issue now? After eight questions, I am still no clearer why that decision was made, and that lack of clarity continues every day.

I encourage the government that if it does not want to see these motions on a Thursday morning, perhaps one of the simplest answers is to be a bit more up-front in answering the questions from non-government members.

HON DAN CADDY (North Metropolitan) [11.15 am]: This is the same old tired motion from the same old tired opposition. One of the limbs of this motion is almost word for word the same as the motion on the last day of Parliament last year, on 1 December. The opposition has been working down this path and not getting any hits at all for many months, and I thought that we would not have to put up with this last year. I took my little transparency pack on the Barnett government, which sits on my desk, and I filed it away, but I had to pull it out again this morning because members opposite do not change what they do. They have no original thoughts. The Leader of the House, Hon Sue Ellery, summed it up best when she said that the members opposite do not know what they are doing with this time and they keep coming back with the same old stuff. This is the same old motion from the party of plastic cows and singing toilets. This motion is similar to those on 1 December 2022 and 18 May 2023. It is the same old stuff all the time.

Hon Dr Steve Thomas interjected.

Hon DAN CADDY: It is hilarious. A couple of members of the Nationals WA have had a go about questions on notice and answers to questions on notice.

Hon James Hayward interjected.

Hon DAN CADDY: Sorry—and Independent members have had a go. Sometimes members opposite just have to ask a good question, and they have to understand what they are asking about. I can use plenty of instances from this chamber, but I want to reflect on one that was asked in the other chamber this week. It was a purler. It was asked to my good friend Hon Bill Johnston in his capacity as Minister for Energy. The crux of the opposition's question states —

Does the state budget include additional funding for Western Power to recruit specialists and other measures to fix this issue; and, if not, why not?

This is ironic. The issue is not important. The irony is that we are currently debating the Government Trading Enterprises Bill and the opposition does not know how a GTE operates. There is absolutely no funding for the budget in Western Power because it is a GTE! That is how it works. That is the level of questioning that is coming from members opposite.

A government member interjected.

Hon DAN CADDY: That was Libby Mettam.

Several members interjected.

The ACTING PRESIDENT (Hon Dr Brian Walker): Order, members! I am enjoying very much this cross-chamber chatter, but I would like to hear the Reverend—the Reverend!—Hon Dan Caddy speak.

Hon DAN CADDY: I will take it, Acting President. Thank you very much. I am feeling two feet taller now!

Let us take a quick look at government transparency and the history of government transparency. A great article here refers to the report into the previous government's transparency. I know that it gets your goat, honourable member, when I go back and give people a history lesson, but it is really important to know. Something that Hon Tjorn Sibma brought up was the budgeting for things—there is that beautiful word “things” that Hon Donna Faragher loves in legislation—that then require ongoing payments. An article in *WAtoday* reads —

... John Langoulant found the government —

This is the Barnett government —

used a “temporary boom” in state revenues to pay for permanent promises.

It was a damning report. The article states —

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Former Premier Colin Barnett repeatedly ignored warnings from treasury about budget blowouts and approved multibillion dollar projects without supportive business cases ...

Another thing that Hon Tjorn Sibma mentioned was Metronet; he had a bit of a shot at Metronet. I notice he did not mention Metro Area Express. We do not know where MAX went. It just disappeared. There was no business case so it was pretty easy for members opposite to disappear it. Some of the Liberal Party's best election promises have been the ones that have had no business case. It is just like when Hon Tjorn Sibma stood outside City West rail line saying, "We're going to sink this from here to ..."—it was to God knows where. That was a ripper. I have said before that I think he realised it was a dog when he got there. People of his stature—he is pretty short like I am—try to stand at the front of the pack, but he very quickly moved to the back of the pack and stood behind Zak Kirkup, who is significantly taller, so no-one could see him because he knew within five minutes of getting there that it was a dog of an announcement and it had nothing behind it.

The second thing Hon Tjorn Sibma brought up was hospitals. That is fascinating. I want to take members back through the history of Perth Children's Hospital, a project that was announced and committed to in 2008 by Hon Alan Carpenter. One of the limbs of the Leader of the Opposition's motion goes to delivering projects on time and on budget. This is from the party that brought us the fiasco of Perth Children's Hospital and the lead in the water—unbelievable. It is unbelievable. This whole idea that the problem could be solved by not taking practical completion was absolutely ridiculous. No-one knew what was going on. There is a great quote from this bloke—Hon Dr Mike Nahan. He said two things. One goes to accountability —

"All of the times that John Holland has not, or has, made a comment in the media it has been their choice," ...

"We have not held them back ...

He said that, despite the fact that there was a clause in the contract saying that the company was not allowed to speak. It was a transparency issue, but I am now talking about project delivery. The reason I love this quote from Hon Dr Mike Nahan is that it completely contradicts what Premier Barnett was saying. Dr Nahan said —

"The lead is not coming into the hospital. Full stop. It's in the hospital.

He was saying that the water was already in the hospital. Hon Colin Barnett, Premier at the time, said the advice he had was that the source of the lead was not within the new hospital, neither was it from QEII. It was a coalition of confusion back then, as it is a coalition of confusion now in this chamber. The government had no idea what was going on. After the McGowan government won in 2017, this issue was not helped by the then shadow Minister for Health, the member for Nedlands, who lost his seat to the formidable Dr Katrina Stratton in the 2021 election. He said it should have been opened even when the lead levels were like that. This is his contribution in *Hansard* of 1 November 2017 —

... I will finish by saying that in my view, and in the view of a lot of Western Australians, Perth Children's Hospital is ready to be opened. Some people are suggesting that even if there is a problem with the water supply, the hospital could have been opened ages ago and drinking water —

That is because drinking is the only thing they use water for in a hospital —

could be handed out to children who want a glass of water.

This was the shadow health minister and the local member where the hospital is located. He was not trying to solve the problem at all; he was just trying to find a stopgap for billions of dollars of infrastructure. We can go back further and look at comments that were made by the former member for Churchlands, who said the only thing the government could do was to refuse practical completion. He said the government would not take practical completion until the lead issue was resolved. That meant that they would not have been able to get into the hospital to fix the water issues like we did. Our government took action by getting the Chief Health Officer into the hospital so that we were able to identify the source of the lead as the dezincification of the brass fittings, and we were able to replace the thermostatic mixing valves. Members opposite were adamant that they were not the problem, but they were wrong. Do not come into this chamber and criticise this government when we are delivering the biggest transport project this state has ever seen and have a shot at us about project delivery when you could not even deliver the hospital and refused to do what needed to be done!

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [11.25 am]: I rise to make a brief contribution in the time remaining on this excellent motion moved by my colleague Hon Dr Steve Thomas. In the time available, I want to talk about an issue of transparency. Let us talk about Esperance Senior High School. The school has not changed since I was there. It was built in the 1960s. It has significant issues, which the Premier himself has seen, that need to be addressed to enable the kids in that school to attend a safe and appropriate school setting. It is unacceptable that the conditions they have to endure are ongoing. The Minister for Agriculture and Food, who is away on urgent parliamentary business, was there only last week looking at that school. That school, the school board and the people of the community of Esperance have been told that no decision on any funding

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for upgrade works in that school could be made until a statewide condition assessment of all schools had been done. That statewide assessment was to prioritise future decisions on capital spending on replacements and refurbishments. That question was asked by our shadow minister for education.

What did we find in the budget released last week? There is \$100 million for schools in the Premier's electorate. Did the condition assessment identify that those schools needed \$100 million spent on them? Are the kids in Rockingham and Safety Bay more important than the kids in Esperance? Do the kids in Esperance who attend that school, my own children included, not deserve to have their school fixed and the problems it has dealt with? What is it that this government is hiding in the assessments that apparently have either been finished and have identified that Rockingham and Safety Bay are more of a priority, or have not been finished and those schools have been bumped up the list by the Premier himself because he wants to look after the kids in his electorate, who are apparently more important than the kids in Esperance? They are apparently more important than the kids who go to Esperance Senior High School. This is despite the Premier having seen firsthand the disgraceful state that school is in and the disgraceful conditions that the kids in that school have to endure every year. He has been there. The Minister for Agriculture and Food has been there. Hon Shelley Payne is very worried about the extent of the issues at that school, but what has her government done in the budget? It has funded schools in the Premier's electorate ahead of this school, despite saying that no decision on funding for schools could be made until the statewide assessment had been finished by the department. It is unacceptable.

Motion lapsed, pursuant to standing orders.